WORK SESSION
AGENDA
KANNAPOLIS CITY HALL
401 LAUREATE WAY, KANNAPOLIS, NC
NOVEMBER 10, 2025
4:30 PM
Please Turn off Cell Phones or Place on Silent Mode.

MINUTES

A. November 10, 2025 (Pam Scaggs, City Clerk)

CALL TO ORDER AND WELCOME

MOMENT OF SILENT PRAYER AND PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA - Motion to Adopt Agenda or make revisions

CONSENT AGENDA - Motion to Adopt Consent Agenda or make revisions

A. **ORDINANCE** — Budget Amendment #26-26 appropriating insurance proceeds for fire hydrant repairs **UNANIMOUSLY APPROVED** (Kristin Jones, Budget and Strategy Director)

B. **RESOLUTION -** Hazard Mitigation Grant Program (HMGP) designation **UNANIMOUSLY APPROVED** (Elizabeth Hassenfritz, Director of Engineering)

C. **RESOLUTION** - 2026 City Council Meeting Schedule **UNANIMOUSLY APPROVED** (Pam Scaggs, City Clerk)

D. **REPORT** - Agendas and Activities for City Appointed or City Represented Boards and Commissions (Mike Legg, City Manager)

BUSINESS AGENDA

A. **PRESENTATION** — Safe Streets Grant Safety Action Plan (Kristin Jones, Budget and Strategy Director)

B. **RESOLUTION** - Adopting new Kannapolis Personnel Policy **TABLED TBD** (Heather James, Human Resources Director)

MOTION TO ADJOURN

ADA Notice

In accordance with Title II of the Americans with Disabilities Act (ADA), any person requiring an accommodation to participate in a function or program of the City of Kannapolis should contact Daniel Jenkins, Assistant Human Resources Director & ADA Coordinator by phone at 704-920-4312,

email adacoordinator@kannapolisnc.gov, or in person at Kannapolis City Hall as soon as possible, but not later than forty-eight (48) hours prior.

CITY OF KANNAPOLIS
CITY COUNCIL MEETING MINUTES
Work Session
November 10, 2025

A work session meeting of the Kannapolis City Council was held on Monday, November 10, 2025, at 4:30 PM, Kannapolis City Hall located at 401 Laureate Way, Kannapolis, NC.

CITY COUNCIL MEMBERS PRESENT:

Council Members:	Darrell Hinnant, Mayor	
	Dianne Berry, Mayor Pro Tem	
	Darrell Jackson	
	Doug Wilson	
	Jeanne Dixon	
	Ryan Dayvault	
	Tom Kincaid	
Council Members Absent:	None	
City Manager:	Mike Legg	
Deputy City Manager:	Eddie Smith	
Assistant City Manager:	Tina Cline	
Assistant City Manager:	Wilmer Melton	
City Attorney:	Andrew Kelly	
Staff Present:	Terry Spry	Kirk Beard
	Greg Summitt	TJ Cook
	Richard Smith	Gerald Faulkner
	Travis Barnhardt	Tracy Winecoff
	Irene Wong	
Visitors Present:	Zach Erwin	Joshua Teague
	Judy Hammett	Pam Smith
	Joe Hatley	Phil Goodman
	Janet Briggs	Sophia Wilkerson
	Ashley Vega	Brayden Burgess
	Naomi Hatchell	Mark Spitzer
	Mia Torres	Daniel Reyes

CALL TO ORDER AND WELCOME

Mayor Hinnant called the meeting to order and welcomed all in attendance. He led a moment of silent prayer, followed by the Pledge of Allegiance by Councilmember Dayvault.

Mayor Hinnant referenced the recent election and congratulated the incoming Mayor, re-elected Council Members and newly elected Council Members.

ADOPTION OF AGENDA

Mayor Hinnant called for a motion regarding the Agenda. Councilmember Jackson made the motion to approve, second by Councilmember Dixon and unanimously approved.

CONSENT AGENDA

Mayor Hinnant called for a motion regarding the Consent Agenda. Councilmember Dayvault made a motion to approve, second by Mayor Pro Tem Berry and unanimously approved.

Ordinance – Budget Amendment #26-26 appropriating insurance proceeds for fire hydrant repairs (Kristin Jones, Budget and Strategy Director) (Copy included as Agenda Item E.A.)

Resolution – Hazard Mitigation Grant Program (HMGP) designation (Elizabeth Hassenfritz, Director of Engineering) (Copy included as Agenda Item E.B.).

Resolution – 2026 City Council Meeting Schedule (Pam Scaggs, City Clerk) (Copy included as Agenda Item E.C.).

Report – Agendas and Activities for City Appointed or City Represented Boards and Commissions (Mike Legg, City Manager) (Copy included as Agenda Item E.D.).

BUSINESS AGENDA

Presentation – Safe Streets Grants for All Safety Action Plan (Kristin Jones, Budget and Strategy Director) (Copy included as Agenda Item F.A.).

Ms. Jones reported that the City received a $200,000 Safe Streets grant through the Federal Highway Safety Administration's Safe Streets program and introduced Jay McGinnis of DRMP to present a detailed overview of the City's Safety Action Plan.

Mr. McGinnis explained that the Kannapolis Safety Action Plan is the product of a collaborative effort involving transportation professionals, law enforcement, emergency responders, and the public, with the goal of reducing and preventing fatalities and serious injuries on city streets. He stated that the plan establishes a mission to implement a collaborative, data-driven approach and a vision of eliminating transportation-related fatalities and serious injuries by the year 2050. The plan's goals include identifying the five highest-risk intersections and roadway segments, developing recommended countermeasures with cost estimates, and securing funding for implementation. He added that the planning process included four stakeholder meetings held between July 2024 and August 2025, along with public engagement through a city webpage and an online safety survey.

Based on crash data analysis, the study identified three priority roadway segments: Dale Earnhardt Boulevard, Rainbow Drive and Bethpage Road, and West C Street; and four priority intersections: NC 73 at Trinity Church Road; North Loop Road at West C Street; North Cannon Boulevard at East 22nd Street; and North Cannon Boulevard at Ebenezer Road. Mr. McGinnis stated that recommended improvements include speed reductions, medians, turn restrictions, roundabouts, enhanced pedestrian facilities, signal upgrades, and improved sightlines. Estimated costs range from approximately $12,000

for minor signal modifications to more than $5 million for full intersection reconstructions, with opportunities for phased implementation.

Council members discussed several safety concerns and potential adjustments to the proposed plan. One suggestion was to install a traffic signal at Pump Station Road as a lower-cost alternative to lane reconfiguration and bridge widening, citing safety risks for drivers making left turns due to speeding traffic. Mr. McGinnis confirmed that a signal could be considered if traffic warrants are met, though left-turn conflicts would still exist. Another recommendation supported adding high-visibility signal backplates to address sun glare issues, particularly at Oakwood Drive and Rogers Lake Road, noting this as a cost-effective improvement. Council also requested that the final report include a ranked list of projects with associated costs to help guide prioritization and phased implementation.

Pedestrian safety concerns were raised following a recent incident in which a student was struck at North Loop Road and Dale Earnhardt Boulevard, prompting a request to review signal design at that location. Questions regarding the use of speed bumps were addressed, with clarification that they are not permitted on state-maintained roads but may be considered on city streets. Additional concerns included signal timing at Jackson Street and Cannon Boulevard and hazardous left-turn movements near Hardee's on West C Street.

Mr. McGinnis noted that completion of the Safety Action Plan makes the City eligible to pursue federal grant funding, though such funding is highly competitive. Council members agreed that the plan strengthens Kannapolis' position for federal, state, and local funding opportunities and thanked Mr. McGinnis for providing a strong foundation for future transportation safety improvements.

Resolution – Adopting a new Kannapolis Personnel Policy (Heather James, Human Resources Director) (Copy included as Agenda Item F.B.).

Ms. James provided an updated presentation on the proposed Personnel Policy. She stated the updates reflect Council feedback and input from employees through an anonymous survey, which had a 25% participation rate. Ms. James added that a recorded webinar was also provided to explain the proposed changes and answer employee questions to improve transparency. Key updates to the personnel policy include revised retiree health insurance language; changes to employment of relatives; clarification on searches of city and personal property; continuation of the 200-hour rule for part-time employees; clearer guidance on conflicts of interest for secondary employment; removal of the mandated unpaid meal break (now department-specific); and retention bonus provisions.

Ms. James explained that for retiree health insurance, employees strongly supported keeping the benefit for those hired after January 1, 2026. To balance cost containment, a stipend system was introduced based on years of service, consistent with existing retiree policies. Current retirees may opt for the stipend but cannot return to the traditional plan. Employment of relatives now allows family members to work in the same department, provided there is no supervisory or auditing relationship. Search policies were clarified to define Human Resources' role, require written consent, and specify that criminal matters are referred to law enforcement. The ordinance prohibiting weapons on city property may require review, as it currently includes parking lots. She reiterated that the 200-hour limit for part-time employees remains in effect, and that updated secondary employment rules now clearly define conflicts of interest, aligning with practices in other municipalities. Meal breaks are now determined at the department level rather than being universally mandated. Separation

allowance policies were clarified to allow retirees to return to part-time work while retaining benefits under certain conditions, and the extension of retention bonuses was explained.

Councilmember Dixon asked how the secondary employment policy applies when Kannapolis is the secondary employer, and Mayor Pro Tem Berry questioned who determines conflicts of interest. Ms. James responded that department heads consult with Human Resources on both. Councilmember Kincaid asked whether retiree insurance is tied to federal healthcare programs and how potential changes in Washington might affect coverage and Ms. James confirmed that an alternate plan exists to maintain existing benefits. Mayor Pro Tem Berry requested the number of employees currently on retiree plans. Ms. James responded that there are 125 employees current on the plan, split between pre-65 and post-65 coverage. Councilmember Dayvault expressed appreciation for an updated policy but moved to postpone approval, citing lingering employee concerns and the need for input from incoming Council members. He questioned rushing approval before January 1 given the policy's long-standing nature. Mayor Hinnant countered that the update is complex, has been under review for over a year, and is needed to address liability issues and modernize outdated provisions. Councilmembers Wilson Jackson questioned why the January 1 deadline was not emphasized earlier and noted the challenge of reviewing a lengthy policy in a short timeframe. Ms. James explained that the timeline is critical for implementation, payroll setup, and compliance, but offered to pull specific sections for further review if needed. After extended discussion, Councilmember Dayvault made the motion to postpone action until a later date (unspecified), second by Councilmember Wilson and the motion passed five to two with Mayor Hinnant and Councilmember Kincaid dissenting.

MOTION TO ADJOURN

There being no further business, Councilmember Dayvault made motion to adjourn, second by Councilmember Dixon, and the motion was unanimously approved.

The meeting adjourned at 5:53 P.M. on Monday, November 10, 2025.

George Douglas Wilson, Mayor
City of Kannapolis

Pam Scaggs, CMC, NCCMC
City Clerk

Agenda Item: E.A

Kannapolis

Agenda Staff Report
November 10, 2025

To: Mayor and City Council

From: Kristin Jones, Budget and Strategy Director

Subject: **ORDINANCE** — Budget Amendment #26-26 appropriating insurance proceeds for fire hydrant repairs **UNANIMOUSLY APPROVED**

Recommended Action Requested by City Council

Motion to approve Ordinance for Budget Amendment #26-26 appropriating insurance proceeds for fire hydrant repairs

Required Votes to Pass Required Action

Majority Present at Meeting

Background

This amendment budgets the $14,100 received from insurance to repair a fire hydrant that was damaged due to a vehicle accident.

Fiscal Implications

A budget amendment is needed to appropriate the insurance proceeds received in order to fund the repairs to a fire hydrant.

Alternate Courses of Action

1. Table action to a future meeting.
2. Take no action.

Attachments

1. 2025-84 Ordinance Amending Budget #26-26

ORDINANCE AMENDING BUDGET FOR THE CITY OF KANNAPOLIS, NORTH CAROLINA FOR THE FISCAL YEAR BEGINNING JULY 1, 2025, AND ENDING JUNE 30, 2026

Amendment # 26-26

BE IT ORDAINED by the City Council of the City of Kannapolis, North Carolina meeting in open session this 10th day of November that the following amendment to the Budget Ordinance for the City of Kannapolis, North Carolina for the Fiscal Year beginning July 1, 2025, and ending June 30, 2026, is hereby adopted:

Description: This budget amendment budgets the $14,100 received from insurance to repair a fire hydrant that was damaged due to a vehicle accident.

SECTION I- GENERAL FUND

Revenue:	Increase: Insurance Proceeds Revenue: 10000-34910	$14,100
Expenditure:	Increase: Insurance – General Liability Expenditure: 10000-51640	$14,100

This ordinance is approved and adopted on this 10th day of November.

M. Darrell Hinnant, Mayor
City of Kannapolis

ATTEST:

Pam Scaggs, CMC, NCCMC
City Clerk

Agenda Item: E.B

Kannapolis

Agenda Staff Report
November 10, 2025

To: Mayor and City Council

From: Elizabeth Hassenfritz, Director of Engineering

Subject: **RESOLUTION -** Hazard Mitigation Grant Program (HMGP) designation
UNANIMOUSLY APPROVED

Recommended Action Requested by City Council

Motion to approve the Resolution designating the applicant's agent for the North Carolina Division of Emergency Management (NCEM) Hazard Mitigation Grant Program (HMGP) application package.

Required Votes to Pass Required Action

Majority Present at Meeting

Background

At the July 14, 2025 Council meeting, Council accepted the final report produced with the American Rescue Plan Act (ARPA) Grant through the North Carolina Department of Environmental Quality's (NCDEQ) Local Assistance for Stormwater Infrastructure Improvements (LASII) Program.

Staff plans to use the findings from that report to seek funding through the Hazard Mitigation Grant Program (HMGP) to finalize the proposed designs for the four (4) stormwater projects identified in the stormwater master plan.

The four (4) proposed project areas named in the report are Peach Street, Marie Avenue, Kansas Street, and Breckenridge Road.

Using funds from the HMGP to produce design and construction documents will move these stormwater projects closer to construction.

Fiscal Implications

None. The HMGP uses Federal and State funding to account for 100% of costs.

Alternate Courses of Action

1. Table action to a future meeting.
2. Take no action.

Attachments

1. 2025-75 Resolution Hazard Mitigation Grant Program (HMGP) designation
2. HMGP Application
3. Designation of Applicant Agent

RESOLUTION #2025-75

RESOLUTION
DESIGNATION OF APPLICANT'S AGENT
NORTH CAROLINA DIVISION OF EMERGENCY MANAGEMENT

WHEREAS, the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288, as amended) provides federal and state financial assistance to local governments in the event of major disasters or emergencies; and

WHEREAS, the City of Kannapolis desires to obtain such financial assistance for the purpose of disaster recovery, mitigation, and emergency management; and

WHEREAS, it is necessary for the City to authorize certain officials to act on its behalf in all matters relating to such assistance.

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

1. The City Manager and Director of Engineering are hereby authorized to execute and file applications for federal and/or state assistance on behalf of the City of Kannapolis for the purpose of obtaining certain state and federal financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288, as amended), or as otherwise available; and

2. The City Manager and Director of Engineering are further authorized to represent and act for the City of Kannapolis in all dealings with the State of North Carolina and the Federal Emergency Management Agency (FEMA) for all matters pertaining to such disaster assistance, including, without limitation, the execution of grant agreements and other documents together with the certifications and assurances required by said agencies; and

3. This Resolution shall take effect immediately upon its adoption.

Adopted this the 10th day of November 2025

M. Darrell Hinnant, Mayor
City of Kannapolis

ATTEST:

Pam Scaggs, CMC, NCCMC
City Clerk

RESOLUTION
DESIGNATION OF APPLICANT'S AGENT
North Carolina Division of Emergency Management

Organization Name (hereafter named Organization) Kannapolis, NC	Disaster Number: DR-4827-NC
Applicant's State Cognizant Agency for Single Audit purposes (If Cognizant Agency is not assigned, please indicate):	
Applicant's Fiscal Year (FY) Start 2025 Month: July 1 Day: June 30	
Applicant's Federal Employer's Identification Number 56 - 1452469	
Applicant's Federal Information Processing Standards (FIPS) Number 37 - 35200 -	

PRIMARY AGENT	SECONDARY AGENT
Agent's Name Michael Legg	Agent's Name Elizabeth Hassenfritz
Organization Kannapolis, NC	Organization Kannapolis, NC
Official Position City Manager	Official Position Director of Engineering
Mailing Address 401 Laureate Way	Mailing Address 401 Laureate Way
City ,State, Zip Kannapolis, NC 28081	City ,State, Zip Kannapolis, NC 28081
Daytime Telephone	Daytime Telephone
Facsimile Number	Facsimile Number
Pager or Cellular Number	Pager or Cellular Number

BE IT RESOLVED BY the governing body of the Organization (a public entity duly organized under the laws of the State of North Carolina) that the above-named Primary and Secondary Agents are hereby authorized to execute and file applications for federal and/or state assistance on behalf of the Organization for the purpose of obtaining certain state and federal financial assistance under the Robert T. Stafford Disaster Relief & Emergency Assistance Act, (Public Law 93-288 as amended) or as otherwise available. BE IT FURTHER RESOLVED that the above-named agents are authorized to represent and act for the Organization in all dealings with the State of North Carolina and the Federal Emergency Management Agency for all matters pertaining to such disaster assistance required by the grant agreements and **the assurances printed on the reverse side hereof**. BE IT FINALLY RESOLVED THAT the above-named agents are authorized to act severally. PASSED AND APPROVED this _____ day of _____, 20__.

GOVERNING BODY	CERTIFYING OFFICIAL
Name and Title M. Darrell Hinnant, Mayor	Name Pam Scaggs
Name and Title	Official Position City Clerk
Name and Title	Daytime Telephone (704) 920-4303

CERTIFICATION

I, Pam Scaggs, (Name) duly appointed and City Clerk (Title) of the Governing Body, do hereby certify that the above is a true and correct copy of a resolution passed and approved by the Governing Body of the City of Kannapolis (Organization) on the 10th day of November, 2025.

Date: November 18, 2025 **Signature:** Pamela B. Scaggs

Rev. 06/02

CITY OF KANNAPOLIS, NC
ADVANCE ASSISTANCE APPLICATION
HMGP DR-4827

Multi-Site Stormwater Mitigation Project

FEMA Hazard Mitigation Grant Program (HMGP)

DR-4827 ADVANCE ASSISTANCE SUBAPPLICATION

A. Applicant/Subapplicant Information

Subapplicant Legal Name	Kannapolis, NC
Organizational Unit	City Administration
Project Title	Kannapolis Multi-Site Stormwater Mitigation Project
Type of Subapplicant	☐ State Government ☒ Local Government ☐ Indian Tribal Govt ☐ Special Governmental District ☐ Private Non-Profit ☐ Other (please specify)

Total Advance Assistance Project Cost	**$930,000**
Federal Share	*697,500*
Non-Federal Share	*232,500*

1. Primary Representative Point-of-Contact

Name:	Elizabeth Hassenfritz
Title:	Director of Engineering
Agency/Organization:	City of Kannapolis
Primary Phone:	(704) 920-4235 Type: ☒ Work ☐ Mobile
Secondary Phone:	—
Email:	ehassenfritz@kannapolisnc.gov
Address Line 1:	401 Laureate Way
Address Line 2:	—
City:	Kannapolis
State:	NC
ZIP Code:	28081

2. Secondary Representative Point-of-Contact

Name:	Michael Legg
Title:	City Manager

Agency/Organization:	City of Kannapolis
Primary Phone:	(704) 920-4309 Type: ☒ Work ☐ Mobile
Secondary Phone:	Type: ☐ Work ☐ Mobile
Email:	mlegg@kannapolisnc.gov
Address Line 1:	401 Laureate Way
Address Line 2:	—
City:	Kannapolis
State:	NC
ZIP Code:	28081

3. Certifications

The undersigned assures fulfillment of all requirements of the Hazard Mitigation Grant Program, as contained in the program guidelines, and affirms that all information contained herein is true and correct to the best of my knowledge. The governing body of the applicant duly authorized the document and hereby applies for the assistance documented in this application. The applicant recognizes that the project may proceed ONLY AFTER FEMA APPROVAL is granted.

Michael Legg	City Manager
Signature of Authorized Representative/Applicant Agent	*Date Signed*
X	10-22-25

a) Does your community or Tribe have a current FEMA approved hazard mitigation plan?
☒ Yes ☐ No

b) Title of the Plan: Cabarrus–Stanly–Union Regional Hazard Mitigation Plan (2020; *update in progress)*

c) Plan dates:

Plan Approval Date	Plan Adoption Date	Plan Expiration Date
May 2020	May 12, 2020	June 2025; *update pending*

d) Does the project align with the State/Territorial/Tribal Hazard Mitigation Plan?
☒ Yes *Page(s):* (PDF pgs.) 262-263 *Section*: 9-31

e) Does the community participate in the National Flood Insurance Program?
☒ Yes ☐ No

f) Tax ID Number: 56-1452469 FIPS Code (5 digits): 35200

CID Number (6 digits): 370469 UEI Number (9 characters): CM1AMLNK3K85

g) U.S. Congressional District: NC-06

h) State Legislative District: NC-34

4. Authorized Applicant/Subapplicant Agent

Person listed MUST be the chief executive officer, mayor, or person of comparable status who is authorized to sign contracts, authorize funding allocations or payments, etc.

Name:	Michael Legg
Title:	City Manager
Agency/Organization:	City of Kannapolis
Primary Phone:	(704) 920-4309 Type: ☒ Work ☐ Mobile
Secondary Phone:	
Email:	mlegg@kannapolisnc.gov
Address Line 1:	401 Laureate Way
Address Line 2:	—
City:	Kannapolis
State:	NC
ZIP Code:	28081

B. Project Narrative & Scope of Work

1. Request for Assistance

The City of Kannapolis, North Carolina, requests Advance Assistance for DR-4827-NC pursuant to Section 1104 of the *Sandy Recovery Improvement Act of 2013*. The City seeks funding to complete hydrologic and hydraulic modeling, surveying, design, and environmental permitting to facilitate a shovel-ready construction project that meets FEMA and state mitigation objectives. These hurricane mitigation improvements directly address hurricane-related flooding hazards and strengthen community protection against storm and hurricane-driven flood impacts.

2. Project Description

This project encompasses four project areas within the City of Kannapolis, North Carolina. The City participated in the following FEMA federal disaster declarations including the Public Assistance program as noted (since 2020):

FEMA Disaster	Storm	Declaration date
DR-1546-NC	Tropical Storm Frances	September 10, 2004
DR-4393-NC	Hurricane Florence	September 14, 2018
DR-4827-NC	Tropical Storm Helene	September 28, 2024

A. Project Area 1 – Peach Street

Models showed that the existing storm system limits roadway use during significant storms, impeding emergency response and threatening several nearby residences. The system along Charles Street, Cadillac Street, and Peach Street lacks capacity during the 2-year storm. When inlets on Charles and Cadillac reach capacity, flow runs down the roadway. The open channel north of Peach Street is undersized beginning in the 2-year event, causing yard flooding at multiple homes. During the 25-year storm, runoff overtops the crown of Peach Street, inundating both lanes.

The open channel behind several residences along Cook Street reaches capacity in the 2-year event, creating a secondary flow path toward Cook Street and surface ponding around homes. The system on both sides of Cook Street, from east of Cadillac Street to Charles Street, reaches capacity in the 10-year storm, causing yard flooding and localized roadway overtopping.

Design for Peach Street: The conceptual design reroutes flow, replaces undersized infrastructure, and adds capacity. Open ditches are replaced with a piped network: dual 24-inch RCPs on Charles Street transition to a box culvert; the southern system uses 15-, 18-, and 24-inch RCPs, and south of Peach Street dual 15-inch RCPs. Channel grading behind several homes on Cook Street increases depth and capacity, and driveway culverts are upgraded. Minor ditch grading directs flow to a proposed box culvert along Charles Street. Along Cook Street east of Cadillac, the south-side network is upsized and north-side ditches regraded; two driveway and two sidewalk culverts are replaced. Due to flat topography, box culverts are necessary near Cadillac, Peach, and Charles Streets for additional capacity. The design reduces roadway and yard inundation and minimizes driveway overtopping.

B. Project Area 2 – Marie Avenue

Models showed that the existing storm system restricts roadway access during major storms and poses flooding risks to several properties. The open channel west of Marie Avenue reaches capacity in the 2-year event. Although the Marie Avenue culvert conveys the 25-year storm, ponding occurs behind it during the 10-year storm. Another channel north of Brantley Road overflows into multiple backyards during the 10-year storm and overflow threatens homes that the channel passes between when approaching Brantley Road. Limited inlet capacity causes ponding and overtopping at Brantley Road and Jean Avenue.

Design for Marie Avenue: The conceptual design replaces the storm network with a new pipe system alignment south along Marie Avenue and east along Brantley Road to the existing open channel outfall. Minor grading of the channel west of Marie Avenue increases capacity between adjacent homes. The culvert across Marie Avenue is removed to divert flow from rear-yard channel to the new pipe system. Grading between homes reduces overtopping, with a new headwall connecting that open channel to the upgraded Brantley Road network. Rerouting flow down Marie Avenue reduces yard inundation through the 25-year event.

C. Project Area 3 – Kansas Street

The Kansas Street system west of S. Cannon Boulevard discharges to Three Mile Branch and floods the roadway during large storms. North-side channels exceed capacity in the 2-year event, while the south-side conveyance at Market Square Driveway reaches capacity in the 10-year storm. Inlets near Breckenridge Road surcharge during the 2-year event, and the cross-pipe overflow causes roadway overtopping.

Design for Kansas Street: From Highway 29 / S. Cannon Boulevard west to the outfall, the design regrades ditches and replaces pipes with dual 24-inch RCPs transitioning to 36-inch RCPs. The south-side network reroutes to cross Carolina Avenue, upsized from 30-inch to 42-inch RCP, and crossing Kansas Street when the system leaves the roadway. These improvements increase system capacity and prevent roadway flooding up to the 25-year storm.

D. Project Area 4 – Breckenridge Road

The Breckenridge Road storm system floods during major storms, causing roadway and property impacts. The network from the cul-de-sac and extending east up the street reaches capacity in the 2-year storm. Catch basins exhibit hydraulic grade lines above rims, producing surface ponding; runoff at the cul-de-sac overtops the curb, creating a secondary flow path between adjacent residences.

Design for Breckenridge Road: Pipe sizes increase from 30-inch to 36-inch RCP from the upper portion of Breckenridge Road to the outfall. Minor channel grading ties upstream flows into the system. These improvements contain stormwater up to the 50-year event, reducing roadway flooding and structure impacts.

3. Project Need, Existing Conditions & Hazards

Kannapolis experiences hurricane-related flooding due to undersized and aging stormwater conveyance systems that cannot manage the intense rainfall associated with tropical systems. Downtown and nearby residential corridors—including Peach Street, Marie Avenue, Kansas Street, and Breckenridge Road—have experienced flooding during major storm events when systems exceed capacity as low as the 2-year recurrence interval. Hydraulic modeling demonstrates roadway overtopping, yard and structure flooding, and restricted emergency access during larger events.

Existing conditions include flat topography, limited pipe cover, and constricted open channels that cause backwater effects. During hurricanes, extreme precipitation and localized ponding create prolonged inundation and roadway closures, increasing risk to nearby residences and commercial structures. Several project areas contain auto-repair and service facilities that pose pollutant risks—antifreeze, oils, grease, and heavy metals—that may be mobilized by stormwater and carried downstream, degrading water quality and increasing post-storm cleanup costs.

The project is needed to reduce flood losses, protect property and infrastructure, improve emergency access, and mitigate pollutant transport during hurricane events through upgraded conveyance, culvert, and drainage improvements.

4. List the proposed activities, deliverables and estimated cost.

#	Activity	Deliverable(s)	Estimated Cost
1	Engineering Project Management	Coordination of all activities including data & documentation Q/A	$96,000
2	Application Development	Collect application data; engineering consults; develop and write complete HMGP AA application	$10,000

#	Activity	Deliverable(s)	Estimated Cost
3	Survey	Survey including boundary and final report.	$202,000
4	Hydrology & Hydraulic Modeling	Models and Design Report	$140,000
5	30% Design	Schematic Design Drawings, Cost Estimate	$110,400
6	60% Design	Drawings, Specifications, Cost Estimate	$140,000
7	90% Design	Drawings, Specifications, Cost Estimate	$80,000
8	Environmental Review and Related Permits	NEPA, SHPO, and related environmental compliance for a construction project; permits as required.	$10,000
9	Erosion Control Permit	Permit Application	$40,000
10	Bid Package (100% Design)	Bid Documents (Project Manual & Drawings)	$81,600
11	Construction BCA.xls & Technical Report	BCA data collection, alternatives consideration, full BCA & technical documentation.	$20,000
		Total Advance Assistance Cost	**$930,000**
		Federal Share	$697,500
		Non-Federal Share	$232,500

C. Estimated Work Schedule

#	Task/Activity	Start Month	End Month	Timeline
1	Engineering Project Management	1	12	12 months
2	Application Development	1	2	3 months

3	Survey	2	4	3 months
4	Hydrology & Hydraulic Modeling	3	6	4 months
5	30% Design	4	6	3 months
6	60% Design	6	8	3 months
7	90% Design	9	11	3 months
8	Environmental Review and Related Permits	1	5	6 months
9	Erosion Control Permit	8	11	4 months
10	Bid Package (100% Design)	11	12	2 months
11	Construction BCA.xls & Tech Report	10	12	3 months
			Total Months	**12**

D. Budget Estimating

1. Costing Methodology

The method(s) used to estimate project costs is (provide backup documentation for method(s) used):

☒ Estimates obtained from contractors/consultants and similar vendors

☒ Historical data from previous projects/activities with an inflation factor, as needed

☐ RS Means, Marshall & Swift or other national cost estimating service

☐ Other, please explain in the space provided below: N/A

2. Cost Estimate

The Applicant/Subapplicant must ensure that all project costs are reasonable and necessary for the activity according to 2 CFR Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

A qualified professional engineer (PE) determined the total cost based upon vendor quotes and from referencing very similar projects that utilized federal and state grant funds and that

occurred within the past three years (adjusted for inflation as allowed and applicable). The total cost considers all project activities including site investigation (borings, wetland delineations), topographic survey, subsurface utility investigation, boundary survey, easement plats, hydrologic & hydraulic modeling, design report, construction drawings, technical specifications, opinion of probable construction cost, preparation of bid package, and completing the construction grant application and the FEMA BCA with supporting report to ensure a shovel-ready construction project. The design includes 30%, 60%, and 90% tasks to allow for city and permitting agencies reviews and revisions to be incorporated into the bid package (100% design).

3. Budget Narrative

Provide a budget narrative with explanations, justifications, and line-item details of the project costs noted in the table above. Attach an additional sheet, if necessary. Define cost line items, provide information of how they were estimated, and disclose any assumptions to justify the values used.

The enclosed budget has been developed to support the proposed scope of work for the Kannapolis, NC Stormwater Mitigation Project. All costs are reasonable, necessary, and allocable to the project, and they are based on recent vendor quotes and historical and similar project cost data. This justification provides a line-item explanation of each cost category, detailing its purpose and relevance to achieving the project's objectives under the FEMA DR_4827 (Helene) HMGP in North Carolina.

Cost Line Item	Methodology	Responsible Party	Total Line Cost
1. Engineering Project Management	Appropriate staff classifications and hourly rates applied to estimated hours required to perform tasks; hourly consultant support for PE & SME.	Sub-Recipient, Engineering & SME Consultant	$96,000
2. Application Development	Appropriate staff classifications and hourly rates, applied to estimated hours required to perform tasks; hourly consultant SME support.	Sub-Recipient & SME Consultant	$10,000
3. Survey	Consultant PE and consultant PM hourly rates. Hourly rate schedule attached.	Engineering/PM Consultant	$202,000
4. Hydrology & Hydraulic Modeling	Consultant PE and consultant PM hourly rates. Hourly rate schedule attached.	Engineering/PM Consultant	$140,000
5. 30% Design	Consultant PE and consultant PM hourly rates. Hourly rate schedule attached.	Engineering/PM Consultant	$110,400
6. 60% Design	Consultant PE and consultant PM hourly rates. Hourly rate schedule attached.	Engineering/PM Consultant	$140,000

7. 90% Design	Consultant PE and consultant PM hourly rates. Hourly rate schedule attached.	Engineering/PM Consultant	$80,000
8. Environmental Review and Related Permits	Consultant PE and consultant PM hourly rates. Hourly rate schedule attached. Permitting fees per NC and Federal cost schedules 2025-2026.	Engineering/PM Consultant	$10,000
9. Erosion Control Permit	Consultant PE and consultant PM hourly rates. Hourly rate schedule attached. Permitting fees per NC and Federal cost schedules 2025-2026.	Engineering/PM Consultant	$40,000
10. Bid Package (100% Design)	Consultant PE and consultant PM hourly rates. Hourly rate schedule attached. Permitting fees per NC and Federal cost schedules 2025-2026.	Sub-Recipient, Engineering & SME Consultant	$81,600
11. Construction BCA.xls & Technical Report	Appropriate staff classifications and hourly rates applied to estimated hours required to perform tasks; hourly consultant PE & SME support.	Sub-Recipient, Engineering & SME Consultant	$20,000

E. Nonfederal Funding Share (25% of Total Project Costs)

Source	Name of Source Agency	Type of Funding	Amount	Commitment Letter Attached
State of North Carolina	NC Division of Emergency Management (NCEM)	State Budget	$232,500	☐ Yes ☒ No

HMGP DR-4827 (Helene) - the Non-Federal Cost Share for this grant is being paid by the State of North Carolina; there will be no local cost share for this event.

F. Required Documentation Attached

☒ Jurisdiction Details Form

☒ Detailed budget with narrative

☒ Fund commitment letter(s) that list(s) the sources and amounts used in the nonfederal share requirement, including all in-kind services.

☒ Completed and signed assurances (FEMA Form 112-0-3C or 20-16c (Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements), and SF-LLL (Disclosure of Lobbying Programs)

☒ Completed SF-424a (Non-Construction Programs) (optional for subapplications in HMGP)

☒ Designated Authorized Agent Documentation, designating the Chief Executive Officer or Mayor to be able to sign contracts, authorize funding allocations or payments, etc., and signed by the ruling body of the applicant

Other comments, information, or explanation:

The Cabarrus–Stanly–Union Regional HMP identifies localized flooding along urban drainage corridors and undersized culvert systems as recurring issues in Kannapolis and neighboring jurisdictions.

The plan's mitigation actions (P-1, P-4, SP-1, and NRP-1) emphasize: *"Maintain stormwater management programs as part of required NPDES Phase II permitting and improve drainage of flood-prone roadways that cross streams to reduce repetitive flood losses and maintain emergency access."*

Cabarrus–Stanly–Union HMP Priority Areas

Kannapolis, NC Multi-Site Stormwater Mitigation Project Alignment

Mitigation Focus Area	Page #	Project Alignment – Kannapolis, NC
Stormwater Infrastructure Upgrades	262	Implements HMP Action P-1 by upgrading undersized storm drains and culverts, maintaining adopted stormwater master plan, NPDES Phase 2 compliance.
Localized Flood Risk Mitigation	264	Reduces flood frequency and depth in urbanized corridors linked to Irish Buffalo Creek and tributaries, consistent with HMP flood hazard objectives to limit repetitive losses and structural damage.
Emergency Services Access Improvement	264	Supports HMP Objective SP-1 by improving drainage of flood-prone roadways that cross streams, ensuring passable routes for public safety and utility access during storm events.
Natural Resource Protection	264	Aligns with Action NRP-1 to identify and preserve wetlands and stream buffers that attenuate stormwater runoff and reduce downstream flood impacts.
Pre-Construction Activity Eligibility	264	Encompasses hydrologic and hydraulic (H&H) modeling, all phases of design and approvals, permitting, Benefit-Cost Analysis (BCA), EHP review, and construction bid package completion that support all steps necessary for construction readiness.

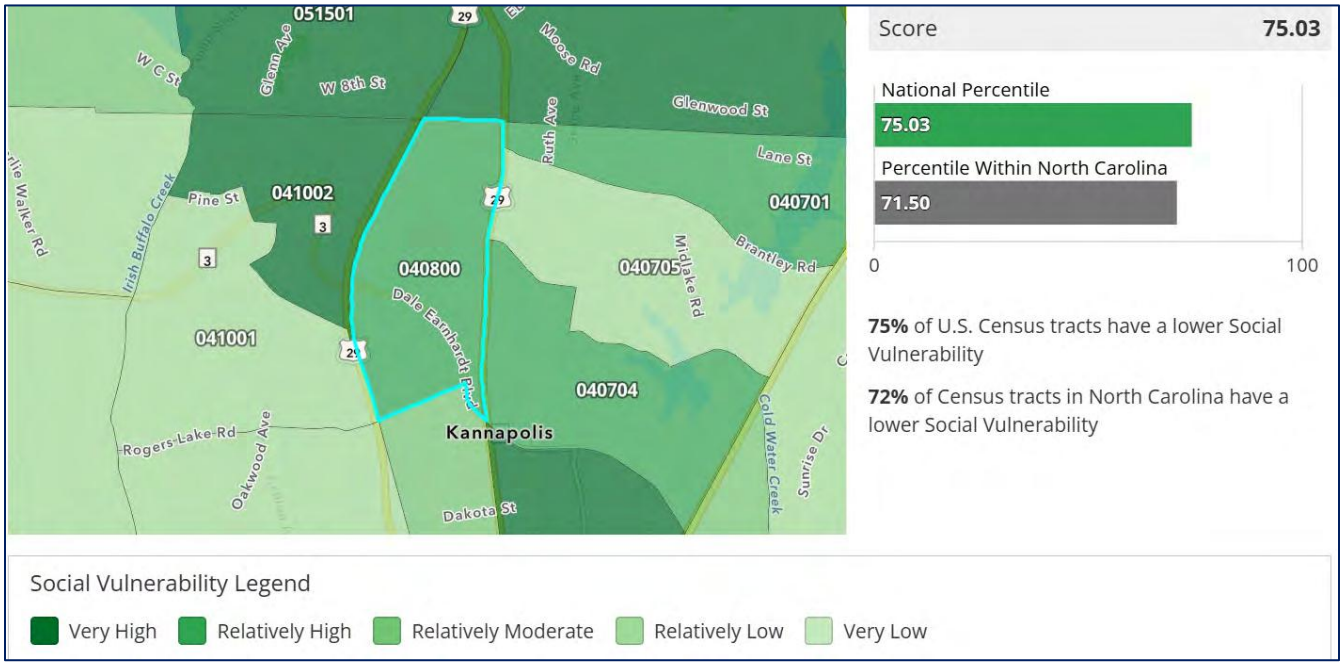
Project Benefitting Area Populations

I. Kannapolis Project Benefitting Area Population

The proposed mitigation sites lie within census tracts of Kannapolis that exhibit elevated social vulnerability according to the CDC/ATSDR SVI. Hurricanes, tropical storms, and associated flooding pose heightened risk to these communities given their limited adaptive capacity. The SVI data indicate that these tracts fall into the upper quartile (i.e. relatively high vulnerability) for multiple social-vulnerability themes such as socioeconomic status, household composition & disability, and housing/transportation (e.g. higher proportions of low income households, single-parent families, elderly persons, individuals with disabilities, multi-unit housing, or households lacking vehicle access).

In line with FEMA's current HMA guidance, priority is given to equitable hazard mitigation: implementing this project in SVI-high tracts promotes risk reduction for vulnerable subpopulations and aligns with municipal and regional mitigation objectives in Kannapolis's hazard mitigation plan (HMP).

I. Project Benefitting Area: SVI Relatively High (second highest)



CITY OF KANNAPOLIS, NC
ADVANCE ASSISTANCE APPLICATION

PROJECT SITE MAPS

Multi-Site Stormwater Mitigation Project

Kannapolis, NC: Project Site Location Maps

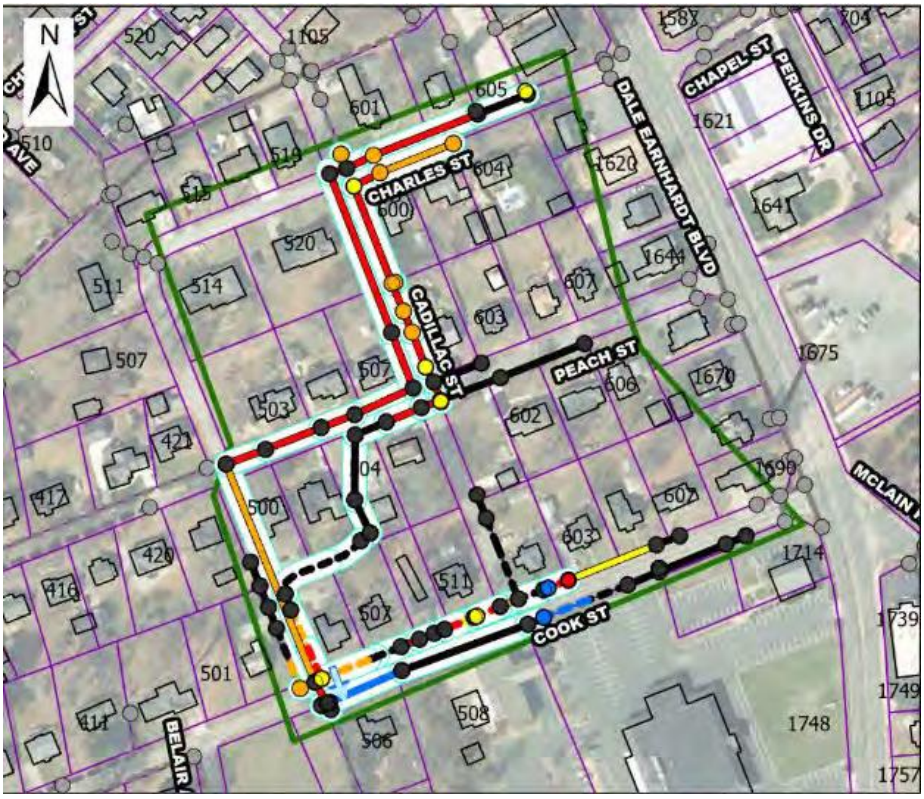


Figure 1. Peach Street – Proposed Conditions

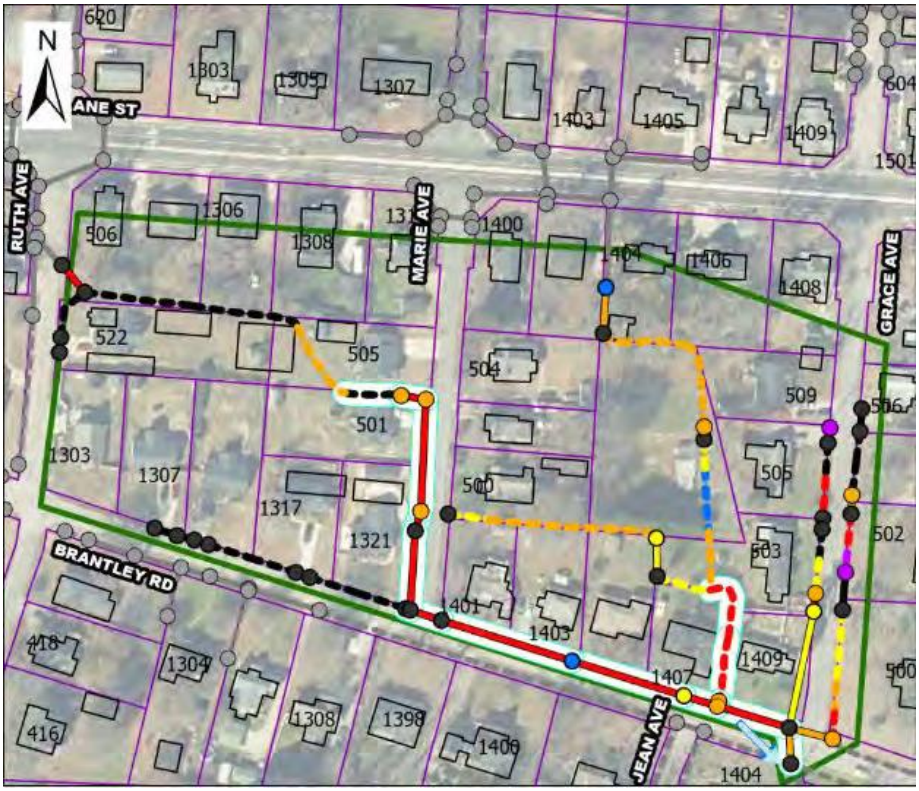


Figure 2. Marie Avenue – Proposed Conditions

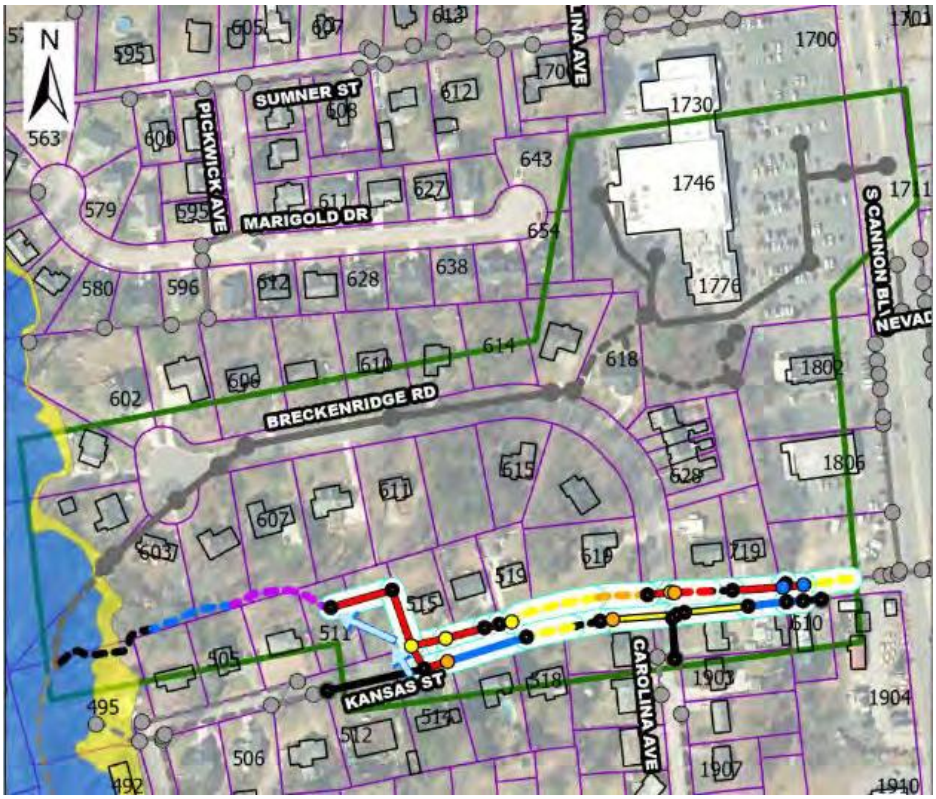


Figure 3. Kansas Street - Proposed Conditions

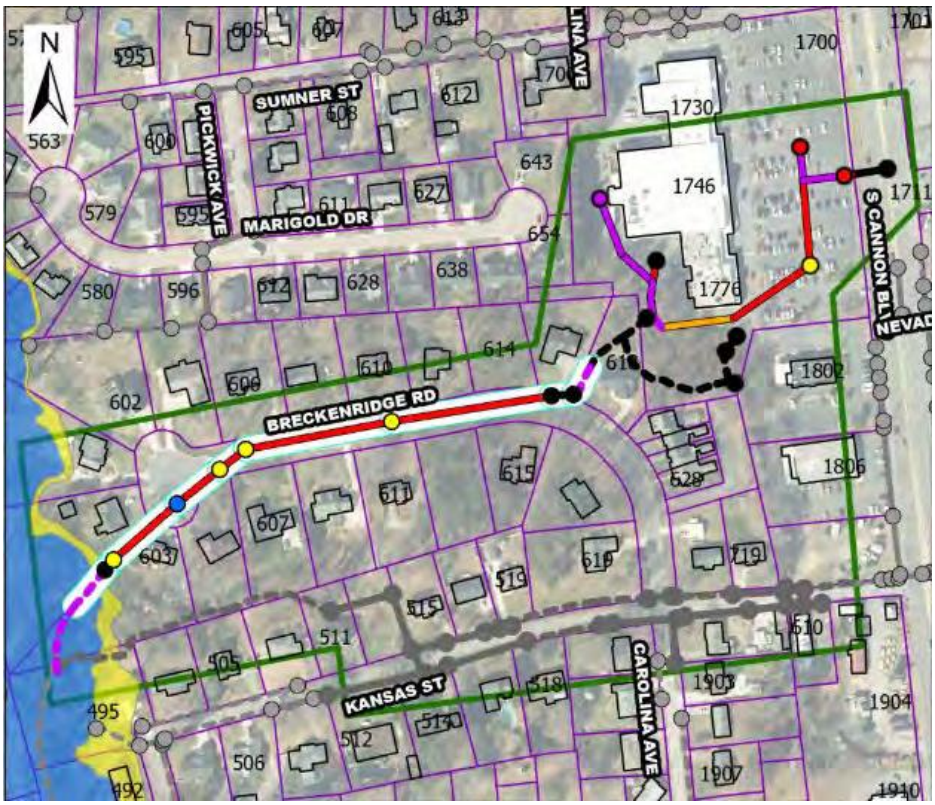


Figure 4. Breckenridge Road - Proposed Conditions

CITY OF KANNAPOLIS, NC

ADVANCE ASSISTANCE APPLICATION

FEDERAL FORMS & DAA FORM SUPPORTING LETTER

Multi-Site Stormwater Mitigation Project

KANNAPOLIS

October 21, 2025

Steve McGugan
State Hazard Mitigation Officer
North Carolina Division of Emergency Management
Raleigh, NC

Steven Jackson
State Hazard Mitigation Assistant Director
North Carolina DEM
Raleigh, NC

Subject: Designated Applicant's Agent Form – City of Kannapolis, NC

Dear Director McGugan and Assistant Director Jackson,

The City of Kannapolis is pursuing FEMA HMGP funding under DR-4827-NC to mitigate hurricane stormwater flood mitigation within our jurisdiction. As part of the application requirements, we acknowledge the need to complete and submit the NC Division of Emergency Management's Designated Applicant's Agent (DAA) Form.

Please be advised that this form will be presented for formal approval at the November regular council meeting. Upon receiving Council's authorization, we will promptly submit the form executed and approved/sealed to NCEM.

Thank you for your continued support of local hurricane mitigation efforts across North Carolina. Please do not hesitate to contact me at 704-920-4309 should you require any additional information.

Sincerely,

Michael Legg
City Manager
Kannapolis, NC 28081

cc: kaine.riggan@ncdps.gov; jason.pleasant@ncdps.gov; sjackson@ncdps.gov; dperry@withersravenel.com

OMB Number: 4040-0004
Expiration Date: 12/31/2022

Application for Federal Assistance SF-424

* 1. Type of Submission:
- [ ] Preapplication
- [x] Application
- [ ] Changed/Corrected Application

* 2. Type of Application:
- [x] New
- [ ] Continuation
- [ ] Revision

* If Revision, select appropriate letter(s):

* Other (Specify): N/A

* 3. Date Received:

4. Applicant Identifier:

5a. Federal Entity Identifier:

5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name: City of Kannapolis, NC

* b. Employer/Taxpayer Identification Number (EIN/TIN): 56-1452469

* c. Organizational Unique Entity Identifier (UEI): CM1AMLNK3K85

d. Address:

* Street1: 401 Laureate Way

Street2:

* City: Kannapolis

County/Parish:

* State: NC

Province:

* Country: USA: UNITED STATES

* Zip / Postal Code: 28081

e. Organizational Unit:

Department Name:

Division Name:

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:

* First Name: Elizabeth

Middle Name:

* Last Name: Hassenfritz

Suffix:

Title: Director of Engineering

Organizational Affiliation:

* Telephone Number: (704) 920-4235

Fax Number:

* Email: ehassenfritz@kannapolisnc.gov

Application for Federal Assistance SF-424

*** 9. Type of Applicant 1: Select Applicant Type:**

Local Government (City)

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

Federal Emergency Management Agency (FEMA)

11. Catalog of Federal Domestic Assistance Number: 97.039

CFDA Title: Hazard Mitigation Grant Program

*** 12. Funding Opportunity Number:**

HMGP DR-4827-NC

* Title:

Tropical Storm Helene (HMGP)

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment | Delete Attachment | View Attachment

*** 15. Descriptive Title of Applicant's Project:**

Kannapolis, NC Multi-Site Stormwater Mitigation. Purpose: to obtain data, perform essential surveys, permitting and all design and related tasks to complete pre-construction activities in advance of a shovel ready construction project to mitigate

Attach supporting documents as specified in agency instructions.

Add Attachments | Delete Attachments | View Attachments

Application for Federal Assistance SF-424

16. Congressional Districts Of:

a. Applicant: NC-06

* b. Program/Project: N/A

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment | Delete Attachment | View Attachment

17. Proposed Project:

* a. Start Date: 1/10/26

* b. End Date: 2/20/27

18. Estimated Funding ($):

* a. Federal	$697,500
* b. Applicant	$0
* c. State	$232,500
* d. Local	$0
* e. Other	$0
* f. Program Income	$0
* g. TOTAL	$930,000

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

☐ a. This application was made available to the State under the Executive Order 12372 Process for review on .

☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.

☑ c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**

☐ Yes ☑ No

If "Yes", provide explanation and attach

N/A | Add Attachment | Delete Attachment | View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

☑ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix:

* First Name: Michael

Middle Name:

* Last Name: Legg

Suffix:

* Title: City Manager

* Telephone Number: (704) 920-4309

Fax Number:

* Email: mlegg@kannapolisnc.gov

*** Signature of Authorized Representative:**

x [signature]

* Date Signed: 10-22-25

OMB Number: 4040-0008
Expiration Date: 02/28/2025

BUDGET INFORMATION - Construction Programs

NOTE: Certain Federal assistance programs require additional computations to arrive at the Federal share of project costs eligible for participation. If such is the case, you will be notified.

COST CLASSIFICATION	a. Total Cost	b. Costs Not Allowable for Participation	c. Total Allowable Costs (Columns a-b)
1. Administrative and legal expenses	$ 30,000.00	$	$
2. Land, structures, rights-of-way, appraisals, etc.	$ 0	$	$
3. Relocation expenses and payments	$ 0	$	$
4. Architectural and engineering fees	$ 331,200.00	$	$
5. Other architectural and engineering fees	$ 568,800.00	$	$
6. Project inspection fees	$ 0	$	$
7. Site work	$ 0	$	$
8. Demolition and removal	$ 0	$	$
9. Construction	$ 0	$	$
10. Equipment	$ 0	$	$
11. Miscellaneous	$ 0	$	$
12. SUBTOTAL *(sum of lines 1-11)*	$ 930,000.00	$	$
13. Contingencies	$ 0	$	$
14. SUBTOTAL *(sum of lines 12 + 13)*	$ 0	$	$
15. Project (program) income	$ 0	$	$
16. TOTAL PROJECT COSTS *(subtract #15 from #14)*	$ 930,000.00	$	$

FEDERAL FUNDING

17. Federal assistance requested, calculate as follows: (Consult Federal agency for Federal percentage share.) Enter the resulting Federal share.	Enter eligible costs from line 16 multiply X 75 %	$ 697,500.00

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C.1352

Approved by OMB
0348-0046

1. * Type of Federal Action:
- [ ] a. contract
- [X] b. grant
- [ ] c. cooperative agreement
- [ ] d. loan
- [ ] e. loan guarantee
- [ ] f. loan insurance

2. * Status of Federal Action:
- [ ] a. bid/offer/application
- [X] b. initial award
- [ ] c. post-award

3. * Report Type:
- [X] a. initial filing
- [ ] b. material change

4. Name and Address of Reporting Entity:

[ ] Prime [X] SubAwardee

** Name* City of Kannapolis

** Street 1* 401 Laureate Way *Street 2*

** City* Kannapolis *State* NC *Zip* 28081

Congressional District, if known: City of Kannapolis, North C

5. If Reporting Entity in No.4 is Subawardee, Enter Name and Address of Prime:

State of North Carolina
Department of Public Safety/Division of Emergency Management
1636 Gold Start Drive, Raleigh, NC 27807

6. * Federal Department/Agency:

Dept. of Homeland Security/FEMA

7. * Federal Program Name/Description:

Hazard Mitigation Grant Program

CFDA Number, *if applicable:*

8. Federal Action Number, *if known:*

9. Award Amount, *if known:*

$

10. a. Name and Address of Lobbying Registrant:

Prefix ** First Name* n/a *Middle Name*

** Last Name* *Suffix*

** Street 1* *Street 2*

** City* *State* *Zip*

b. Individual Performing Services (including address if different from No. 10a)

Prefix ** First Name* n/a *Middle Name*

** Last Name* *Suffix*

** Street 1* *Street 2*

** City* *State* *Zip*

11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when the transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

*** Signature:** No lobbying; n/a

***Name:** *Prefix* ** First Name* *Middle Name*

** Last Name* *Suffix*

Title: **Telephone No.:** **Date:** Completed on submission to Grants.gov

Federal Use Only:

Authorized for Local Reproduction
Standard Form - LLL (Rev. 7-97)

ASSURANCES - CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.

2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.

3. Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal interest in the title of real property in accordance with awarding agency directives and will include a covenant in the title of real property aquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.

4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.

5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or State.

6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.

7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).

9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.

10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.

14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is $10,000 or more.

15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).

16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).

18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."

19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
[signature]	City Manager
APPLICANT ORGANIZATION	DATE SUBMITTED
NC-06	October 21, 2025

OMB Approval No. 0348-0040

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.

2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.

3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.

5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).

6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.

10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is $10,000 or more.

11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).

12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).

14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.

16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.

17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."

18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
[signature]	City Manager
APPLICANT ORGANIZATION	DATE SUBMITTED
City of Kannapolis, North Carolina	10-22-25

Standard Form 424B (Rev. 7-97) Back

RESOLUTION
DESIGNATION OF APPLICANT'S AGENT

North Carolina Division of Emergency Management

Organization Name (hereafter named Organization) Kannapolis, NC	Disaster Number: DR-4827-NC
Applicant's State Cognizant Agency for Single Audit purposes (If Cognizant Agency is not assigned, please indicate):	
Applicant's Fiscal Year (FY) Start 2025 Month: July 1 Day: June 30	
Applicant's Federal Employer's Identification Number 56 - 1452469	
Applicant's Federal Information Processing Standards (FIPS) Number 37 - 35200 -	

PRIMARY AGENT	SECONDARY AGENT
Agent's Name Michael Legg	Agent's Name Elizabeth Hassenfritz
Organization Kannapolis, NC	Organization Kannapolis, NC
Official Position City Manager	Official Position Director of Engineering
Mailing Address 401 Laureate Way	Mailing Address 401 Laureate Way
City ,State, Zip Kannapolis, NC 28081	City ,State, Zip Kannapolis, NC 28081
Daytime Telephone	Daytime Telephone
Facsimile Number	Facsimile Number
Pager or Cellular Number	Pager or Cellular Number

BE IT RESOLVED BY the governing body of the Organization (a public entity duly organized under the laws of the State of North Carolina) that the above-named Primary and Secondary Agents are hereby authorized to execute and file applications for federal and/or state assistance on behalf of the Organization for the purpose of obtaining certain state and federal financial assistance under the Robert T. Stafford Disaster Relief & Emergency Assistance Act, (Public Law 93-288 as amended) or as otherwise available. BE IT FURTHER RESOLVED that the above-named agents are authorized to represent and act for the Organization in all dealings with the State of North Carolina and the Federal Emergency Management Agency for all matters pertaining to such disaster assistance required by the grant agreements and **the assurances printed on the reverse side hereof**. BE IT FINALLY RESOLVED THAT the above-named agents are authorized to act severally. PASSED AND APPROVED this _____ day of _____, 20__.

GOVERNING BODY	CERTIFYING OFFICIAL
Name and Title	Name
Name and Title	Official Position
Name and Title	Daytime Telephone

CERTIFICATION

I, _____, (Name) duly appointed and _____ (Title) of the Governing Body, do hereby certify that the above is a true and correct copy of a resolution passed and approved by the Governing Body of _____ (Organization) on the _____ day of _____, 20__.

Date: _____ **Signature:_____**

Rev. 06/02

APPLICANT ASSURANCES

The applicant hereby assures and certifies that it will comply with the FEMA regulations, policies, guidelines and requirements including OMB's Circulars No. A-95 and A-102, and FMC 74-4, as they relate to the application, acceptance and use of Federal funds for this Federally assisted project. Also, the Applicant gives assurance and certifies with respect to and as a condition for the grant that:

1. It possesses legal authority to apply for the grant, and to finance and construct the proposed facilities; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

2. It will comply with the provisions of: Executive Order 11988, relating to Floodplain Management and Executive Order 11990, relating to Protection of Wetlands.

3. It will have sufficient funds available to meet the non-Federal share of the cost for construction projects. Sufficient funds will be available when construction is completed to assure effective operation and maintenance of the facility for the purpose constructed.

4. It will not enter into a construction contract(s) for the project or undertake other activities until the conditions of the grant program(s) have been met.

5. It will provide and maintain competent and adequate architectural engineering supervision and inspection at the construction site to insure that the completed work conforms with the approved plans and specifications; that it will furnish progress reports and such other information as the Federal grantor agency may need.

6. It will operate and maintain the facility in accordance with the minimum standards as may be required or prescribed by the applicable Federal, State and local agencies for the maintenance and operation of such facilities.

7. It will give the grantor agency and the Comptroller General, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.

8. It will require the facility to be designed to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by the Physically Handicapped," Number A117.1-1961, as modified (41 CFR 101-17-7031). The applicant will be responsible for conducting inspections to insure compliance with these specifications by the contractor.

9. It will cause work on the project to be commenced within a reasonable time after receipt of notification from the approving Federal agency that funds have been approved and will see that work on the project will be prosecuted to completion with reasonable diligence.

10. It will not dispose of or encumber its title or other interests in the site and facilities during the period of Federal interest or while the Government holds bonds, whichever is the longer.

11. It agrees to comply with Section 311, P.L. 93-288 and with Title VI of the Civil Rights Act of 1964 (P.L. 83-352) and in accordance with Title VI of the Act, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance and will immediately take any measures necessary to effectuate this agreement. If any real property or structure is provided or improved with the aid of Federal financial assistance extended to the Applicant, this assurance shall obligate the Applicant, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits.

12. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.

13. It will comply with the requirements of Title II and Title III of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced as a result of Federal and Federally assisted programs.

14. It will comply with all requirements imposed by the Federal grantor agency concerning special requirements of law, program requirements, and other administrative requirements approved in accordance with OMB Circular A-102, P.L. 93-288 as amended, and applicable Federal Regulations.

15. It will comply with the provisions of the Hatch Act which limit the political activity of employees.

16. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act, as they apply to hospital and educational institution employees of State and local governments.

17. (To the best of his/her knowledge and belief) the disaster relief work described on each Federal Emergency Management Agency (FEMA) Project Application for which Federal Financial assistance is requested is eligible in accordance with the criteria contained in 44 Code of Federal Regulations, Part 206, and applicable FEMA Handbooks.

18. The emergency or disaster relief work therein described for which Federal Assistance is requested hereunder does not or will not duplicate benefits received for the same loss from another source.

19. It will (1) provide without cost to the United States all lands, easements and rights-of-way necessary for accomplishments of the approved work; (2) hold and save the United States free from damages due to the approved work or Federal funding.

20. This assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, reimbursements, advances, contracts, property, discounts of other Federal financial assistance extended after the date hereof to the Applicant by FEMA, that such Federal Financial assistance will be extended in reliance on the representations and agreements made in this assurance and that the United States shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the applicant, its successors, transferees, and assignees, and the person or persons whose signatures appear on the reverse as authorized to sign this assurance on behalf of the applicant.

21. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, approved December 31, 1973. Section 102(a) requires, on and after March 2, 1975, the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Director, Federal Emergency Management Agency as an area having special flood hazards. The phrase "Federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect Federal assistance.

22. It will comply with the insurance requirements of Section 314, PL 93-288, to obtain and maintain any other insurance as may be reasonable, adequate, and necessary to protect against further loss to any property which was replaced, restored, repaired, or constructed with this assistance.

23. It will defer funding of any projects involving flexible funding until FEMA makes a favorable environmental clearance, if this is required.

24. It will assist the Federal grantor agency in its compliance with Section 106 of the National Historic Preservation Act of 1966, as amended, (16 U.S.C. 470), Executive Order 11593, and the Archeological and Historic Preservation Act of 1966 (16 U.S.C. 469a-1 et seq.) by (a) consulting with the State Historic Preservation Officer on the conduct of investigations, as necessary, to identify properties listed in or eligible for inclusion in the National Register of Historic places that are subject to adverse effects (see 36 CFR Part 800.8) by the activity, and notifying the Federal grantor agency of the existence of any such properties, and by (b) complying with all requirements established by the Federal grantor agency to avoid or mitigate adverse effects upon such properties.

25. It will, for any repairs or construction financed herewith, comply with applicable standards of safety, decency and sanitation and in conformity with applicable codes, specifications and standards; and, will evaluate the natural hazards in areas in which the proceeds of the grant or loan are to be used and take appropriate action to mitigate such hazards, including safe land use and construction practices.

STATE ASSURANCES

The State agrees to take any necessary action within State capabilities to require compliance with these assurances and agreements by the applicant or to assume responsibility to the Federal government for any deficiencies not resolved to the satisfaction of the Regional Director.

Agenda Item: E.C

Kannapolis

Agenda Staff Report
November 10, 2025

To: Mayor and City Council

From: Pam Scaggs, City Clerk

Subject: **RESOLUTION** - 2026 City Council Meeting Schedule **UNANIMOUSLY APPROVED**

Recommended Action Requested by City Council

Motion to approve a Resolution setting the 2026 City Council meeting schedule.

Required Votes to Pass Required Action

Majority Present at Meeting

Background

In accordance with NCGS 160A-71(a), the City Council shall fix the time and place for its regular meetings. It is recommended that Council approve a Resolution setting a meeting schedule for the year 2026.

Fiscal Implications

None.

Alternate Courses of Action

1. Table action to a future meeting.
2. Take no action.

Attachments

1. 2025-76 Resolution Adopting the 2026 City Council Regular Meeting Schedule

RESOLUTION #2025-76

RESOLUTION ADOPTING THE REGULAR MEETING SCHEDULE OF THE KANNAPOLIS CITY COUNCIL FOR THE YEAR 2026

BE IT RESOLVED by the Kannapolis City Council, pursuant to North Carolina General Statute 160A-71 (a) except as otherwise provided herein that the following regular meeting schedule of the Kannapolis City Council is hereby adopted:

1. The Kannapolis City Council shall hold a Work Session on the Second Monday of each month beginning at 4:30 PM and held at the Kannapolis City Hall, Council Chambers, located at 401 Laureate Way, Kannapolis, NC.

2. The Kannapolis City Council shall hold a Business Meeting on the Fourth Monday of each month beginning at 6:00 PM and held at the Kannapolis City Hall, Council Chambers, located at 401 Laureate Way, Kannapolis, NC.

BE IT FURTHER RESOLVED, this regular meeting schedule shall be effective immediately and shall continue in effect unless and until it is revoked or amended by action of City Council.

Adopted this the 10th day of November 2025

M. Darrell Hinnant

M. Darrell Hinnant, Mayor
City of Kannapolis

Attest:

Pam Scaggs

Pam Scaggs, CMC, NCCMC
City Clerk

KANNAPOLIS

KANNAPOLIS CITY COUNCIL
MEETING SCHEDULE 2026

January 12	Work Session	4:30 PM
January 26	Business Meeting	6:00 PM
February 9	Work Session	4:30 PM
February 23	Business Meeting	6:00 PM
March 9	Work Session	4:30 PM
March 23	Business Meeting	6:00 PM
April 13	Work Session	4:30 PM
April 27	Business Meeting	6:00 PM
May 11	Business Meeting	6:00 PM
June 8	Work Session	4:30 PM
June 22	Business Meeting	6:00 PM
July 13	Work Session	4:30 PM
July 27	Business Meeting	6:00 PM
August 10	Work Session	4:30 PM
August 24	Business Meeting	6:00 PM
September 14	Work Session	4:30 PM
September 28	Business Meeting	6:00 PM
October 12	Work Session	4:30 PM
October 26	Business Meeting	6:00 PM
November 9	Work Session	4:30 PM
November 23	Business Meeting	6:00 PM
December 14	Business Meeting	6:00 PM

All meetings will be held in the Council Chambers, Kannapolis City Hall located at 401 Laureate Way, Kannapolis.

Agenda Item: E.D

Kannapolis

Agenda Staff Report
November 10, 2025

To: Mayor and City Council

From: Mike Legg, City Manager

Subject: **REPORT** - Agendas and Activities for City Appointed or City Represented Boards and Commissions

Recommended Action Requested by City Council

Receipt Report

Required Votes to Pass Required Action

Presentation Only. No Action Required

Background

Fiscal Implications

Alternate Courses of Action

Attachments

1. WSACC October 15 2025 Agenda Packet
2. CK Rider October 30 2025 Agenda
3. Planning & Zoning Commission 10-21-25 Agenda
4. Transporation Advisory Commission October 22 2025 Agenda
5. Board of Adjustment November 4 2025 Agenda

WATER & SEWER AUTHORITY
OF CABARRUS COUNTY

REGULAR MEETING

OCTOBER 15, 2025
5:00 P.M.

CALL TO ORDER BY THE CHAIRMAN
ITEMS OF THE AGENDA

ADOPTION OF THE AGENDA

1. Request for Adoption of the Agenda for the October 15, 2025 Board Meeting

UNFINISHED BUSINESS

1. Request for Approval of the Minutes of September 17, 2025

NEW BUSINESS

1. Request for Approval of the Capital Project Ordinance for the RRRWWTP Expansion Design and Construction to 34 MGD Project Ordinance – Wendi Heglar

2. Request for Approval of the Board Member Remote Participation Policy – Chad VonCannon

REPORTS

1. Quarterly Financial Reports – Wendi Heglar

2. Capital Improvement Plan Project List Drivers – Thomas Hahn

WORK SESSION

1. Discussion as Necessary on the Wastewater Treatment Expansion Alternatives from the WSACC Facilities Plan

GENERAL DISCUSSION

1. Updates from the Executive Director – Chad VonCannon

PUBLIC COMMENTS

CLOSED SESSION

1. **Closed Session - G.S.143-318.11 (a)(1) - to prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes.**

ADJOURN
*****

(The next regular meeting will be held on Wednesday, November 19, 2025, at 5:00 p.m.)

Please note that anyone who needs reasonable accommodation to participate in the meeting should contact the Secretary to the Board at (704) 786-1783, extension 234, at least twenty-four (24) hours prior to the meeting.

Concord Kannapolis Area Transit Commission

October 30th, 2025 – 8:30AM

Rider Transit Center

45 Transit Court NW, Concord, NC

Agenda

1) Call to Order & Quorum **Chair Dusch**

- Quorum & Introduction of Guests - Changes or Additions to Agenda
- Public Comments from the Floor – 3 minutes per speaker

2) Approval of the 6/26/25 Meeting Minutes **Chair Dusch**

3) Connecting Cabarrus Long Range Plan Update **Joel Rey, Benesch**

Information: Update on the status of the Connecting Cabarrus Long Range Plan, including project activities, findings and preliminary recommendations.

Recommendation/Action: Informational update.

4) Digital Fare Payment RFP **Rider Staff**

Information: Presentation of the RFP process, bids received, and firm recommended for award.

Recommendation/Action: Review and consider approval of staff recommendation for award.

5) Rider Transit Title VI Civil Rights Plan Update **Rider Staff**

Information: Review and discussion of required triennial update FTA Title VI Civil Rights Plan for Rider Transit.

Recommendation/Action: Review plan updates; consider approval and adoption of plan.

6) Rider Transit Safety and Security **Rider Staff**

Information: Discussion of safety and security, including the rise in homelessness and mental health issues in recent years, within the Rider Transit system

Recommendation/Action: Informational update.

Reports / Other Business **Rider Staff**

- Rider Transit Projects Update
- Service Provider RFP Update
- Other business
- Next CKTC meeting – Thursday, 12/18/25, 8:30am, Rider Transit Center

CITY OF KANNAPOLIS
PLANNING & ZONING COMMISSION MEETING

October 21, 2025, at 6:00 pm

Agenda

1. **Call to Order**

2. **Roll Call and Recognition of Quorum**

3. **Approval of Agenda**

4. **Approval of Minutes:** September 16, 2025

5. **Public Hearing**

   a. **Z-2025-10 – Zoning Map Amendment – 1811 S. Main Street**
   Public Hearing to consider a request to rezone property located at 1811 S. Main Street from City of Kannapolis General Commercial (GC) zoning district to City of Kannapolis Residential 8 (R8) zoning district. The subject property is a 0.25 +/- acre portion of approximately 0.83 +/- acres and further identified as Cabarrus County Parcel Identification Number 56126981360000.

6. **Pilot Mobility Hub Study at the Kannapolis Train Station Presentation**
   The Kannapolis Train Station is one of four sites selected for Centralina's Pilot Mobility Hub Study, which aims to develop schematic designs and implementation plans for future mobility hubs across the region. As Kannapolis continues to grow, the vision is to transform the Train Station into an accessible and vibrant destination that connects people throughout the region.

7. **Planning Director Update**

8. **Other Business**

9. **Adjourn**

Cabarrus Rowan Urban Area
Metropolitan Planning Organization

Transportation Advisory Committee

Wednesday October 22, 2025
5:30 pm
Dinner provided by
Town of Landis

PUBLIC WIFI PASSWORD I-Love-Kannapolis!

NC Research Campus
Kannapolis City Hall
401 Laureate Way
Kannapolis, NC 28081

Agenda

1) Call to Order — TAC Chairman Smith

- Pledge of Allegiance
- Roll Call of Members for Quorum & Introduction of Guests
- List of Eligible TAC Voting Members
- Ethics Reminder
- Legislative or Board of Transportation Updates
- Chamber of Commerce Update
- Speakers from the Floor (3 minutes per speaker)
- Adjustments/Approval to the Agenda including Consent

CONSENT AGENDA

All items on the consent agenda are considered to be routine and may be enacted by one motion. If a TAC member requests discussion on an item, the item will be removed from the consent agenda and considered separately. The following items are presented for TAC consideration on the Consent Agenda:

2) Rider Transit Program of Projects (POP) — Phil Conrad

INFORMATION: The Program of Projects is a list of proposed FTA grant requests to support the operations of Rider Transit in Fiscal Year 2026. Rider has elected to use the MPO Public Involvement procedures to process this annual requirement. Attachment 2 is the POP.

ACTION/RECOMMENDATION: 1) Receive a report on Rider Transit's Program of Projects (POP); and 2) Consider releasing the POP for public comment.

BOARD OF ADJUSTMENT
AGENDA

Kannapolis City Hall
Laureate Center - Kannapolis, NC

Tuesday, November 4, 2025
6:00 PM

1. **Call to Order**
2. **Roll Call and Recognition of Quorum**
3. **Approval of Agenda**
4. **Approval of Minutes –** October 7, 2025
5. **Swearing In for Testimony**
6. **Orders for Approval**
   a. **BOA-2025-19 – Special Use Permit – 917 S. Main St.**
   Order is for denial for a Special Use Permit (SUP) to allow a bar at 917 S. Main Street. Pursuant to Table 4.2.B(5) of the Kannapolis Development Ordinance (KDO), issuance of a SUP is required for a bar in the General Commercial (GC) zoning district. The subject property is approximately 0.35 acres and is further identified as Cabarrus County Parcel Identification Number 56135476600000.
7. **Evidentiary Hearing:**
   a. **BOA-2025-11 – Appeal of an interpretation of the Kannapolis Development Ordinance (REQUEST TO WITHDRAW)**
   Hearing to consider an appeal of the Planning Director's interpretation of Section 5.9 of the Kannapolis Development Ordinance (KDO). The appeal challenges two determinations: (1) that refacing an existing billboard to a digital display is not considered maintenance and repair under Section 5.9.C(3), and (2) that Section 5.9.E(3)(a)5 limits the digital portion of a billboard face to no more than 70% of the total sign face area. The appeal concerns applications to convert existing billboards to digital displays located at 280 S. Cannon Blvd. and 794 Dakota Street in Cabarrus County, and 948 N. Cannon Blvd. in Rowan County, further identified as Cabarrus County Parcel Identification Numbers 56230718980000 and 56220855710000, and Rowan County Parcel Identification Number 150 098A, respectively.

   b. **BOA-2025-22 – Special Use Permit – 301 Jackson Park Rd.**
   Hearing to consider a Special Use Permit (SUP) to allow for an 80-unit, self-service storage facility in the General Commercial (GC) zoning district on a 0.65 +/- acre property located at 301 Jackson Park Rd, further identified as Rowan County Parcel Identification Number 150 267.

   c. **BOA-2025-23 – Special Use Permit – 201 Brookdale St.**
   Hearing to consider a Special Use Permit (SUP) to allow for a 150-unit self-service storage facility in the General Commercial (GC) zoning district on a 1.35 +/- acre property located at 201 Brookdale St., further identified as Rowan County Parcel Identification Number 150 119A.

d. <u>BOA-2025-24 – Special Use Permit – 224 Brookdale St. (Staff requests continuance to December 2025 meeting)</u>

Hearing to consider a Special Use Permit (SUP) to allow for a self-service storage facility in the General Commercial (GC) zoning district on a 0.415 +/- acre portion of a 1.97 +/- acre property located at 224 Brookdale St., further identified as Rowan County Parcel Identification Number 150 122.

8. Planning Director Updates

9. Other Business

10. Adjourn

Kannapolis

Agenda Staff Report
November 10, 2025

To: Mayor and City Council

From: Kristin Jones, Budget and Strategy Director

Subject: **PRESENTATION** — Safe Streets Grant Safety Action Plan

Recommended Action Requested by City Council

Presentation only.

Required Votes to Pass Required Action

Presentation Only. No Action Required

Background

The City of Kannapolis was awarded $200,000 to conduct a comprehensive safety action plan from the Safe Streets for All Grant through the Federal Highway Administration back in September 2022. The City contracted with consulting firm DRMP, Inc. to conduct the safety action plan. Projects identified in the plan will take a coordinated effort among various stakeholders to implement. These stakeholders will include City departments - Police, Fire, Transportation, Planning, Engineering and Communications, Concord-Kannapolis (CK) Rider (Public Transit System), NCDOT, Cabarrus-Rowan MPO and the community.

There was a citizen survey that went live in August 2024 to highlight major intersections that were being studied.

The safety plan includes:

1. Current inventory and analysis of City and State-maintained roadways
2. Analysis of existing roadway and safety conditions
3. Major intersections utilizing crash report data with analysis of contribution circumstances and identification of relevant road users
4. Analysis of systemic and safety needs
5. Strategies to address safety needs identified
6. Engagement/collaboration and implementation with stakeholders

The safety plan must have a public hearing and be adopted prior to the grant closeout period in December 2025.

Fiscal Implications

A budget amendment was previously approved that appropriated the $160,000 in federal dollars and $40,000 local match for a total of $200,000 towards the safety action plan.

Alternate Courses of Action

No action needed.

Attachments

1. Safety Action Plan Presentation
2. Safety Action Plan Draft



Kannapolis Safety Action Plan
Presentation to City Council
November 10, 2025

DRMP

KANNAPOLIS SAFETY ACTION PLAN

The Kannapolis Safety Action Plan is the result of a collaborative effort by transportation professionals, law enforcement, emergency responders, and the public to reduce and prevent fatalities and serious injuries on streets and roadways within the City of Kannapolis.

KANNAPOLIS SAFETY ACTION PLAN

- Funded Through a USDOT Safe Streets and Roads for All Grant (SS4A).

- The City contracted with DRMP, Inc. to develop the plan.

KANNAPOLIS SAFETY ACTION PLAN
MISSION STATEMENT

The mission of the Kannapolis Safety Action Plan is to:

Implement a collaborative data-driven approach to reduce and prevent fatalities and serious injuries on all streets and roadways within the City of Kannapolis by teaming with transportation professionals, law enforcement, emergency responders, and the public.

KANNAPOLIS SAFETY ACTION PLAN
VISION STATEMENT

No transportation-related fatalities or serious injuries on streets and roadways within the City of Kannapolis by the Year 2050.

KANNAPOLIS SAFETY ACTION PLAN
GOALS

- Identify the five intersections or roadway segments within the City of Kannapolis with the highest fatal or serious injury crashes.
- Develop countermeasures, conceptual designs, and cost estimates for projects to eliminate fatal and serious injuries at the identified locations.
- Obtain funding for these projects.

KANNAPOLIS SAFETY ACTION PLAN
STAKEHOLDER COMMITTEE

- Kannapolis City Departments
  - Administration
  - Engineering
  - Fire
  - Police
  - Transportation

KANNAPOLIS SAFETY ACTION PLAN
STAKEHOLDER COMMITTEE (Contd)

- Kannapolis City Schools
- Cabarrus County Schools
- Cabarrus-Rowan Metropolitan Planning Organization
- NCDOT Traffic Safety Unit
- NCDOT Division 9
- NCDOT Division 10

KANNAPOLIS SAFETY ACTION PLAN
STAKEHOLDER COMMITTEE

The stakeholder committee met four times:

- Stakeholder Committee Meeting#1-July 17, 2024 Vision, Mission, and Goals.

- Stakeholder Committee Meeting#2-September 18, 2024 Roadway/Intersections for Detailed Study

KANNAPOLIS SAFETY ACTION PLAN
STAKEHOLDER COMMITTEE

- Stakeholder Committee Meeting#3-March 19, 2025
  Roadway/Intersections for Safety Improvement

- Stakeholder Committee Meeting#4-August 13, 2025
  Identified Countermeasures

STUDY PROCESS

- Preliminary Analysis
- Detailed Analysis
- Safety Improvement Prioritization
- Identification of Countermeasures
- Concept Development/Cost Estimates
- Stakeholder/Public Involvement
- Safety Action Plan Preparation

ROADWAY SEGMENTS RECOMMENDED FOR COUNTERMEASURES

ROADWAY	FROM	TO	LENGTH
NC 3 (Dale Earnhardt Blvd.)	Watson Crick Dr.	SR 1766 (Rogers Lake Rd. E)	2.1 mi.
SR 1643 (Rainbow Dr./Bethpage Rd.)	NC 3 (Mooresville Rd.)	SR 1008 (S. Main St.)	1 mi.
SR 1124 (West C St.)	SR 1129 (Nathan Ave.)	Glenn Ave.	0.7 mi.

Shaded roadway segments are within/adjacent to a persistent poverty or disadvantaged census tract.

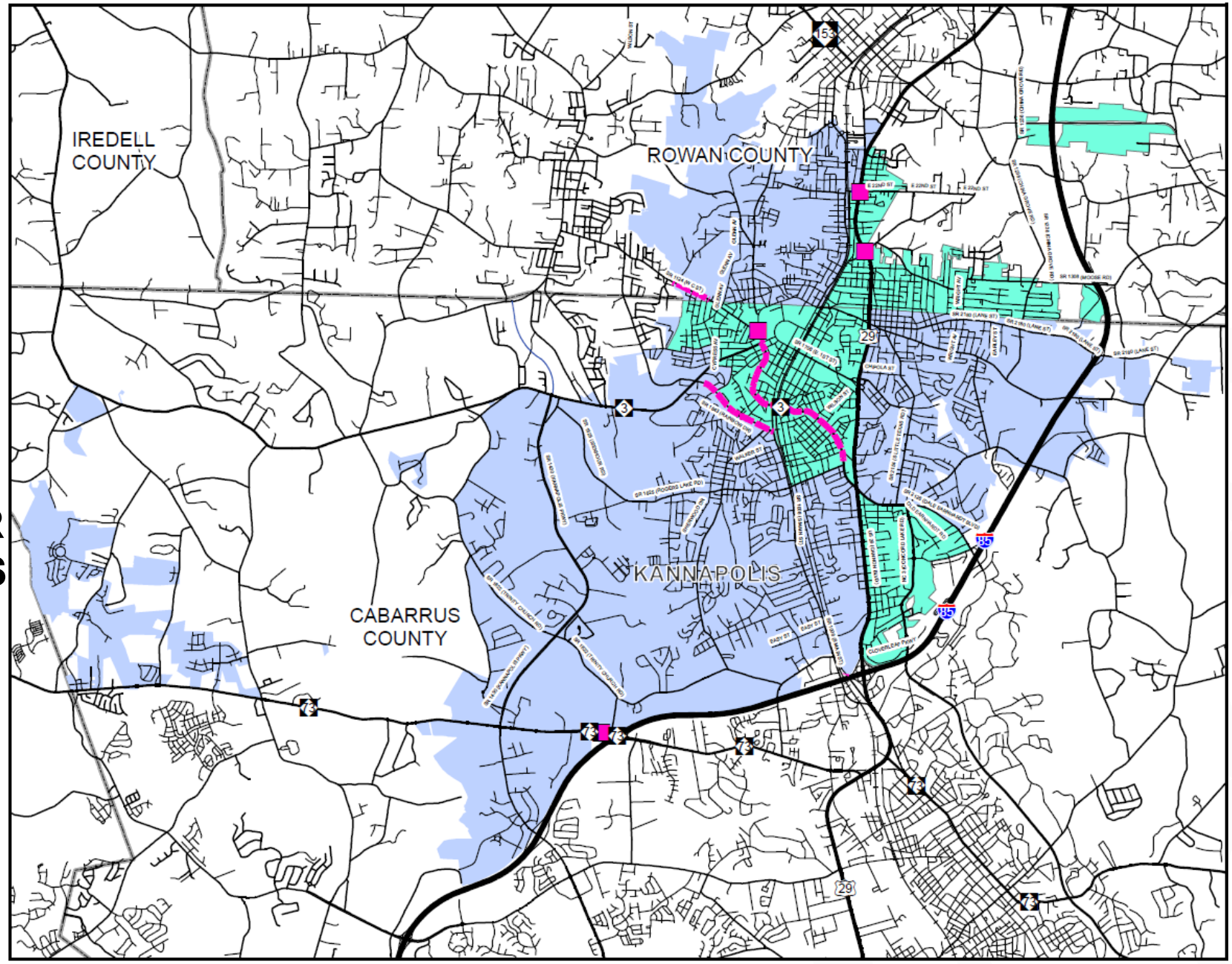
INTERSECTIONS RECOMMENDED FOR COUNTERMEASURES

INTERSECTION
NC 73/SR 1622 (Trinity Church Rd.)
North Loop Rd./SR 1680 (West C St.)
US 29 (N. Cannon Blvd.)/SR 1254 (E. 22nd St.)
US 29 (N. Cannon Blvd.)/SR 1267 (Ebenezer Rd.)

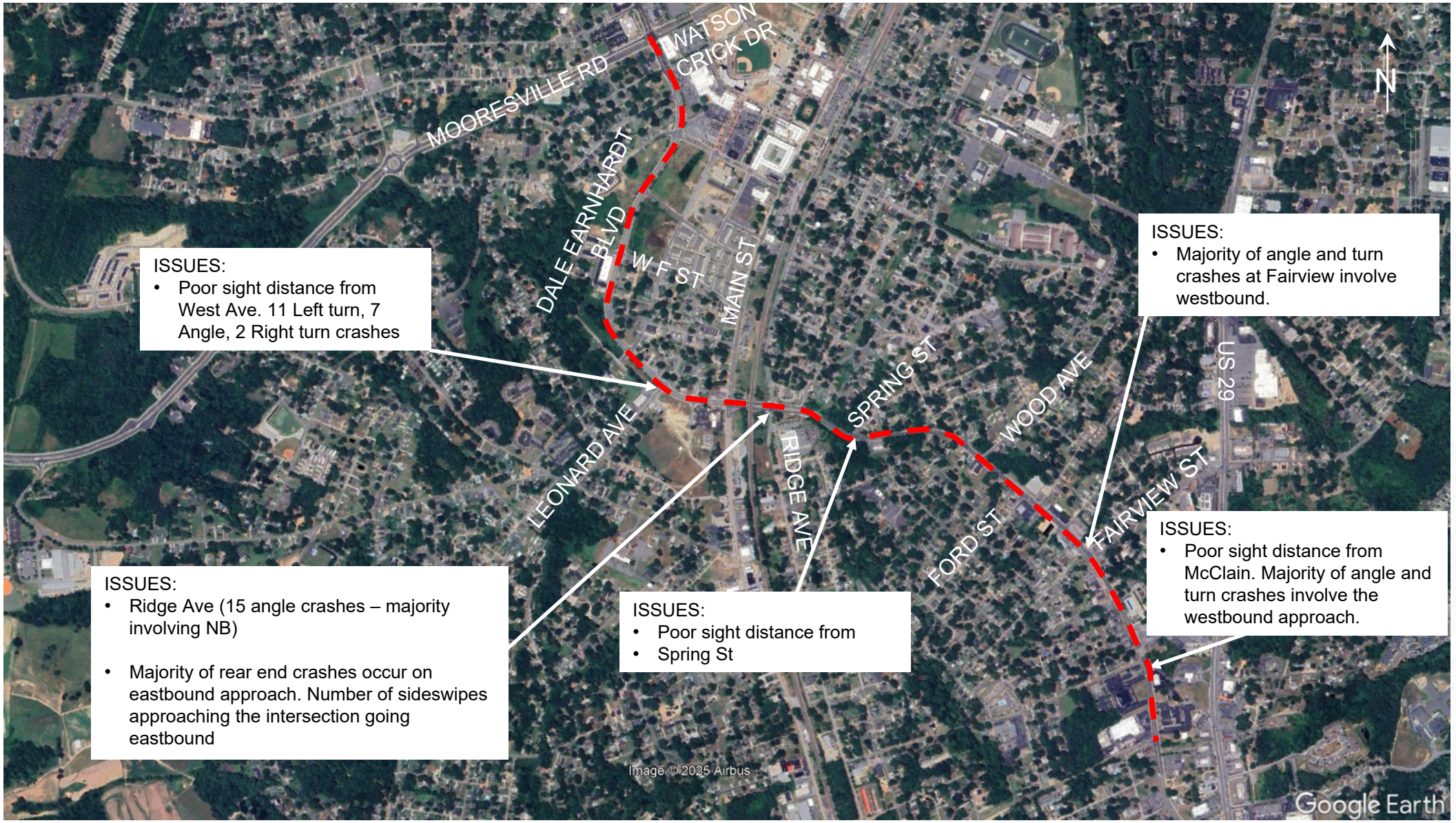
Shaded intersections are within/adjacent to a persistent poverty or disadvantaged census tract.

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LOCATIONS RECOMMENDED FOR COUNTERMEASURES



NC 3 (DALE EARNHARDT BLVD)



ISSUES:
- Poor sight distance from West Ave. 11 Left turn, 7 Angle, 2 Right turn crashes

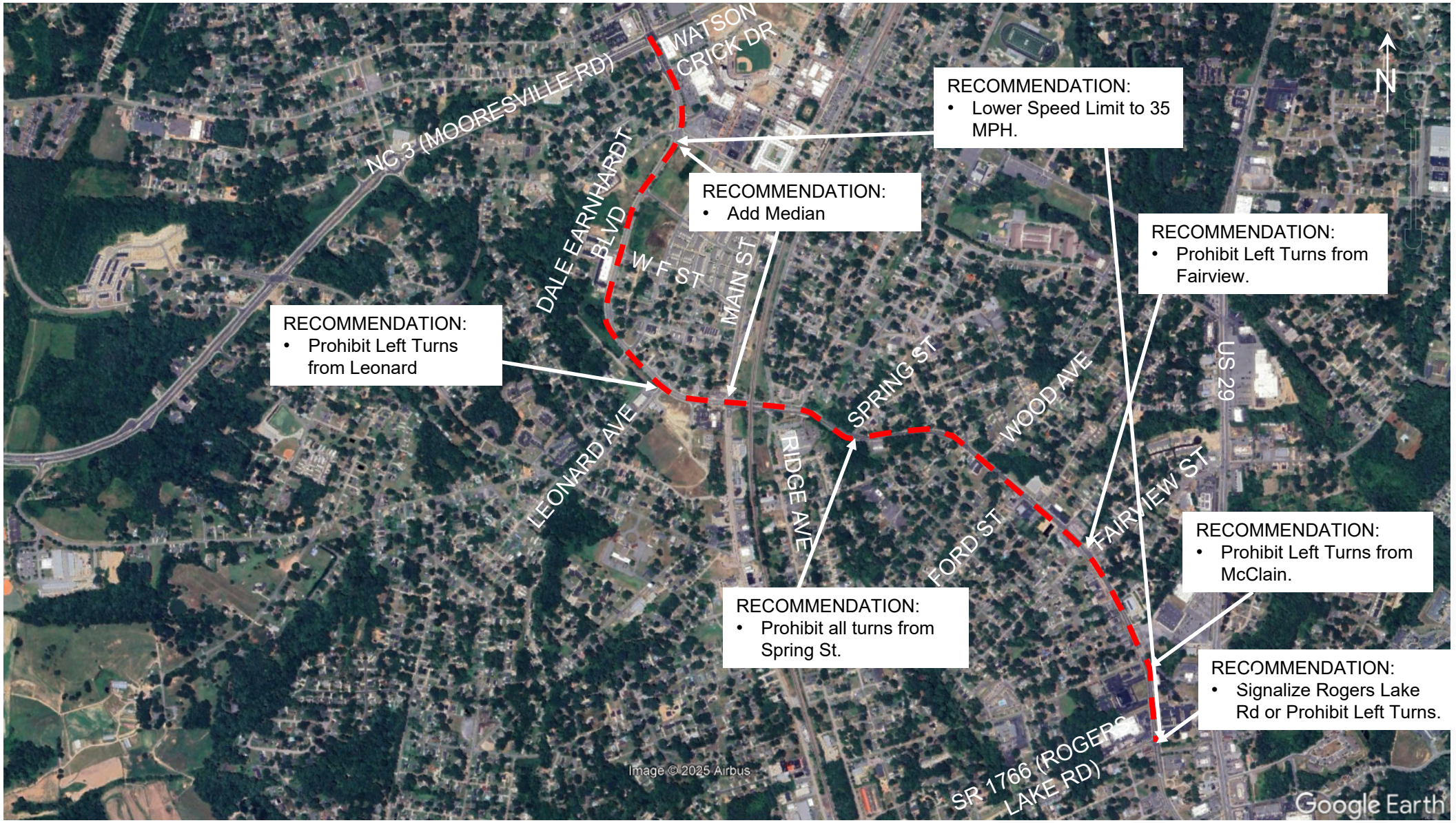
ISSUES:
- Majority of angle and turn crashes at Fairview involve westbound.

ISSUES:
- Ridge Ave (15 angle crashes – majority involving NB)
- Majority of rear end crashes occur on eastbound approach. Number of sideswipes approaching the intersection going eastbound

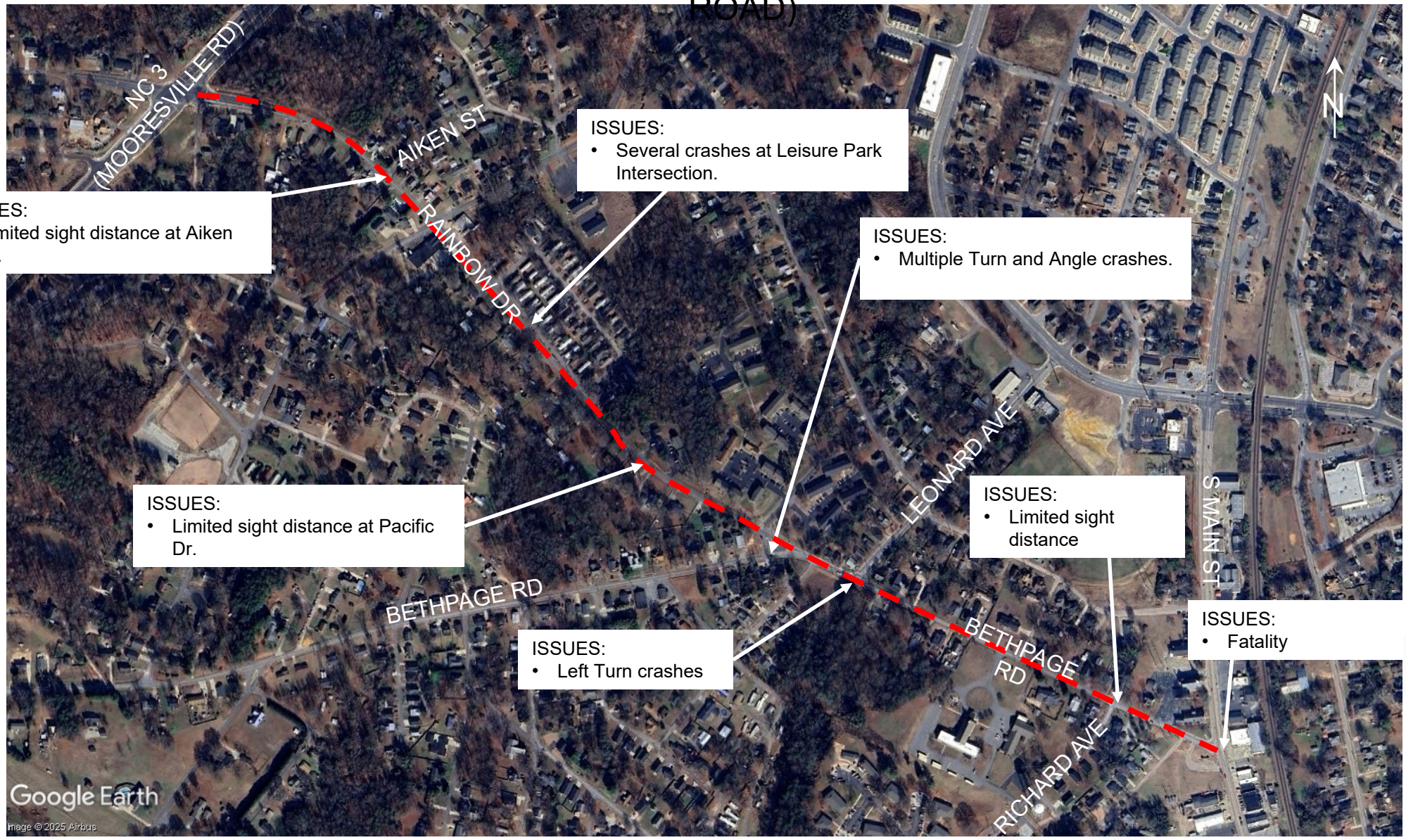
ISSUES:
- Poor sight distance from
- Spring St

ISSUES:
- Poor sight distance from McClain. Majority of angle and turn crashes involve the westbound approach.

NC 3 (DALE EARNHARDT BLVD)



SR 1643 (RAINBOW DRIVE/BETHPAGE ROAD)



ISSUES:
- Limited sight distance at Aiken St.

ISSUES:
- Several crashes at Leisure Park Intersection.

ISSUES:
- Multiple Turn and Angle crashes.

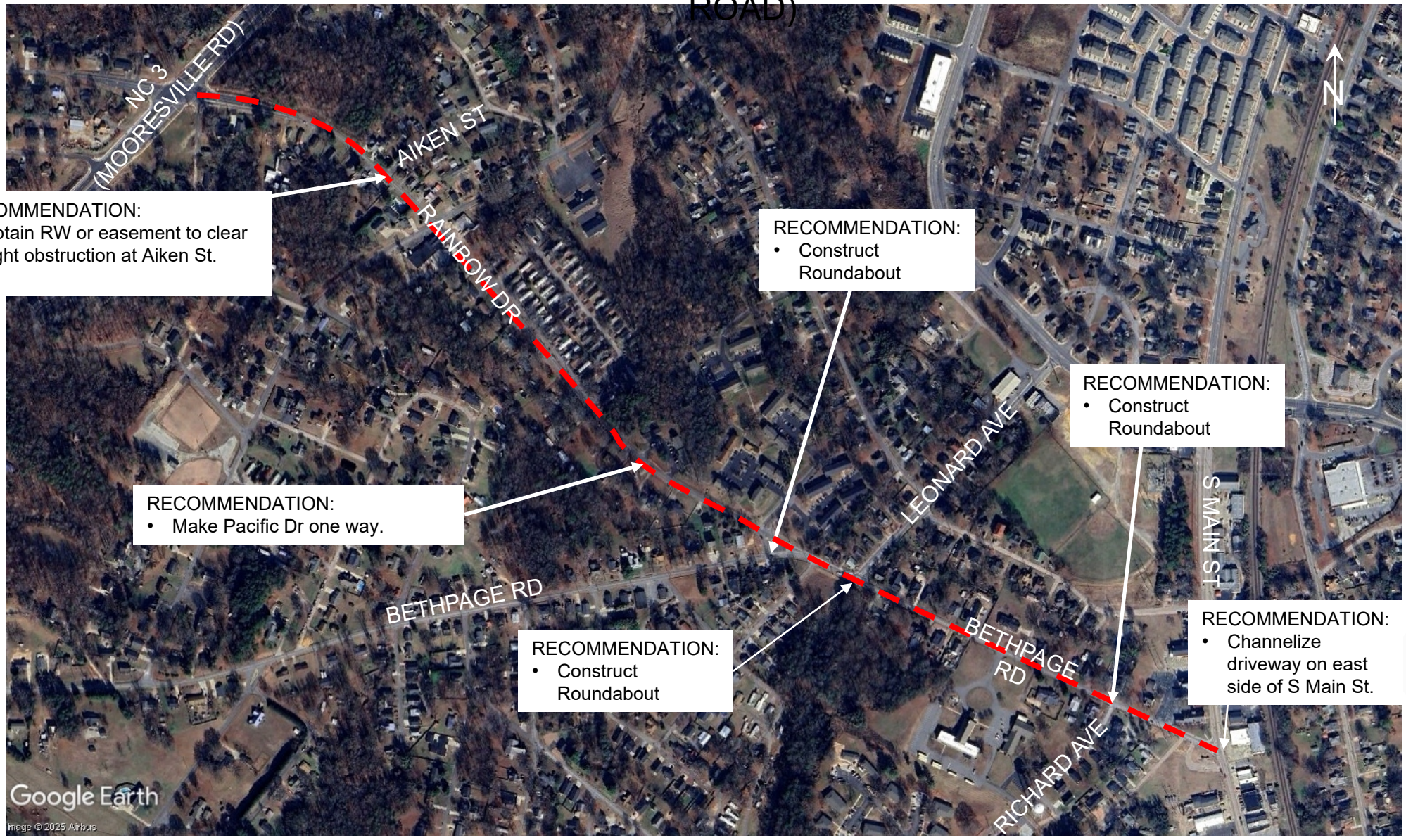
ISSUES:
- Limited sight distance at Pacific Dr.

ISSUES:
- Limited sight distance

ISSUES:
- Left Turn crashes

ISSUES:
- Fatality

SR 1643 (RAINBOW DRIVE/BETHPAGE ROAD)



RECOMMENDATION:
- Obtain RW or easement to clear sight obstruction at Aiken St.

RECOMMENDATION:
- Make Pacific Dr one way.

RECOMMENDATION:
- Construct Roundabout

RECOMMENDATION:
- Construct Roundabout

RECOMMENDATION:
- Construct Roundabout

RECOMMENDATION:
- Channelize driveway on east side of S Main St.

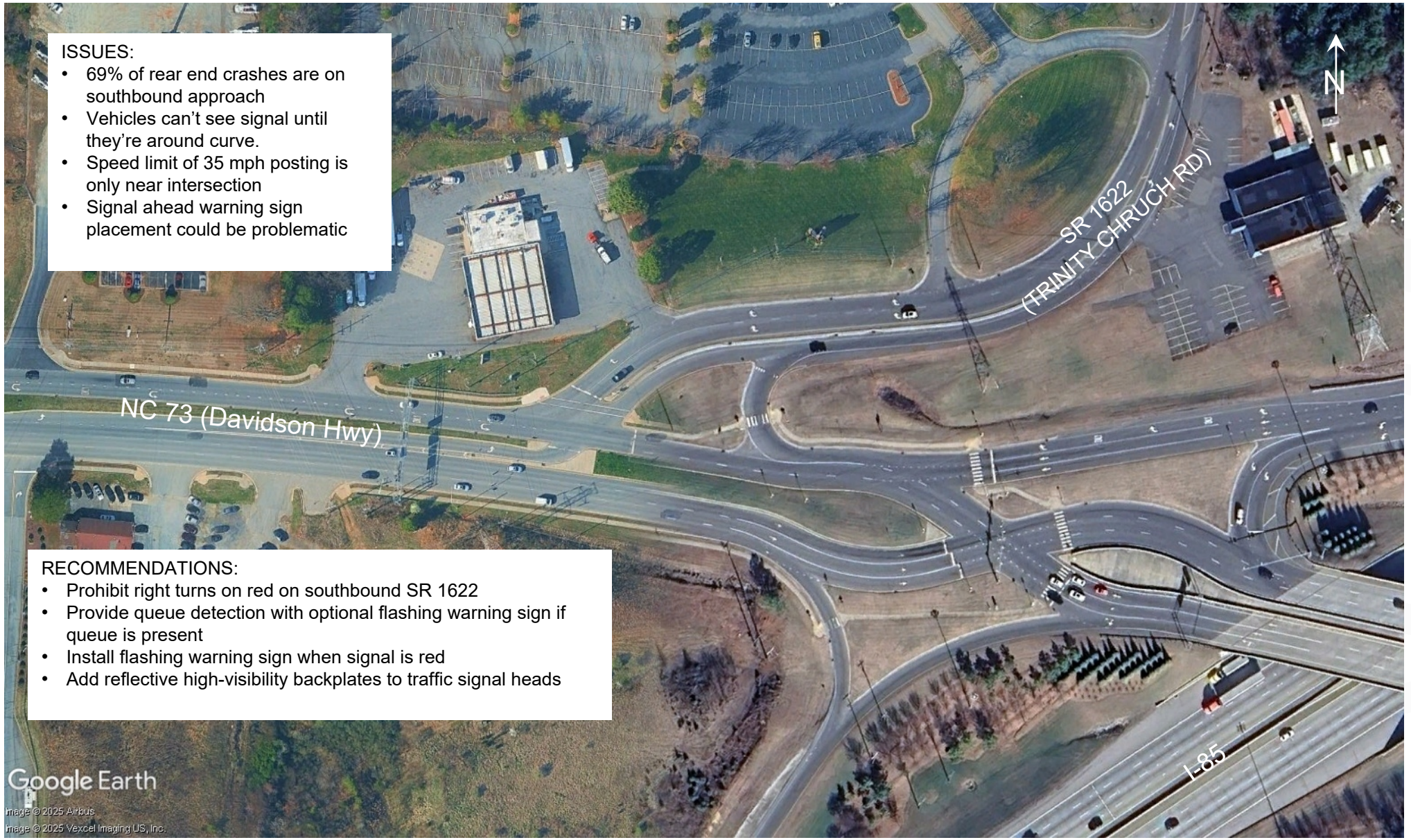
SR 1124 (WEST C STREET)



SR 1124 (WEST C STREET)



NC 73 & SR 1622 (TRINITY CHURCH ROAD)



SR 1600 (W. C ST)/S. WALNUT ST AT N. LOOP RD/DALE EARNHARDT BLVD



ISSUES:

- Angle & left turn crashes – Mostly involve NB approach
- Roadway curvature on Loop Road may cause possible sight problems for NB left turns when queue is present in the SB left lane and unable to see SB thru traffic.
- Heavy pedestrian traffic crosses this intersection entering or leaving concerts at a nearby venue. This often occurs at night.

Recommendations:

- Review left turn signal phasing, allow only protected left turns from northbound Dale Earnhardt Blvd
- Add reflective high-visibility backplates to traffic signal heads
- Move advanced signal warning sign on northbound Loop Road south of the intersection to south of trees located on east side of Loop Road (sign is currently close to a tree, Google Streetview shows branch from tree growing in front of sign)
- Add near side signal head for northbound Dale Earnhardt Blvd
- Add Streetlights at intersection.

US 29 (N. CANNON BOULEVARD) & E. 22nd STREET

ISSUES:
- Pedestrian fatality
- 14 rear end crashes (majority involving southbound traffic)
- First signal in over 1.2 miles for southbound traffic
- 12 angle/left turn crashes



RECOMMENDATIONS:
- Add high visibility cross walks, curb ramps, and landing pads in all quadrants
- Add sidewalks on 22nd St to next intersection on either side of US 29
- Widen islands on US 29 to provide pedestrian refuge
- Upgrade signal with pedestrian actuation
- Review left turn signal phasing
- Conduct traffic counts to determine need for southbound right turn lane
- Add reflective high-visibility backplates to traffic signal heads
- Examine signal coordination and timing
- Add flashing “Prepare to Stop when Flashing” sign on southbound US 29 north of intersection

US 29 (N. CANNON BOULEVARD) & SR 1267 (EBENEZER ROAD)



ISSUES:

- 67% of rear end crashes occur on southbound approach
- Trees in median north of intersection block view of signal heads for southbound traffic

RECOMMENDATIONS:

- Add reflective high-visibility backplates to traffic signal heads
- Replace trees in median with lower growing landscaping within curves north and south of intersection
- Add mini-skip pavement markings to direct traffic on Ebenezer Road across US 29
- Examine signal coordination and timing

Questions?/Additional Discussion


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Kannapolis Safety Action Plan

CITY OF KANNAPOLIS, NORTH CAROLINA

DECEMBER 2025

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Kannapolis Safety Action Plan

EXECUTIVE SUMMARY

The Kannapolis Safety Action Plan is the result of a collaborative effort by transportation professionals, law enforcement, emergency responders, and the public to reduce and prevent fatalities and serious injuries on streets and roadways within the City of Kannapolis.

A stakeholder committee was formed to provide input on the plan's vision, mission, and goals, detailed study areas, safety improvement prioritization, countermeasure identification, and improvement concepts. The stakeholder committee met four times during development of the plan.

A multi-step process was followed to develop the Kannapolis Safety Action Plan. These steps included:

- Preliminary Analysis
- Detailed Analysis
- Safety Improvement Prioritization
- Identification of Countermeasures
- Concept Development/Cost Estimates
- Stakeholder/Public Involvement
- Safety Action Plan Preparation

Planning level crash data provided by NCDOT and the Kannapolis Police Department was used, along with the results of a public survey, to develop a list of the 20 roadway segments or intersections to study in detail. Detailed crash data was provided by NCDOT for the 20 locations. This data was used to determine the four roadway segments and four intersections with the highest fatal and serious injury crash or total crash rates. Countermeasures were developed for three roadway segments and four intersections. The roadway segments recommended for countermeasures are presented on Table S1 and shown on Figure 4.

Table S1
Roadway Segments Recommended for Countermeasures

ROADWAY	FROM	TO	LENGTH
NC 3 (Dale Earnhardt Blvd.)	NC 3 (Mooresville Rd.)/Watson Crick Dr.	SR 1766 (Rogers Lake Rd. E)	2.1 mi.
SR 1643 (Rainbow Dr./Bethpage Rd.)	NC 3 (Mooresville Rd.)	SR 1008 (S. Main St.)	1 mi.
SR 1124 (West C St.)	SR 1129 (Nathan Ave.)	Glenn Ave.	0.7 mi.

Shaded roadway segments are within a persistent poverty or disadvantaged census tract.

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Intersections recommended for countermeasures are presented on Table S2 and shown on Figure 4.

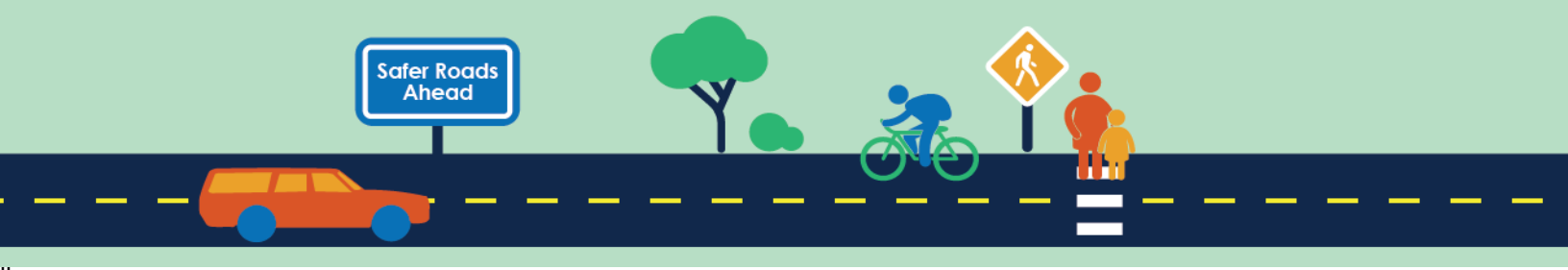
Table S2
Intersections Recommended for Countermeasures

INTERSECTION
NC 73/SR 1622 (Trinity Church Rd.)
US 29 (N. Cannon Blvd.)/SR 1254 (E. 22nd St.)
North Loop Rd./SR 1680 (West C St.)
US 29 (N. Cannon Blvd.)/SR 1267 (Ebenezer Rd.)

Shaded intersections are within a persistent poverty or disadvantaged census tract.

Recommended improvements for these locations are discussed in Section VIII.

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Appendices

Appendix A-Stakeholder Committee Meeting Minutes
Appendix B-Public Survey Results
Appendix C- Roadway Segments/Intersections for Detailed Study

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I. INTRODUCTION

The safety of its citizens has always been a priority for the City of Kannapolis. Between the years 2016 and 2022, an average of four fatal crashes a year occurred within Kannapolis. This is a higher average than neighboring jurisdictions. In response to these statistics, the City of Kannapolis applied for and was awarded grant funding from the US Department of Transportation to conduct a comprehensive safety study to analyze and identify safety improvements to reduce the number of fatal and serious injury crashes within the City.

The kickoff meeting for the Kannapolis Safety Action Plan was held in May 2024. This report documents the results of the study initiated at that meeting. The study utilized crash data from NCDOT and the Kannapolis Police Department to identify locations with the highest fatal and serious injury crash rates and developed recommendations for safety improvements to address these crashes.

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II. VISION, MISSION, & GOALS

The Kannapolis Safety Action Plan envisions:

No transportation-related fatalities or serious injuries on streets and roadways within the City of Kannapolis by the year 2050.

The mission of the Kannapolis Safety Action Plan is to:

Implement a collaborative data-driven approach to reduce and prevent fatalities and serious injuries on all streets and roadways within the City of Kannapolis by teaming with transportation professionals, law enforcement, emergency responders, and the public.

Three measurable goals have been identified for the Kannapolis Safety Action Plan:

- Identify the five intersections or roadway segments within the City of Kannapolis with the highest fatal or serious injury crashes.
- Develop countermeasures, conceptual designs, and cost estimates for projects to eliminate fatal and serious injuries at the identified locations.
- Obtain funding for these projects.

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III. SAFETY PARTNERS AND STAKEHOLDERS

A stakeholder committee was formed to provide input on the plan's vision and goals, detailed study areas, safety improvement prioritization, countermeasure identification, and improvement concepts. Representatives of the following agencies/organizations were a part of the stakeholder committee:

- City of Kannapolis Administration
- City of Kannapolis Engineering Division
- City of Kannapolis Fire Department
- City of Kannapolis Planning Department
- City of Kannapolis Police Department
- City of Kannapolis Transportation and Environmental Services Department
- Kannapolis City Schools
- Cabarrus County Schools
- Cabarrus-Rowan Metropolitan Planning Organization
- NCDOT Traffic Safety Unit
- NCDOT Division 9
- NCDOT Division 10
- DRMP, Inc.

The stakeholder committee met four times during the development of the Kannapolis Safety Action Plan. The meeting dates and topics of discussion are presented below:

- Stakeholder Committee Meeting#1-July 17, 2024-Vision, Mission, and Goals.
- Stakeholder Committee Meeting#2-September 18, 2024-Roadway/Intersections for Detailed Study
- Stakeholder Committee Meeting#3-March 19, 2025-Roadway/Intersections for Safety Improvement
- Stakeholder Committee Meeting#4-August 13, 2025-Identified Countermeasures

Minutes from the committee meetings are included in Appendix A of this report.

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IV. PLAN DEVELOPMENT PROCESS

A multi-step process was followed to develop the Kannapolis Safety Action Plan. These steps included:

- Preliminary Analysis
- Detailed Analysis
- Safety Improvement Prioritization
- Identification of Countermeasures
- Concept Development/Cost Estimates
- Stakeholder/Public Involvement
- Safety Action Plan Preparation

The steps are discussed in detail below.

A. Preliminary Analysis

A preliminary safety analysis was conducted within the municipal boundaries of Kannapolis. This preliminary analysis used safety data available from NCDOT and the Kannapolis Police Department to identify areas where fatal or serious injury crashes have occurred and determine which of these areas should be studied in detail.

1. Preliminary Data Collection

The Kannapolis Safety Action Plan study area is the Kannapolis City Limits. Mapping data was obtained for the study area, including GIS data for the complete roadway network within Kannapolis, aerial photography, and census data. Sources for this data included NCDOT, NC OneMap, and the US Census Bureau.

Planning level traffic safety data was obtained from NCDOT. Safety data obtained from the NCDOT Traffic Safety Unit included the following:

- 2019-2023 planning level safety scoring data
- Fatal and serious injury crash locations
- Bicycle and pedestrian crash locations
- Total crash frequency by intersection data

The Kannapolis Police Department provided information regarding non-reportable crashes (no injuries and less than $1,000 in damages). The Police Department also provided a list of the three intersections with the most reported crashes per year for the years 2016 to 2023.

A survey was posted to the City of Kannapolis' website from October 3, 2024 to October 31, 2024. The survey asked for the public's opinion regarding safety concerns and locations with safety issues within the City of Kannapolis. One hundred fifty responses to the survey were received.

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2. Preliminary Data Analysis

For Roadway Sections

Planning level section safety scoring data provided by the NCDOT Traffic Safety Unit was primarily used to determine the roadway sections to be studied in detail. This dataset consists of crash data grouped by half-mile roadway segments on state-maintained roadways. These roadway segments are given scores based on three components: the class density ratio (crash density of the segment versus the average crash density of similar facilities), severity index, and critical crash rate ratio (actual crash rate for segment versus the critical crash rate). The points from the three components are added and the sum is divided by three to provide a combined safety score. The roadway segments with higher scores are considered to have poorer safety performance. The roadway segments for detailed study were determined by:

- Roadway sections from the planning level safety scoring data were ranked by combined safety score, number of serious crashes, number of injury crashes, and total number of crashes.
- The top 30 sections in each category were compared, sections within the top 30 for three or four of the categories were added to a preliminary list.
- The sections from the preliminary list were reviewed in GIS and compared with fatal and serious crash location data, intersection crash data, pedestrian crash data, bicycle crash data, and disadvantaged census tracts.
- Adjacent roadway sections on the list were combined into one section. Nearby roadway sections not on the top 30 list, but with a high planning level safety score or with several serious crashes were combined with sections from the list.
- Thirteen roadway segments remained on the list after adjacent sections were combined.
- The segment of SR 2180 (Lane Street) between US 29 (Cannon Boulevard) and Wright Avenue was removed from the list because a safety project was recently completed along Lane Street.
- A thirteenth roadway segment along SR 1706 (East 1st Street) was added to the list due to a concentration of pedestrian and bicycle crashes along this segment of roadway.

For Intersections

Total crash frequency by intersection data provided by the NCDOT Traffic Safety Unit and crash data provided by the Kannapolis Police Department were used to develop the list of intersections to be studied in detail. The intersections for detailed study were determined by:

- A list was compiled of intersections from the NCDOT Traffic Safety Unit's total crash frequency by intersection data with at least one serious injury crash (fatal or Class A) and ten or more total crashes, intersections with 50 or more total crashes, the five intersections with the most reported crashes according to data provided by the Kannapolis Police Department, and the intersections with the most safety concerns based on responses from the safety survey posted on the City's website.
- This list was compared with the roadway section list, and intersections within a selected roadway segment were removed from the intersection list.



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- The intersections of SR 1238 (China Grove Road) and Early Street with SR 2180 (Lane Street) were removed from the list because a safety project was recently completed along Lane Street.
- Seven intersections remained on the list after the intersections on a selected roadway segment or recently improved by a safety project were removed.

The selected roadway segments and intersections were compared to persistent poverty and disadvantaged census tracts. The majority of the roadway segments identified are at least partially within disadvantaged census tracts.

The compiled list of roadway sections and intersections were also compared to projects included in the 2024-2033 North Carolina State Transportation Improvement Program (STIP).

A draft list of roadway segments and intersections was presented to the Kannapolis Safety Action Plan Stakeholder Committee at a meeting held on September 18, 2024.

Comments from the stakeholder committee meeting and the public survey results were taken into consideration in the development of the final list of roadway segments and intersections to be studied in detail.

3. Detailed Data Analysis

Thirteen roadway segments and seven intersections were identified for detailed safety analysis. Detailed crash data was requested from NCDOT for these segments and intersections. This data was used to identify roadway segments for safety improvements.

For Roadway Segments

The steps listed below were followed to identify roadway segments for safety improvements:

- NCDOT provided planning level crash data for the time period between January 1, 2020 and December 31, 2025 for the identified roadway segments. This data included the total number of crashes and the number of fatal, Class A (serious), Class B, and Class C injury crashes.
- Total crash rates, fatal crash rates, and serious crash rates (fatal and Class A combined) were calculated for each roadway segment.
- The four roadway segments with the highest serious crash rates were identified.

For Intersections

The steps listed below were followed to identify the intersections for safety improvements:

- NCDOT provided crash data for the intersections for the time period between January 1, 2020 and December 31, 2024. This data listed crashes at each intersection, with detailed crash numbers, types, and crash rates.
- The crash data was analyzed to identify predominant crash types and detect patterns.



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- The crash rates for Class A injury crashes and fatal crashes were combined to determine a total serious crash rate for each segment.
- The four intersections with the highest serious or total crash rates were identified.

A draft list of roadway segments and intersections for safety improvements was presented to the Kannapolis Safety Action Plan Stakeholder Committee at a meeting held on March 19, 2025.

Comments from the stakeholder committee meeting were taken into consideration in the development of the final list of roadway segments and intersections for safety improvements.

B. Countermeasure Identification

Identification of countermeasures for the selected roadway segments and intersections involved the following steps:

- The predominant crash type and locations were listed.
- Each roadway segment and intersection identified for safety improvements was visited in the field and any issues noted.
- NCDOT Crash Reduction Factor information was reviewed for potential countermeasures based on crash types.
- Documentation for potential countermeasures was prepared.

Potential countermeasures were presented to the Kannapolis Safety Action Plan Stakeholder Committee at a meeting held on August 13, 2025. Comments from the meeting were taken into consideration in the development of the final list of roadway segments and intersections and the recommended countermeasures for those locations.

C. Concept Development/Cost Estimates

Conceptual designs and cost estimates were prepared for the countermeasures identified for the intersections and roadway segments.

These conceptual designs were prepared in accordance with NCDOT, AASHTO, and City standards and guidelines. These concepts were developed attempting to avoid and minimize impacts to homes and businesses and known environmental resources.

D. Stakeholder/Public Involvement

A study webpage was included on the City of Kannapolis' website (https://www.kannapolisnc.gov/safestreets). This webpage includes information regarding the USDOT Safe Streets Initiative, Safe Streets for All, and the Kannapolis Safety Action Plan. The Safe Streets survey mentioned previously was open on the study webpage between October 3, 2024 and October 31, 2024. One hundred and fifty responses were received to the survey. The survey included the following questions:



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1. Are you a resident of Kannapolis?
2. Do you work in Kannapolis?
3. How do you typically travel around Kannapolis?
4. Select the top five transportation safety issues in Kannapolis from the list below:
5. List the three intersections or roadway segments in Kannapolis with the most safety concerns.
6. What is your age? (optional question)
7. How would you classify your race? (optional question)
8. What was your household income last year? (optional question)

A summary of the survey responses is included in Appendix B.

The Kannapolis City Council held a public hearing for the Kannapolis Safety Action Plan on November 24, 2025.

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V. EXISTING EFFORTS

Existing safety improvement efforts within Kannapolis include completed planning study reports and ongoing transportation projects. The City and NCDOT are both leading in these efforts.

A. Planning Studies

Safety is a consideration in a number of plans developed by the City of Kannapolis. These plans include the following:

- Kannapolis Bicycle Plan-August 2014
- Kannapolis Walkable Community Plan-February 2007
- Move Kannapolis Forward-2030 Comprehensive Plan-March 2018

The Kannapolis Bicycle Plan includes several safety-related recommendations, including designing streets to maximize bicycle safety, implementing road diets where appropriate, and incorporating bicycle safety and awareness into driver's education courses.

The Kannapolis Walkable Community Plan includes the following safety goals:

- Provide a diverse and safe environment for pedestrians.
- Existing pedestrian facilities (street crossings, sidewalks, etc.) shall be safe and meet all ADA standards.
- Incorporate safe pedestrian facilities in coordination with all street programs.
- Provide safe crossing opportunities of major barriers and streets.
- Adopt traffic calming measures in high speed traffic areas.
- Enhance vehicle and pedestrian separation through planting strips and designated crosswalks.

An expected outcome of the Move Kannapolis Forward-2030 Comprehensive Plan is that "pedestrian, bicycle, and vehicle crashes [will be] reduced." The plan includes the statement that "safety will be the City's highest priority for its streets, and they will be designed to minimize vehicle crashes and potential conflict points." The plan also recommends the following safety-related policies and actions:

- Implement policy to set street improvement priorities based on traffic safety.
- Update the current traffic calming policy.
- Establish a process for evaluating traffic safety concerns.
- Conduct and implement corridor studies.
- Increase enforcement of traffic safety laws.

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B. Programmed Transportation Projects

The following projects included in the 2026-2035 North Carolina State Transportation Improvement Program (STIP) will improve safety for transportation users:

- STIP Project EB-5844 involves adding curb and gutter and a sidewalk to the portion of SR 2154 (Little Texas Road) between SR 2126 (Dale Earnhardt Boulevard) and SR 2180 (Lane Street). Right of way acquisition for this project is in progress and construction is scheduled for fiscal year 2025 in the 2026-2035 STIP.
- STIP Project EB-5921 involves constructing a sidewalk on SR 2739 (South Main Street) from 12th Street to 22nd Street. Right of way acquisition and construction for this project are scheduled in the 2026 2035 STIP for fiscal years 2030 and 2033, respectively.
- STIP Project U-5761 involves constructing improvements to the intersection of US 29-601 (Cannon Boulevard) and NC 3 (Dale Earnhardt Boulevard). Right of way acquisition for this project is in progress and construction is scheduled for fiscal year 2027 in the 2026-2035 STIP.
- STIP Project U-6062 involves upgrading SR 2739 (South/North Main Street) from SR 2000 (Jackson Park Road/North Loop Road) in Kannapolis to SR 1211 (Kimball Road) in China Grove and will include the incorporation of bicycle lanes and sidewalks. This project is funded in the 2026-2035 STIP for preliminary engineering only. Right of way acquisition and construction are not currently funded.
- STIP Project Y-4810K involves constructing a grade separation at a railroad crossing on SR 1766 (Rogers Lake Road). This project is currently under construction.

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VI. DATA ANALYSIS and SUMMARY

A. Preliminary Analysis

As discussed previously, planning level section safety scoring data provided by the NCDOT Traffic Safety Unit was primarily used to determine the roadway sections to be studied in detail. Total crash frequency by intersection data provided by the NCDOT Traffic Safety Unit and crash data provided by the Kannapolis Police Department were used to develop the list of intersections to be studied in detail.

The compiled list of roadway sections and intersections were also compared to projects included in the 2024-2033 North Carolina State Transportation Improvement Program (STIP). None of the identified roadway segments or intersections are within the limits of an ongoing STIP roadway project, but two segments overlap with pedestrian/bicycle projects.

A draft list of roadway segments and intersections was presented to the Kannapolis Safety Action Plan Stakeholder Committee at a meeting held on September 18, 2024. The draft list included the following roadway segments and intersections:

Roadway Segments:

- SR 1430 (Kannapolis Parkway) from I-85 to SR 1622 (Trinity Church Road)
- NC 3 (Dale Earnhardt Boulevard), from Watson Crick Drive to SR 1766 (Rogers Lake Road)
- SR 1643 (Rainbow Drive/Bethpage Road), NC 3 (Mooresville Road) to SR 1008 (South Main Street)
- US 29 (Cannon Boulevard), I-85 to Wilson Street
- NC 3 (Concord Lake Road), Cloverleaf Parkway/Executive Park Drive NE to SR 2126 (Dale Earnhardt Boulevard)
- SR 2126 (Dale Earnhardt Boulevard), Old Earnhardt Road to I-85
- SR 1008 (South Main Street), Fredrick Avenue to Walker Street
- SR 1625/SR 1766 (Rogers Lake Road), Sherwood Drive to NC 3 (Dale Earnhardt Boulevard)
- SR 2180 (Lane Street), US 29 (Cannon Boulevard) to Wright Avenue
- SR 2154 (Little Texas Road), NC 3 (Dale Earnhardt Boulevard) to Chipola Street
- SR 1124 (West C Street), SR 1129 (Nathan Avenue) to Glenn Avenue
- NC 3 (Mooresville Road), Bethpage Road to Cypress Avenue
- SR 1008 (South Main Street), SR 1790 (Winecoff School Road) to Easy Street

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Intersections:

- SR 1430 (Kannapolis Parkway)/Rogers Lake Road
- NC 73/SR 1622 (Trinity Church Road)
- US 29 (North Cannon Boulevard)/SR 1254 (East 22nd Street)
- SR 2180 (Lane Street)/Earley Street
- SR 2180 (Lane Street)/SR 2202 (China Grove Road)
- SR 1238 (China Grove Road)/SR 1308 (Moose Road)
- NC 73/SR 1602 (Jim Johnson Road)

At that meeting, the committee recommended removing the intersection of NC 73 at SR 1602 (Jim Johnson Road) from the list of intersections to be studied in detail because this section of NC 73 is outside of the Kannapolis City Limits. The minutes of the Stakeholder Committee Meeting are included in Appendix A of this report.

Following the meeting, the segment of SR 1706 (East 1st Street) between North Main Street and North Harding Avenue was added to the list of roadway segments to be studied in detail. Also, the results of the public survey became available after the meeting, and intersections identified in the survey were taken into consideration. The intersections of West A Street and West C Street with North Loop Road were added to the list of intersections to be studied in detail based on the survey results. The roadway segment on Lane Street and the intersections of Earley Street and China Grove Road with Lane Street were removed from the detailed study list because a safety project was recently completed along Lane Street.

Table 1 below lists the roadway segments selected for detailed study. These segments are shown on Figure 3 and additional data for these roadway segments are presented in Appendix C.

DRAFT



Table 1
Roadway Segments for Detailed Study

ROADWAY	FROM	TO	LENGTH
SR 1430 (Kannapolis Pkwy.)	I-85	SR 1622 (Trinity Church Rd.)	2.5 mi.
NC 3 (Dale Earnhardt Blvd.)	Watson Crick Dr.	SR 1766 (Rogers Lake Rd. E)	2.1 mi.
SR 1643 (Rainbow Dr./Bethpage Rd.)	NC 3 (Mooresville Rd.)	SR 1008 (S. Main St.)	1 mi.
US 29 (Cannon Blvd.)	I-85	Wilson St.	3 mi.
NC 3 (Concord Lake Rd.)	Cloverleaf Pkwy/Executive Park Dr. NE	SR 2126 (Dale Earnhardt Blvd.)	1.7 mi.
SR 2126 (Dale Earnhardt Blvd.)	Old Earnhardt Rd.	I-85	0.3 mi.
SR 1008 (S. Main St.)	Fredrick Ave.	Walker St.	0.7 mi.
SR 1625/SR 1766 (Rogers Lake Rd.)	Sherwood Dr.	NC 3 (Dale Earnhardt Blvd.)	1.5 mi.
SR 2154 (Little Texas Rd.)	NC 3 (Dale Earnhardt Blvd.)	Chipola St.	1.5 mi.
SR 1124 (West C St.)	SR 1129 (Nathan Ave.)	Glenn Ave.	0.7 mi.
NC 3 (Mooresville Rd.)	Bethpage Rd.	Cypress Ave.	1 mi.
SR 1008 (S. Main St.)	SR 1790 (Winecoff School Rd.)	Easy St.	0.5 mi.
SR 1706 (E. 1st St.)	N. Main St.	N. Harding Ave.	0.6 mi.

Shaded roadway segments are within a persistent poverty or disadvantaged census tract.

Table 2 below lists the intersections selected for detailed study. These intersections are shown on Figure 3 and additional data for these intersections are presented in Appendix C.

Table 2
Intersections for Detailed Study

INTERSECTION
SR 1430 (Kannapolis Pkwy.)/Rogers Lake Rd.
NC 73/SR 1622 (Trinity Church Rd.)
US 29 (N. Cannon Blvd.)/SR 1254 (E. 22nd St.)
North Loop Rd./SR 1680 (West C St.)
North Loop Rd./SR 1913 (West A St.)
US 29 (N. Cannon Blvd.)/SR 1267 (Ebenezer Rd.)
SR 1238 (China Grove Rd.)/SR 1308 (Moose Rd.)

Shaded intersections are within a persistent poverty or disadvantaged census tract.



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B. Detailed Analysis

Detailed crash data was obtained from NCDOT for the thirteen roadway segments and seven intersections identified for detailed study. This data was used to identify roadway segments for safety improvements. Tables 3 and 4 summarize crash data for these roadway segments and intersections.

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Table 3
Crash Rates for Roadway Segments Studied in Detail

ROUTE	FROM	TO	NO. OF FATAL INJURY CRASHES	NO. OF SERIOUS INJURY CRASHES (FATAL & A)	FATAL CRASH RATE*	SERIOUS INJURY CRASH RATE (FATAL & A)*	TOTAL CRASH RATE*
SR 1430 (Kannapolis Pkwy.)	I-85	SR 1622 (Trinity Church Rd.)	2	6	1.61	4.84	428.45
NC 3 (Dale Earnhardt Blvd.)	Watson Crick Dr.	SR 1766 (Rogers Lake Rd. E)	2	6	3.82	11.46	805.71
SR 1643 (Rainbow Dr./Bethpage Rd.)	NC 3 (Mooresville Rd.)	SR 1008 (S. Main St.)	1	2	16.96	33.92	864.92
US 29 (Cannon Blvd.)	I-85	Wilson St.	3	1	2.28	0.76	536.27
NC 3 (Concord Lake Rd.)	I-85	SR 2126 (Dale Earnhardt Blvd.)	0	2	0.00	4.56	526.93
SR 2126 (Dale Earnhardt Blvd.)	Old Earnhardt Rd.	I-85	0	1	0.00	7.06	1,009.06
SR 1008 (S. Main St.)	Fredrick Ave.	Walker St.	0	0	0.00	0.00	431.23
SR 1625/SR 1766 (Rogers Lake Rd.)	Sherwood Dr.	NC 3 (Dale Earnhardt Blvd.)	0	1	0.00	4.83	825.59
SR 2154 (Little Texas Rd.)	NC 3 (Dale Earnhardt Blvd.)	Chipola St.	2	2	9.65	9.65	342.61
SR 1124 (West C St.)	SR 1129 (Nathan Ave.)	Glenn Ave.	0	2	0.00	21.14	433.38
NC 3 (Mooresville Rd.)	Bethpage Rd.	Cypress Ave.	0	0	0.00	0.00	243.78
SR 1008 (S. Main St.)	SR 1790 (Winecoff School Rd.)	Easy St.	0	0	0.00	0.00	552.32
SR 1706 (E. 1st St.)	N. Main St.	N. Harding Ave.	0	0	0.00	0.00	344.62

*-Crash rate per 100 million vehicle miles traveled.
Shaded roadway segments are within a persistent poverty or disadvantaged census tract.

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Table 4
Crash Rates for Intersections Studied in Detail

INTERSECTION	NO. OF FATAL INJURY CRASHES	NO. OF SERIOUS INJURY CRASHES (FATAL & A)	FATAL CRASH RATE*	SERIOUS INJURY CRASH RATE (FATAL & A)*	B OR C INJURY CRASH RATE*	TOTAL CRASH RATE*
SR 1430 (Kannapolis Pkwy)/Rogers Lake Rd	0	0	0.00	0.00	25.17	44.04
NC 73/SR 1622 (Trinity Church Rd)	0	0	0.00	0.00	18.88	96.47
US 29 (N. Cannon Blvd.)/SR 1254 (E. 22nd St.)	1	1	3.16	3.16	22.15	91.75
North Loop Rd./SR 1680 (West C St.)	0	0	0.00	0.00	18.66	96.41
North Loop Rd./SR 1913 (West A St.)	0	0	0.00	0.00	23.80	57.11
US 29 (N. Cannon Blvd.)/SR 1267 (Ebenezer Rd.)	0	0	0.00	0.00	12.80	48.01
SR 1238 (China Grove Rd.)/SR 1308 (Moose Rd.)	0	1	0.00	13.35	53.40	186.9

*-Crash rate per 100 million vehicle miles traveled.
Shaded intersections are within a persistent poverty or disadvantaged census tract.

C. Locations Recommended for Countermeasures

The four roadway segments with the highest serious crash rates and the four intersections with the highest total or serious injury crash rates include:

Roadway Segments

- NC 3 (Dale Earnhardt Boulevard), from Watson Crick Drive to SR 1766 (Rogers Lake Road)
- SR 1643 (Rainbow Drive/Bethpage Road), from NC 3 (Mooresville Road) to SR 1008 (South Main Street)
- SR 2154 (Little Texas Road), from NC 3 (Dale Earnhardt Boulevard) to Chipola Street
- SR 1124 (West C Street), from Nathan Avenue to Glenn Avenue

Intersections

- NC 73/SR 1622 (Trinity Church Road)
- US 29 (North Cannon Boulevard)/SR 1254 (East 22nd Street)
- SR 1680 (West C Street)/North Loop Road
- US 29 (Cannon Boulevard)/SR 1267 (Ebenezer Road)

These locations were presented to the Stakeholder Committee at an August 13, 2025 meeting. At the meeting, it was discussed that a sidewalk project is under development along Little Texas Road. STIP Project EB-5844 will



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add curb and gutter and sidewalks to Little Texas Road from Dale Earnhardt Boulevard to Lane Street. Right of way is currently being acquired for the project and construction is scheduled for fiscal year 2025 in the current State Transportation Improvement Program. Given that there is an ongoing project on this section of roadway, it was removed from consideration for countermeasures.

Roadway segments recommended for countermeasures are presented on Table 5. These locations are shown on Figure 4.

Table 5
Roadway Segments Recommended for Countermeasures

ROADWAY	FROM	TO	LENGTH
NC 3 (Dale Earnhardt Blvd.)	NC 3 (Mooresville Rd.)/Watson Crick Dr.	SR 1766 (Rogers Lake Rd. E)	2.1 mi.
SR 1643 (Rainbow Dr./Bethpage Rd.)	NC 3 (Mooresville Rd.)	SR 1008 (S. Main St.)	1 mi.
SR 1124 (West C St.)	SR 1129 (Nathan Ave.)	Glenn Ave.	0.7 mi.

Shaded roadway segments are within a persistent poverty or disadvantaged census tract.

Intersections recommended for countermeasures are presented on Table 6. These locations are shown on Figure 4.

Table 6
Intersections Recommended for Countermeasures

INTERSECTION
NC 73/SR 1622 (Trinity Church Rd.)
US 29 (N. Cannon Blvd.)/SR 1254 (E. 22nd St.)
North Loop Rd./SR 1680 (West C St.)
US 29 (N. Cannon Blvd.)/SR 1267 (Ebenezer Rd.)

Shaded intersections are within a persistent poverty or disadvantaged census tract.

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VII. EMPHASIS AREAS and COUNTERMEASURES

During the detailed analysis, it was observed that sight distance is limited at several locations in Kannapolis. It was also found that left turn crashes make up a high percentage of the serious injury crashes while rear end crashes make up a high percentage of the total crashes for the locations recommended for countermeasures.

A. Emphasis Area 1: Sight Distance

Description: During the study, it was observed there are several intersections within Kannapolis with limited sight distance.

Goal: Improve sight distance at intersections.

Strategies for Emphasis Area 1:

- Reduce speed limit on major street
- Restrict turns out of streets with insufficient sight distance
- Clear trees and shrubs within the right of way or obtain additional right of way and clear to maintain a sight distance triangle

B. Emphasis Area 2: Left Turn Crashes

Description: Left turn crashes make up the highest percentage of the fatal and serious injury crashes occurring at the locations studied in detail.

Goal: Reduce left turn crashes

Strategies for Emphasis Area 2:

- Provide protected left turn phasing at signalized intersections
- Prohibit left turns

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C. Emphasis Area 3: Rear End Collisions

Description: Rear end collisions make up the highest percentage of the crashes occurring at the locations studied in detail.

Goal: Reduce rear end collisions.

Strategies for Emphasis Area 3:

- Add turn lanes at intersections
- Add advance warning signs prior to signalized intersections
- Add flashing when red warning signs prior to signalized intersections
- Review and adjust signal timing

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VIII. LIST OF PROJECTS AND STRATEGIES

NC 3 (Dale Earnhardt Boulevard) from NC 3 (Mooresville Rd)/Watson Crick Drive to SR 1766 (Rogers Lake Road)

Issues:

- Insufficient sight distance at West Avenue, Spring Street, McClain Street, and Rogers Lake Road.
- Fifteen crashes occurred at the Ridge Avenue intersection. The majority of rear-end crashes occurred on the eastbound approach of this intersection. Many sideswipes approaching the intersection going eastbound occurred as well.
- The majority of the crashes at Fairview Street involve westbound traffic.

Recommended Countermeasures:

- Lower the speed limit to 35 MPH on sections with a current speed limit of 45 MPH.
- Signalize Rogers Lake Road intersection or prohibit left turns from Rogers Lake Road onto Dale Earnhardt Boulevard.
- Prohibit left turns onto Dale Earnhardt Boulevard from McLain Road, Cook Street, and Old Centergrove Road (southern intersection).
- Convert the two-way left turn lane to a median between South Main Street and Vance Street.
- Prohibit left turns from West G Street and Leonard Avenue.
- Prohibit all turns out of Spring Street onto Dale Earnhardt Boulevard.

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SR 1643 (Rainbow Drive/Bethpage Road) from NC 3 (Mooresville Road) to SR 1008 (South Main Street)

Issues:

- Several crashes at Leisure Park intersection. This is possibly a result of a crest vertical curve that is limiting sight distance for drivers at the northern intersection.
- Bethpage Road and Rainbow Drive is an irregular intersection and has had multiple turn and angle crashes.
- Many left turn crashes have occurred at the Leonard Avenue Intersection. This intersection also had the highest number of crashes on this road segment.
- Fatal crash at South Main Street. There is no channelization for the parking lot on the east side of South Main Street.

Recommended Countermeasures:

- Construct a roundabout at the Bethpage Road/Rainbow Drive intersection.
- Construct a roundabout at the Bethpage Road/Leonard Avenue intersection.
- Construct a roundabout at the Bethpage Road/Richard Avenue intersection
- Add curb on the east side of South Main Street to channelize the driveway for the business on the east side of South Main Street.
- Make Pacific Drive (private street) one way, enter at northern intersection and exit at southern intersection.
- Obtain right of way to clear the obstructions at the Aiken Street intersection to improve sight distance.

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SR 1124 (West C Street) from SR 1129 (Nathan Avenue) to Glenn Avenue

Issues:

- Many rear-end and sideswipe crashes at the Pump Station Road intersection. The intersection is located at the bottom of a hill.
- Limited sight distance for left turns at Franklin Avenue due to the vertical curve east of the intersection.
- Conflicting left turns at Echo Avenue and Glenn Avenue.
- 38% of the crashes along this roadway segment are rear-end.

Recommended Countermeasures:

- Add left and right turn lanes on West C Street at Pump Station Road.
- Move the start of the 35 MPH zone to west of Nathan Avenue.
- Add an island to restrict left turns onto Echo Avenue.
- Add a left turn lane on West C Street at Glenn Avenue.

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NC 73 (Davidson Highway)/SR 1622 (Trinity Church Road)

Issues:

- 69% of the rear-end crashes occurred on the southbound approach.
- Vehicles are unable to see the signal until around the curve.
- The speed limit posting of 35 MPH is only posted near the intersection.
- Placing a signal ahead warning sign could be problematic.

Recommended Countermeasures:

- Prohibit right turns on red on southbound SR 1622.
- Provide queue detection with an optional flashing warning sign if a queue is present.
- Install a flashing warning sign when the signal is red.
- Add reflective high visibility backplates to the traffic signal heads.

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SR 1600 (West C Street)/South Walnut Street at North Loop Road/Dale Earnhardt Boulevard

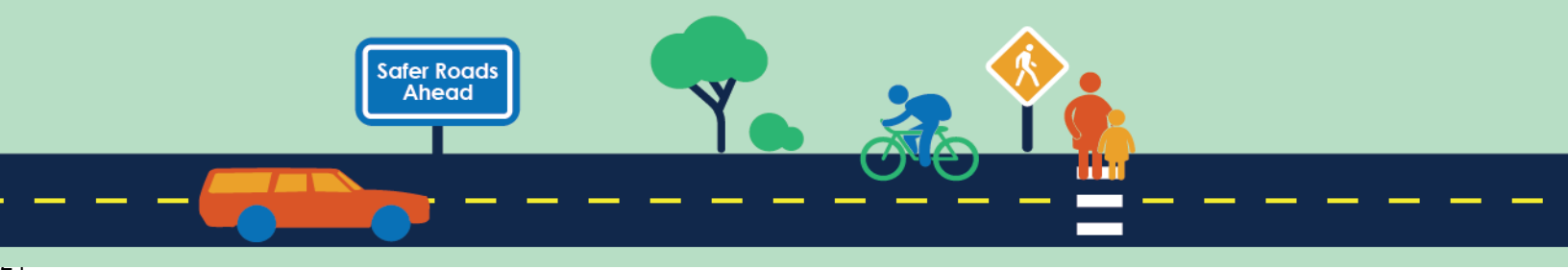
Issues:

- Angle and left turn crashes occurred at this intersection, most of which involved the northbound approach.
- The roadway curvature on North Loop Road may cause sight problems for northbound left turns when a queue is present in the southbound left lane causing the northbound vehicles to be unable to see the southbound through traffic.
- Heavy pedestrian traffic crosses this intersection entering or leaving concerts at a nearby venue. This often occurs at night.

Recommended Countermeasures:

- Review the left turn phasing, allow only protected left turns from northbound Dale Earnhardt Boulevard.
- Add reflective high visibility backplates to the traffic signal heads.
- Move the advanced signal warning sign on northbound Dale Earnhardt Boulevard south of the intersection to south of the trees on the east side of Dale Earhardt Boulevard for better visibility.
- Add a near side signal head for northbound Dale Earnhardt Boulevard.
- Add streetlights at the intersection.

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US 29 (North Cannon Boulevard)/SR 1254 (East 22nd Street)

Issues:

- A pedestrian fatality occurred at this intersection.
- Fourteen rear-end crashes, the majority of which involved southbound traffic, occurred at this intersection.
- This intersection is the first signal in over 1.2 miles for southbound traffic.
- Twelve angle/left turn crashes occurred at this intersection.

Recommended Countermeasures:

- Add high visibility cross walks, curb ramps, and landing pads in all quadrants.
- Add sidewalks along 22nd Street to next intersection on either side of US 29.
- Widen the islands on US 29 to provide pedestrian refuge.
- Upgrade the signal to include pedestrian actuation.
- Review the left turn signal phasing.
- Conduct traffic counts to determine the need for a southbound right turn lane.
- Add reflective high visibility backplates to traffic signal heads.
- Examine signal coordination and timing.
- Add flashing “Prepare to Stop when Flashing” sign on southbound US 29 north of the intersection.

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US 29 (North Cannon Boulevard)/SR 1267 (Ebenezer Road)

Issues:

- 67% of the rear-end crashes that occurred at this intersection occurred on the southbound approach.
- The trees in the median north of the intersection block the view of signal heads for southbound traffic.

Recommended Countermeasures:

- Add reflective high visibility backplates to the traffic signal heads.
- Replace the trees in the median with lower growing landscaping within the curves north and south of the intersection to improve the sight distance.
- Add mini-skip pavement markings to direct traffic on Ebenezer Road across US 29.
- Examine signal coordination and timing.

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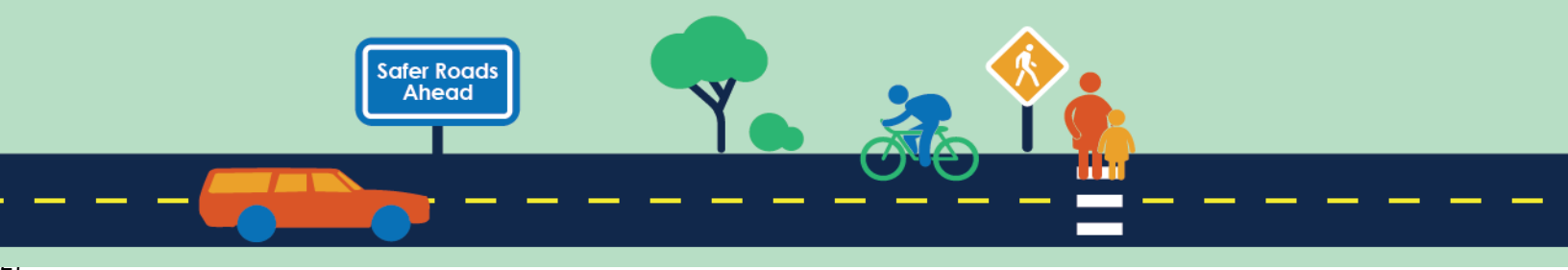
IX. IMPLEMENTATION & EVALUATION

The next step in implementation of the Kannapolis Safety Action Plan is to obtain funding for the recommended improvements. Potential funding sources for this work could include another USDOT Safe Streets for All grant, NCDOT, MPO, or City funding.

Several of the recommended improvements are relatively inexpensive, and could potentially be funded through maintenance funds or included in larger maintenance projects.

The City will post this Safety Action Plan on the City's website. The City could review progress towards implementation of the recommendations in this plan on a yearly basis.

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DRMP

IREDELL COUNTY

ROWAN COUNTY

CABARRUS COUNTY

KANNAPOLIS

KANNAPOLIS MUNICIPAL LIMITS

KANNAPOLIS DISADVANTAGED CENSUS

N

0 0.5 1 Miles

KANNAPOLIS SAFETY ACTION PLAN STUDY AREA

KANNAPOLIS

CITY OF KANNAPOLIS

SAFETY ACTION PLAN

FIGURE 1

DRMP

IREDELL COUNTY

ROWAN COUNTY

CABARRUS COUNTY

KANNAPOLIS

KANNAPOLIS MUNICIPAL LIMITS

KANNAPOLIS DISADVANTAGED CENSUS TRACTS

FATAL OR SERIOUS INJURY CRASHES

INTERSECTION WITH SERIOUS CRASHES

TOTAL INTERSECTION CRASHES (2019-2023)

- 5 TO 9
- 10 TO 19
- 20 TO 29
- 30 TO 39
- 40 TO 49
- 50 AND ABOVE

PEDESTRIAN CRASHES

BIKE CRASHES

HIGHWAY SAFETY SCORES (2019-2023)

- 0 TO 33
- 33 TO 66
- 66 TO 100
- NO SAFETY SCORE AVAILABLE

INTERSECTIONS WITH SAFETY CONCERNS ACCORDING TO PUBLIC SURVEY

IDENTIFIED INTERSECTION

DATA SOURCE: NCDOT TRAFFIC SAFETY UNIT

N

0 0.5 1 Miles

PRELIMINARY SAFETY DATA

KANNAPOLIS

CITY OF KANNAPOLIS

SAFETY ACTION PLAN

FIGURE 2

DRMP

IREDELL COUNTY

ROWAN COUNTY

CABARRUS COUNTY

KANNAPOLIS

WILSON ST

153

E 22ND ST

SR 1238 (CHINA GROVE RD)

SR 1308 (MOOSE RD)

GLENN AV

SR 1124 (W C ST)

WRIGHT AV

SR 2180 (LANE ST)

EARLEY ST

29

SR 1706 (E 1ST ST)

CHIPOLA ST

CYPRESS AV

3

SR 1625 (RAINBOW DR)

WALKER ST

SR 1625 (ISENHOUR RD)

SR 1625 (ROGERS LAKE RD)

SR 1430 (KANNAPOLIS PKWY)

SHERWOOD DR

SR 1008 (S MAIN ST)

SR 2154 (S LITTLE TEXAS RD)

SR 2126 (DALE EARNHARDT BLVD)

OLD EARNHARDT RD

US 29 (CANNON BLVD)

NC 3 (CONCORD LAKE RD)

85

EASY ST

CLOVERLEAF PKWY

SR 1622 (TRINITY CHURCH RD)

73

INTERSECTIONS SELECTED

ROADWAY SECTIONS SELECTED

KANNAPOLIS MUNICIPAL LIMITS

KANNAPOLIS DISADVANTAGED CENSUS TRACTS

N

0 0.5 1 Miles

DETAILED STUDY LOCATIONS

KANNAPOLIS

CITY OF KANNAPOLIS

SAFETY ACTION PLAN

FIGURE 3

DRMP

IREDELL COUNTY

ROWAN COUNTY

CABARRUS COUNTY

KANNAPOLIS

INTERSECTIONS SELECTED

ROADWAY SECTIONS SELECTED

KANNAPOLIS MUNICIPAL LIMITS

KANNAPOLIS DISADVANTAGED CENSUS TRACTS

N

0 0.5 1 Miles

LOCATIONS RECOMMENDEDED FOR COUNTERMEASURES

KANNAPOLIS

CITY OF KANNAPOLIS

SAFETY ACTION PLAN

FIGURE 4

Appendix A

Stakeholder Committee Meeting Minutes

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DRMP
5808 Faringdon Place, Suite 100, Raleigh, North Carolina 27609
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Memorandum

DRMP Job #: 301.2400489.000 Date: July 18, 2024

To: FILE

From: Jay McInnis, PE
DRMP

Subject: Kannapolis Safety Action Plan Stakeholder Committee Meeting #1-July 17, 2024

A meeting was held on July 17, 2024, at Kannapolis City Hall to introduce the Kannapolis Safety Action Plan to the Stakeholder Committee and discuss the vision, mission, and goals for the Plan. The following persons were in attendance:

Beth Hassenfritz	City of Kannapolis	Marc Morgan	NCDOT
Betsy Barnette	City of Kannapolis	Jay McInnis	DRMP
Kristin Jones	City of Kannapolis	Theo Ghitea	NCDOT
Michael Rattler	City of Kannapolis		
Richard Smith	City of Kannapolis	**Joined via Teams:**	
Kirk Beard	Kannapolis Fire Department	Phil Conrad	RLC Associates (MPO)
Brent Rowland	Kannapolis Police Department	Scott Rodgers	Kannapolis City Schools
Jeff Mitchell	Cabarrus County Schools	Steve Belk	Kannapolis City Schools
Brian Murphy	NCDOT Traffic Safety	Tanya Thompson	DRMP
Kelly Seitz	NCDOT Div 9 District 1		

Safety Action Plan

Mr. McInnis gave a brief overview of the Kannapolis Safety Action Plan. He explained that the plan is funded through a USDOT Safe Streets and Roads for All Grant (SS4A). The plan will identify the five intersections or roadway segments within Kannapolis with the worst fatal or serious injury crash history and provide recommendations and conceptual designs for improving safety at the five locations.

Stakeholder Committee

Mr. McInnis noted there will be five stakeholder committee meetings for this study. The next three meetings will be virtual, and the final meeting will be held in person. The second meeting is expected to be held in September and DRMP will present the 20 recommended intersection or roadway segments for detailed study. DRMP will document the recommendations in technical memorandums. The third meeting is scheduled for February 2025 and will focus on selecting the five sites to develop countermeasures and conceptual designs to improve safety. The fourth meeting is scheduled for April 2025 and will focus on identifying countermeasures for the five selected sites. The final, in-person meeting will be held in July 2025 and will focus on the conceptual designs for each of the five sites.

Mr. McInnis explained the purpose of the stakeholder committee is to provide input on the plan's vision and goals, detailed study areas, safety improvement prioritization, countermeasure identification, and improvement concepts.

Study Schedule

Mr. McInnis presented the estimated schedule, noting preliminary data collection began in June 2024. A webpage for the study will be developed in July/August 2024, serving as a public outreach platform. Project information, such as the memorandum identifying the 20 initial sites, will be posted on the webpage throughout the duration of the study. He suggested adding mapping and a survey to gather public input. The webpage will be hosted on the City of Kannapolis website.

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Mr. McInnis noted that the identification of detailed study areas is underway and should be completed by August. This involves identifying 20 intersections or roadway segments for improvement, focusing on fatal and serious injury crashes. DRMP plans to send out this memorandum to the committee prior to the second Stakeholder Committee Meeting, anticipated in September. Further detailed data collection will occur between October and December 2024. Safety improvement prioritization, selecting the five worst intersections or roadway segments, will occur between December 2024 and January 2025. The third Stakeholder Committee Meeting will be in February 2025. Identification of countermeasures will occur between February and March 2025. The fourth Stakeholder Committee Meeting will be held in April 2025. Concept designs and cost estimates for the five sites will be determined between May and July 2025. The final Stakeholder Committee Meeting will be held in July 2025.

The Safety Action Plan will be prepared between September and October 2025 and presented to the City Council and the public at a public hearing before finalizing. Additional ideas for raising awareness of the plan include presenting information at other public events or including information in mailed utility bills. It was clarified that the SS4A website lays out the public engagement required, including that the plan should be placed on the project webpage.

Study Scope Discussion

Mr. Morgan noted two serious injuries along the railroad tracks and suggested including a rail component to the study, citing safety issues around the rail and the city's efforts to reduce at-grade crossings. Mr. McInnis clarified that while the study can include rail crossings, it cannot address trespassing as it would not fit the scope of the grant. He added that if a rail crossing is among the top five projects, it might be worth starting coordination with the Rail Division when applying for an implementation grant.

Vision, Mission, and Goals

Mr. McInnis stated that one purpose of the meeting is to identify the vision, mission, and goals of the study. He noted these will be included on the project webpage for public viewing. He explained that the vision statement should be an idealized description of the future and provided an example: "No fatal or serious injury crashes on streets or roadways within the City of Kannapolis." He noted the example is similar to vision statements in other studies. Mr. Murphy suggested the vision statement indicate the city is moving towards zero and recommended including a broad timeline. Ms. Hassenfritz suggested broadening the statement to include pedestrians. The group agreed to include a year in the vision statement and eliminate the word "crashes."

The final vision statement is:

"No transportation-related fatalities or serious injuries on streets and roadways within the City of Kannapolis by the Year 2050."

Mr. McInnis explained a mission statement describes what will be done to achieve the vision. He provided the following example: "Eliminate fatal and serious injury crashes on streets and roadways within the City of Kannapolis." The group agreed that the statement should be more specific about the actions taken.

The updated mission statement is:

"Implement a collaborative data-driven approach to reduce and prevent fatalities and serious injuries on all streets and roadways within the City of Kannapolis by teaming with transportation professionals, law enforcement, emergency responders, and the public."

Mr. McInnis explained a goal is a measurable step to achieve the vision and provided two examples:

- "Identify the five intersections or roadway segments within the City of Kannapolis with the highest fatal or serious injury crashes."
- "Reduce fatalities and serious injuries at the identified locations to zero following the implementation of the plan."

The group agreed to keep the first example as a goal. Mr. Murphy suggested the second goal focus more on identifying countermeasures for the five sites. It was noted that fatal accidents are somewhat random and not

necessarily at the locations with the most frequent crashes. Mr. McInnis noted the study will look for patterns where crashes are occurring, and the sites that have some fatal and serious injuries will move to the top.

The second goal was updated to: “Develop countermeasures, conceptual designs, and cost estimates for projects to eliminate fatal and serious injuries at the identified locations.” A third goal was added: “Obtain funding for these projects.”

The goals identified by the group are:

- Identify the five intersections or roadway segments within the City of Kannapolis with the highest fatal or serious injury crashes.
- Develop countermeasures, conceptual designs, and cost estimates for projects to eliminate fatal and serious injuries at the identified locations.
- Obtain funding for these projects.

Next Steps

Mr. McInnis clarified that the next steps for this plan are setting up the project webpage and identifying the 20 intersections or roadway segments for detailed study. The next meeting will be in September. It was agreed that Wednesdays at 10 AM work best for everyone. It was suggested that information be shared with everyone using either Teams or OneDrive.

Action Items:

- DRMP will send language to place on the project webpage.
- DRMP will draft a survey for the project webpage.
- DRMP will schedule the second Stakeholder Committee meeting for a Wednesday in September (possibly the second or third Wednesday).
- DRMP will prepare a memorandum identifying the 20 intersection or roadway segments recommended for improvements.

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www.DRMP.com

Memorandum

DRMP Job #: 301.2400489.000 Date: September 25, 2024

To: FILE

From: Jay McInnis, PE
DRMP

Subject: Minutes for Kannapolis Safety Action Plan Stakeholder Committee Meeting #2-September 18, 2024

A meeting was held on September 18, 2024, via Microsoft Teams, to review the intersections and roadway sections to be studied in detail for the Kannapolis Safety Action Plan with the Stakeholder Committee. The following persons were in attendance:

Beth Hassenfritz	City of Kannapolis	Jeff Mitchell	Cabarrus County Schools
Kristin Jones	City of Kannapolis	Steve Belk	Kannapolis City Schools
Richard Smith	City of Kannapolis	Marc Morgan	NCDOT
Albaro Reyes-Martinez	City of Kannapolis	Theo Ghitea	NCDOT
Annette Privette-Keller	City of Kannapolis	Kelly Seitz	NCDOT
Kirk Beard	Kannapolis Fire Department	Jay McInnis	DRMP
Brent Rowland	Kannapolis Police Department	Andrew Eagle	DRMP
Phil Conrad	Cabarrus-Rowan MPO	Reya Jamison	DRMP

Safety Action Plan Vision, Mission, and Goals

Jay McInnis reviewed the vision statement, mission statement, and goals for the Kannapolis Safety Action Plan.

Vision: No transportation-related fatalities or serious injuries on streets and roadways within the City of Kannapolis by the Year 2050.

Mission: Implement a collaborative data-driven approach to reduce and prevent fatalities and serious injuries on all streets and roadways within the City of Kannapolis by teaming with transportation professionals, law enforcement, emergency responders, and the public.

Goals:

- Identify the five intersections or roadway segments within the City of Kannapolis with the highest fatal or serious injury crashes.
- Develop countermeasures, conceptual designs, and cost estimates for projects to eliminate fatal and serious injuries at the identified locations.
- Obtain funding for these projects.

Status Update

Mr. McInnis explained the status of the plan study. The first stakeholder meeting was held on July 17th, the text for the website and survey was provided to the city on August 15th, and the draft list of roadway segments and intersections to be studied in detail has been developed and will be reviewed during the meeting. He asked Ms. Privette-Keller and Ms. Jones about the status of the web page for the study. Ms. Privette-Keller stated the webpage hosted by the City of Kannapolis is finished and accessible to the public, and the survey is ready to launch. Both Mr. McInnis and Ms. Jones agreed that the survey can be launched, and Ms. Privette-Keller will make the link to the latest survey live.

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Data Collection

Mr. McInnis explained that DRMP has gathered data available online from the NCDOT Traffic Safety Unit and put this data into a GIS map and spreadsheets for further analysis. The top three intersections with the most crashes per year between 2016 and 2020, as provided by the Kannapolis Police Department, were also included with this data. He clarified that the NCDOT 2019-2023 safety scoring data is made up of half-mile sections based on fatal crash and critical crash rates, and that sections with higher scores have more issues. The GIS map and spreadsheet also include locations of serious and fatal injury crashes as well as the total number of crashes for intersections.

Data Analysis

Mr. McInnis explained that the top 30 roadway sections with the highest combined safety scores were selected for the preliminary list and compared with injury, pedestrian, and bike crash data and disadvantaged census tracts. If two sections adjacent to each other were selected, the sections were combined, sections were also combined with nearby segments with high safety scores that did not qualify for the top 30 preliminary list. He explained that intersections for detailed study were selected from a list of intersections with either at least one serious injury crash and ten or more total crashes, fifty or more total crashes, or the most reported crashes according to the Kannapolis Police Department. The list of intersections and roadway segments were compared, and intersections within a listed roadway segment were removed from the intersections list.

Detailed Study

Mr. McInnis displayed a map of the roadway segments and intersections for detailed study and gave a brief explanation for each. Listed below are the roadway segments and intersections selected:

Roadway Segments:

- SR 1430 (Kannapolis Pkwy.) from I-85 to SR 1622 (Trinity Church Rd.)
- NC 3 (Dale Earnhardt Blvd.) from Watson Crick Dr. to SR 1766 (Rogers Lake Rd. E)
- SR 1643 (Rainbow Dr./Bethpage Rd.) from NC 3 (Mooresville Rd.) to SR 1008 (S. Main St.)
- US 29 (Cannon Blvd.) from I-85 to Wilson St.
- NC 3 (Concord Lake Rd.) from Cloverleaf Pkwy/Executive Park Dr. NE to SR 2126 (Dale Earnhardt Blvd.)
- SR 2126 (Dale Earnhardt Blvd.) from Old Earnhardt Rd. to I-85
- SR 1008 (S. Main St.) from Fredrick Ave. to Walker St.
- SR 1625/SR 1766 (Rogers Lake Rd.) from Sherwood Dr. to NC 3 (Dale Earnhardt Blvd.)
- SR 2154 (Little Texas Rd.) from NC 3 (Dale Earnhardt Blvd.) to Chipola St.
- SR 2180 (Lane St.) from US 29 (Cannon Blvd.) to Wright Ave.
- SR 1124 (West C St.) from SR 1129 (Nathan Ave.) to Glenn Ave.
- NC 3 (Mooresville Rd.) from Bethpage Rd. to Cypress Ave.
- SR 1008 (S. Main St.) from SR 1790 (Winecoff School Rd.) to Easy St.

Intersections:

- SR 1430 (Kannapolis Pkwy.)/Rogers Lake Rd.
- NC 73/SR 1622 (Trinity Church Rd.)
- US 29/E. 22nd St.
- SR 2180 (Lane St.)/Earley St.
- SR 2180 (Lane St.)/SR 2202 (China Grove Rd.)
- SR 1238 (China Grove Rd.)/SR 1308 (Moose Rd.)
- NC 73/SR 1602 (Jim Johnson Rd.)

Of the roadway segments and intersections selected, nine of thirteen segments and two of seven intersections are within or adjacent to a persistent poverty or disadvantaged census tract.

Brent Rowland commented that part of the intersection of NC 73 and Jim Johnson Rd. is outside of the Kannapolis City limits. Richard Smith said he thought they should take this intersection off the list since the north

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end of the intersection is inside the City and the south end is outside of city limits. The rest of the attendees agreed.

Mr. McInnis asked if there were any intersections of concern that were not included in the list. Kirk Beard commented that Cannon Boulevard from I-85 to Wilson Street should be looked at as a possibility for the list. Captain Rowland said that the scores for Mooresville Road and Lane Street may have improved since construction on both roads was finished very recently. Mr. McInnis said they would keep Lane Street on the list for now and acquire updated data but may take NC 3 off the list as its construction was just finished and the data is not reflective of current conditions. After some discussion, the decision was made to leave both Lane Street and NC 3 on the list. Mr. Beard stated the Cannon Boulevard and Dale Earnhardt Boulevard corridors would be the ones he would focus on.

Study Schedule

Mr. McInnis presented the study schedule and stated that currently, the plan is in line with the schedule. The next stakeholder meeting will be held in March 2025.

Next Steps

Mr. McInnis explained that DRMP will request detailed crash data for each roadway segment and intersection from NCDOT and will schedule the next stakeholder meeting soon so it will be on everyone's calendars. Ms. Privette-Keller asked if the City should put a map of the detailed study area on the website page when the survey goes live. Mr. McInnis said that they should, and he will send a map of the detailed study area with roadways shown. Ms. Privette-Keller commented they usually put surveys out for two weeks but could add a week for this survey. Mr. McInnis said that a longer time might be better, and Mr. Smith also said that he thinks the survey should be out for three weeks. Mr. McInnis asked if everyone was able to access the Microsoft group for the plan and will resend the link to join if necessary. The PowerPoint presentation for the meeting will be uploaded to the Microsoft Teams channel.

Action Items:

- Jay McInnis will provide a map of the study area to Ms. Privette-Keller for the City's website (Maps provided by email 9/18/24).
- DRMP will request detailed crash data for intersections from NCDOT.
- The City of Kannapolis will make the survey live to the public.
- The next stakeholder committee meeting will be scheduled for March 2025.

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Memorandum

DRMP Job #: 301.2400489.000 Date: March 19, 2025

To: FILE

From: Tanya Thompson, AICP
DRMP

Subject: Minutes for Kannapolis Safety Action Plan Stakeholder Committee Meeting #3-March 19, 2025

A meeting was held on March 19, 2025, via Microsoft Teams, to review the intersections and roadway sections identified for countermeasures, concept designs, and cost estimates for the Kannapolis Safety Action Plan with the Stakeholder Committee. The following persons were in attendance:

Beth Hassenfritz	City of Kannapolis	Steve Belk	Kannapolis City Schools
Brian Roberts	City of Kannapolis	Brian Murphy	NCDOT
Kristin Jones	City of Kannapolis	Scott Miller	NCDOT
Richard Smith	City of Kannapolis	Jay McInnis	DRMP
Kirk Beard	Kannapolis Fire Department	Andrew Eagle	DRMP
Brent Rowland	Kannapolis Police Department	Tanya Thompson	DRMP
Jeff Mitchell	Cabarrus County Schools		

Safety Action Plan Vision, Mission, and Goals

Jay McInnis reviewed the vision statement, mission statement, and goals for the Kannapolis Safety Action Plan.

Vision: No transportation-related fatalities or serious injuries on streets and roadways within the City of Kannapolis by the Year 2050.

Mission: Implement a collaborative data-driven approach to reduce and prevent fatalities and serious injuries on all streets and roadways within the City of Kannapolis by teaming with transportation professionals, law enforcement, emergency responders, and the public.

Goals:

- Identify the five intersections or roadway segments within the City of Kannapolis with the highest fatal or serious injury crashes.
- Develop countermeasures, conceptual designs, and cost estimates for projects to eliminate fatal and serious injuries at the identified locations.
- Obtain funding for these projects.

The meeting focused on the first goal: Identifying the five intersections or roadway segments within the City of Kannapolis with the highest fatal or serious injury crashes. Mr. McInnis presented the list of the study locations from the previous meeting and explained that DRMP requested crash data from NCDOT, which confirmed crash sites and calculated crash rates.

Status Update

Mr. McInnis explained the status of the plan study. The roadway segments and intersections have been narrowed down to identify those with the highest fatal and/or serious injury crash rates, as well as potential for crash countermeasures at these locations.

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Data Analysis

Mr. Eagle presented NCDOT data on the roadway segments, including segment length and crash totals by injury type. The categories included fatal crashes, “A” injury crashes (serious injuries preventing normal activity for at least a day, such as broken bones or significant blood loss), “B” injury crashes (non-disabling but visible injuries like bruises or swelling), “C” injury crashes (no visible injuries but complains of pain or brief unconsciousness), and Property Damage Only (PDO) crashes.

Detailed Study

DRMP analyzed the roadway segments, calculated crash rates, and focused on fatal and type “A” injury crashes. Mr. Eagle identified the five segments with the highest crash rates:

- NC 3 (Dale Earnhardt Blvd.) from Watson Crick Dr. to SR 1766 (Rogers Lake Rd. E)
- SR 1643 (Rainbow Dr./Bethpage Rd.) from NC 3 (Mooresville Rd.) to SR 1008 (S. Main St.)
- US 29 (Cannon Blvd.) from I-85 to Wilson St.
- SR 2154 (Little Texas Rd.) from NC 3 (Dale Earnhardt Blvd.) to Chipola St.
- SR 1124 (West C St.) from SR 1129 (Nathan Ave.) to Glenn Ave.

The crash rates for type “A” injury crashes and fatal crashes were then combined to determine a total crash rate for each segment and the top four were identified:

- NC 3 (Dale Earnhardt Blvd.) from Watson Crick Dr. to SR 1766 (Rogers Lake Rd. E)
- SR 1643 (Rainbow Dr./Bethpage Rd.) from NC 3 (Mooresville Rd.) to SR 1008 (S. Main St.)
- SR 2154 (Little Texas Rd.) from NC 3 (Dale Earnhardt Blvd.) to Chipola St.
- SR 1124 (West C St.) from SR 1129 (Nathan Ave.) to Glenn Ave.

NCDOT provided crash data for the intersections, listing crashes at each intersection, with detailed crash numbers, types, and related characteristics from January 1, 2020 to December 31, 2024. DRMP analyzed crash rates to identify predominant crash types and detect patterns. Mr. Eagle presented the findings, noting that Kannapolis Pkwy. and Rogers Lake Rd., Loop Rd. and West A St., and China Grove Rd. and Moose Rd. are not recommended for countermeasures. The first two had no fatal or serious injury crashes and no clear pattern, while the last had only one serious injury crash and was recently converted from a two-way stop to a four-way stop. It was clarified that DRMP could take a further look at crash reports at Kannapolis Pkwy. And Rogers Lake Rd., but the team and stakeholders agreed it is not a concern at this point.

Mr. Eagle noted four intersections where simple countermeasures could be effective and suggested grouping them as one of the five priority safety project. The first is NC 73/SR 1622 (Trinity Church Rd.), where frequent rear-end crashes occur on Trinity Church Road approaching the light. Next is US 29 (Cannon Blvd.)/E. 22nd St., where a fatal pedestrian crash occurred, and no sidewalks or pedestrian signals are present. Loop Road/West C St. has conflicts between left-turn movements and opposing through traffic. Lastly, US 29 (Cannon Blvd.)/Ebenezer Rd. experiences recurring rear-end crashes, making it another candidate for countermeasures.

Ms. Hassenfritz noted ongoing projects on two of the identified roadway segments. Mr. Smith mentioned a new apartment complex behind the City Hall that will impact NC 3 (Dale Earnhardt Blvd.) and SR 1124 (West C St.). SR 1643 (Rainbow Dr.) has two major projects, including townhomes and detached single-family homes. Additionally, a 230-townhomes development on C Street and Glenn Avenue is set to break ground later this year.

DRMP clarified that while defining study areas, closely located roadway segments were combined into larger sections. The team will analyze these extended segments and collaborate with NCDOT to pinpoint specific crash locations and identify the best countermeasures.

Mr. McInnis asked if there were any roadways segments or intersection that should be revisited. Mr. Bears pointed out frequent crashes at Mount Olivet Road and Cannon Boulevard, while Mr. Rowland noted most involve vehicles turning from Cannon Boulevard onto Mount Olivet Road. He highlighted a sight distance issue where drivers struggle to see beyond the hilltop.

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Study Schedule

Mr. McInnis presented the study schedule. The next stakeholder meeting will be held in May 2025, where the discussed roadway segments and intersections will be presented along with potential countermeasures. The Countermeasures Technical Memorandum will be submitted in June. Concepts will be developed and presented to stakeholders in September. A public meeting is scheduled for October. However, the group previously discussed that a presentation to City Council will suffice for public involvement. No public meeting will be held for the study. The Safety Action Plan is expected to be approved in December.

Action Items:

- DRMP will request fatal and serious injury crash data for selected roadway segments.
- DRMP will provide technical memorandum to the stakeholder committee for review. The memo will identify specific countermeasures.
- DRMP will schedule the next stakeholder meeting.
- Jay will send out the presentation and meeting minutes. He noted the presentation is on the Teams channel.

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Memorandum

DRMP Job #: 301.2400489.000 Date: August 18, 2025

To: FILE

From: Jay McInnis, PE
DRMP

Subject: Minutes for Kannapolis Safety Action Plan Stakeholder Committee Meeting #4-August 13, 2025

A meeting was held on August 13, 2025, via Microsoft Teams, to review the recommended countermeasures for identified roadway segments and intersections for the Kannapolis Safety Action Plan with the Stakeholder Committee. The following persons were in attendance:

Kirk Beard	Kannapolis Fire Department	Brian Murphy	NCDOT
Brent Rowland	Kannapolis Police Department	Kelly Seitz	NCDOT
Phil Conrad	Cabarrus-Rowan MPO	Tanya Thomson	DRMP
Theo Ghitea	NCDOT	Isabella Nieri	DRMP
Jerome Miller	NCDOT	Jay McInnis	DRMP

Safety Action Plan Vision, Mission, and Goals

Jay McInnis reviewed the vision statement, mission statement, and goals for the Kannapolis Safety Action Plan.

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Goals:

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- Obtain funding for these projects

Previous Stakeholder Committee Meeting

Mr. McInnis reviewed the detailed study locations that were recommended for safety countermeasures in the previous stakeholder committee meeting. Four roadway segments and four intersections were recommended for countermeasures based on detailed crash data.

Roadway Segments:

- NC 3 (Dale Earnhardt Boulevard) from Watson Crick Drive to SR 1766 (Rogers Lake Road)
- SR 1643 (Rainbow Drive/Bethpage Road) from NC 3 (Mooresville Road) to SR 1008 (South Main Street)
- SR 2154 (Little Texas Road) from NC 3 (Dale Earnhardt Boulevard) to Chipola Street
- SR 1124 (West C Street) from SR 1129 (Nathan Avenue) to Glenn Avenue

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Intersections:

- NC 73/SR 1622 (Trinity Church Road)
- US 29/SR 1254 (E. 22nd Street)
- Loop Road/SR 1680 (West C St)
- US 29 (Cannon Boulevard)/SR 1267 (Ebenezer Road)

Status Update

Mr. McInnis explained the status of the plan study. Since the previous stakeholder committee meeting held on March 19, 2025, DRMP has obtained crash rates and crash history reports for the study area and developed countermeasures for the roadway segments/intersections identified in the previous stakeholder committee meeting.

Recommended Countermeasures

Mr. McInnis displayed a map of the roadway segments and intersections recommended for countermeasures. He then provided detailed explanations of the safety issues at each roadway segment and intersection and the countermeasures recommended to address the issues. Listed below are the safety issues, recommended countermeasures, and the comments from stakeholders for each roadway segment and intersection:

NC 3 (Dale Earnhardt Boulevard) from Watson Crick Drive to SR 1766 (Rogers Lake Road)

Issues:

- Insufficient sight distance at West Avenue, Spring Street, McClain Street, and Rogers Lake Road.
- 15 crashes occurred at the Ridge Avenue intersection. The majority of rear-end crashes occur on eastbound approach. Many sideswipes approaching the intersection going eastbound.
- The majority of the crashes at Fairview Street involve westbound traffic.

Recommended Countermeasures:

- Lower the speed limit to 35 MPH on sections with current speed limit of 45 MPH.
- Signalize Rogers Lake Road intersection.
- Prohibit left turns onto NC 3 from McLain Road, Cook Street, and Old Centergrove Road.
- Convert the two-way left turn lane to a median between S. Main Street and Vance Street.
- Prohibit left turns from W. G Street and Leonard Avenue.
- Prohibit all turns out of Spring Street onto NC 3.
- The ideal solution is to add median to the section between Rogers Lake Road and Old Centergrove Road as well as restricting left turns to signalized intersections. This would involve widening the road.

Comments:

- Brent Rowland suggested restricting the Rogers Lake Road intersection to right turn only instead of signalizing the intersection since most crashes at this intersection result from left turns. Doing so would also be less expensive than signalizing the intersection.
- Kirk Beard suggested utilizing the same solution at the Fairview Street intersection. Mr. Rowland supports this, he noted there are many rear-end crashes that result from left turns at this intersection.
- Mr. McInnis inquired into how traffic would be redirected if Rogers Lake Road was right turn only.
- Mr. Beard acknowledged that signalizing the intersections discussed would be ideal, but prefers restricting left turns because it is the less expensive solution.

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- Mr. Rowland inquired about the status of the NCDOT project at the intersection of Dale Earnhardt Boulevard and US 29. Restricting left turns was included in this plan. Theo Ghitea informed the group that this project (STIP Project U-5761) has a construction let date of Spring 2027.
- Brian Murphy discussed that a concern with Dale Earnhardt Boulevard is the four-lane undivided cross-section. If the traffic volumes are low enough, a road diet could be considered. Mr. McInnis mentioned the volumes on Dale Earnhardt Boulevard are approximately 16,000 vehicles per day. Mr. Murphy confirmed those volumes are probably too high for a road diet.

SR 1643 (Rainbow Drive/Bethpage Road) from NC 3 (Mooresville Road) to SR 1008 (South Main Street)

Issues:

- Several crashes at Leisure Park intersection. This is possibly a result of a crest vertical curve that is limiting sight distance for drivers at the northern intersection.
- Bethpage Road and Rainbow Drive is an irregular intersection and has had multiple turn and angle crashes.
- Many left turn crashes have occurred at the Leonard Avenue Intersection. This intersection also had the highest number of crashes on this road segment.
- Fatal crash at S. Main Street. There is no channelization for the parking lot on the east side of S. Main Street.

Recommended Countermeasures:

- Construct a roundabout at the Bethpage Road and Rainbow Drive intersection.
- Construct a roundabout at the Leonard Avenue and Bethpage Road intersection.
- Add curb on the east side of S. Main Street to channelize the driveway for the business on the east side of S. Main Street.
- Make Pacific Drive one way.
- Obtain right of way to clear the obstructions at the Aiken Street intersection to improve sight distance.
- The ultimate solution is to widen the roadway to three lanes with curb, gutter, and sidewalk.

Comments:

- Mr. McInnis noted that a sidewalk project is already in progress along the south side of Bethpage Road.
- Mr. Rowland agreed with the idea of a roundabout at Leonard Avenue
- Mr. Beard raised concerns about constructing two roundabouts in such a short distance.
- Mr. Rowland suggested the Richard Avenue intersection also be converted to a roundabout. He mentioned it is hard to see to make a turn onto Bethpage Road at that intersection. Mr. Beard mentioned there is a fire station on Richard Avenue and the Bethpage Road intersection is a tight turn for the fire trucks.

SR 2154 (Little Texas Road) from NC 3 (Dale Earnhardt Boulevard) to Chipola Street

Issues:

- Majority of the crashes along this segment are rear-end.
- There were two fatalities along this roadway segment, one at Hyde Street and one at NC 3.
- El Paso Street is within a curve on Little Texas Road, because of this there were multiple rear-end and angle crashes approaching the El Paso Street intersection.
- Multiple rear-end crashes occurred at the First Street intersection.
- The existing crosswalk for the elementary school directs pedestrians into a ditch on the east end of the crossing.

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- The crashes at the NC 3 intersection were majority angle and left turn. The left turn phasing at this intersection recently changed.

Recommended Countermeasures:

- Widen the roadway to three lanes and provide curb, gutter, and sidewalk.
- Adjust vertical alignment on Little Texas Road at Old El Paso Street and/or obtain right of way for sight distance and remove obstructions.
- Prohibit left turns onto Little Texas Road from Old El Paso Street.
- Provide pedestrian facilities and warning signs along Little Texas Road and the connecting streets near Forest Park Elementary with the neighborhood to the east.

Comments:

- Mr. Rowland mentioned the fatality at Hyde Street was a result of reckless driving.
- Mr. Beard recalled there is a sidewalk project along Little Texas Road in progress. Mr. Beard and Mr. Rowland recommended gathering further information regarding the project.
- Following the meeting, it was verified there is a project (STIP Project EB-5844) to add curb and gutter and sidewalks to Little Texas Road from Dale Earnhardt Boulevard to Lane Street. Right of way is currently being acquired for the project and construction is scheduled for fiscal year 2025 in the current State Transportation Improvement Program. Given that there is an ongoing project on this section of roadway, it should probably be removed from consideration for countermeasures.

SR 1124 (West C Street) from SR 1129 (Nathan Avenue) to Glenn Avenue

Issues:

- Many rear-end and sideswipe crashes at the Pump Station Road intersection. The intersection is located at the bottom of a hill.
- Limited sight distance for left turns at Franklin Avenue due to the vertical curve east of the intersection.
- Conflicting left turns at Echo Avenue and Glenn Avenue.
- 38% of the crashes along this roadway segment are rear-end.

Recommended Countermeasures:

- Add left and right turn lanes on West C Street at Pump Station Road.
- Move the start of the 35 MPH zone to west of Nathan Avenue.
- Add an island to restrict left turns onto Echo Avenue.
- Add a left turn lane on West C Street at Glenn Avenue.
- The ultimate solution is to widen West C Street to three lanes with curb and gutter and sidewalk.

Comments:

- Mr. Beard noted that there is a large housing project in progress at the Pump Station Road and West C Street intersection. It's possible that development might signalize the intersection.
- Mr. Rowland agreed with the recommendation to lower the speed limit to 35 MPH.
- Mr. Beard noted there may also be another housing development in progress off Glenn Avenue which would increase traffic. (Following the meeting, it was noted the Kannapolis online Development Map shows a 203-unit townhouse development in progress with road frontages on both West C Street and Glenn Avenue).

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NC 73/SR 1622 (Trinity Church Road)

Issues:

- 69% of the rear-end crashes occurred on the southbound approach.
- Vehicles are unable to see the signal until around the curve.
- The speed limit posting of 35 MPH is only posted near the intersection.
- Placing a signal ahead warning sign could be problematic.

Recommended Countermeasures:

- Prohibit right turns on red on southbound SR 1622.
- Provide queue detection with an optional flashing warning sign if a queue is present.
- Install a flashing warning sign when the signal is red.
- Add reflective high visibility backplates to the traffic signal heads.

Comments:

- Mr. Rowland expressed preference for making it a signalized right turn only intersection.

US 29/SR 1254 (East 22nd Street)

Issues:

- A pedestrian fatality occurred at this intersection.
- 14 rear-end crashes, the majority of which involved southbound traffic, occurred at this intersection.
- This intersection is the first signal in over 1.2 miles for the southbound traffic.
- 12 angle/left turn crashes occurred at this intersection.

Recommended Countermeasures:

- Add high visibility cross walks, curb ramps, and landing pads in all quadrants.
- Widen the islands on US 29 provide pedestrian refuge.
- Upgrade the signal to include pedestrian actuation.
- Review the left turn signal phasing.
- Conduct traffic counts to determine the need for a southbound right turn lane.
- Add reflective high visibility backplates to traffic signal heads.
- Examine signal coordination and timing.
- Add flashing “Prepare to Stop when Flashing” sign on southbound US 29 north of the intersection.

Comments:

- Mr. Murphy stated the pedestrian improvements are good at the intersection, but noted there is not a pedestrian network to connect the improvements to. He stated it’s good to pair the pedestrian improvements at the intersection with pedestrian network improvements.
- Mr. Rowland and Mr. Beard mentioned there are issues with intoxicated individuals walking in this area.
- Mr. McInnis asked Mr. Murphy if he recommends adding crosswalks if there are no plans to also construct sidewalk.
- Mr. Murphy responded that several improvements can still be made, however crosswalks would be challenging if there is no sidewalk to cross over to.
- Mr. Murphy mentioned left turn crashes could possibly be addressed with signal timing. He mentioned there are several things that could be done at this intersection to improve safety that are low-cost.

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Loop Road/ SR 1680 (West C Street)

Issues:

- Angle and left turn crashes occurred at this intersection, most of which involved the northbound approach.
- The roadway curvature on Loop Road may cause sight problems for northbound left turns when a queue is present in the southbound left lane causing the northbound vehicles to be unable to see the southbound through traffic.

Recommended Countermeasures:

- Review the left turn phasing, allow only protected left turns from northbound Loop Road.
- Add reflective high visibility backplates to the traffic signal heads.
- Move the advanced signal warning sign on northbound Loop Road south of the intersection to south of the trees on the east side of Loop Road for better visibility.
- Add a near side signal head for northbound Loop Road.

Comments:

- Mr. Rowland noted the nearby concert park may be contributing to the crashes at this intersection.
- Mr. Beard suggested another safety concern at this intersection is the lack of lighting and recommended improved lighting. The City will add temporary lighting sometimes at this intersection to facilitate pedestrian crossings at night for events. He mentioned pedestrians are crossing all four directions of this intersection during events.

US 29 (Cannon Boulevard)/SR 1267 (Ebenezer Road)

Issues:

- 67% of the rear-end crashes that occurred at this intersection occurred on the southbound approach.
- The trees in the median north of the intersection block the view of signal heads for the southbound traffic.

Recommended Countermeasures:

- Add reflective high visibility backplates to the traffic signal heads.
- Replace the trees in the median with lower growing landscaping within the curves north and south of the intersection to improve the sight distance.
- Add mini-skip pavement markings to direct traffic on Ebenezer Road across US 29.
- Examine signal coordination and timing.

Comments:

- Mr. Rowland agreed with these recommendations.

General Comments

- When discussing Little Texas Road, Mr. McInnis inquired about the feasibility of widening roadways to three lanes. Mr. Beard and Mr. Rowland both stated this solution is unlikely due to funding constraints. Brian Murphy also expressed concerns about the ability to obtain a safety grant for widening the roadway as it would be a challenge to justify how it would address the specific crash types along the roadway. Mr. Murphy stated there are several low-cost countermeasures that would have a significant impact.

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- Mr. Murphy inquired about the nature of the team that did the reviews and developed the countermeasures, was it internal to DRMP or were other agencies involved?
- Mr. McInnis clarified that it was an internal DRMP team that developed the countermeasures.
- Mr. Murphy suggested having an interdisciplinary team review the countermeasures in more detail and help make the decision regarding which solutions to prioritize. He mentioned sometimes after identifying areas of concern a road safety assessment would take place. This would include NCDOT and City staff.

Study Schedule

Mr. McInnis presented the study schedule and stated that currently, things might need to be pushed back to provide more time to further develop the countermeasures. The next stakeholder meeting will be held in November 2025. Mr. Rowland suggested that meetings no longer be held on Wednesdays due to conflicts for the Town of Kannapolis and recommended meeting on Tuesday or Thursday instead.

Next Steps

Mr. McInnis explained that DRMP will provide a technical memo identifying specific countermeasures to the stakeholder committee for review and will schedule the next stakeholder meeting soon so it will be on everyone's calendars. Mr. McInnis asked Mr. Murphy if a draft technical memo would be appropriate. Mr. Murphy said that a draft is appropriate.

Action Items:

- DRMP to provide a draft technical memo, which will identify specific countermeasures, to the Stakeholder Committee for review and comment.
- DRMP to schedule next stakeholder committee meeting.

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Appendix B

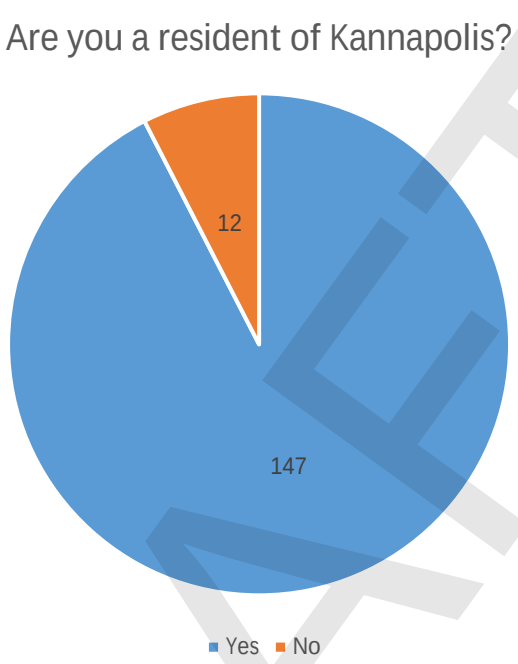
October 2024 Safety Survey Results

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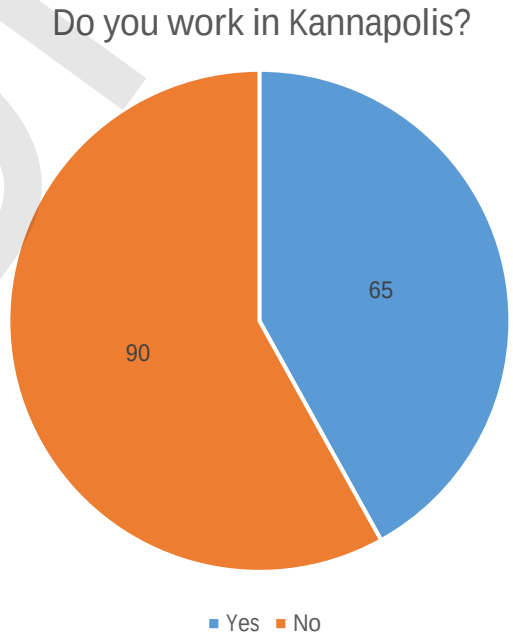
Appendix B-Survey Results

A survey was posted to the City of Kannapolis' website from October 3, 2024 to October 31, 2024. One hundred fifty-nine survey responses were received. Below is a summary of the survey responses.

1. Are you a resident of Kannapolis?

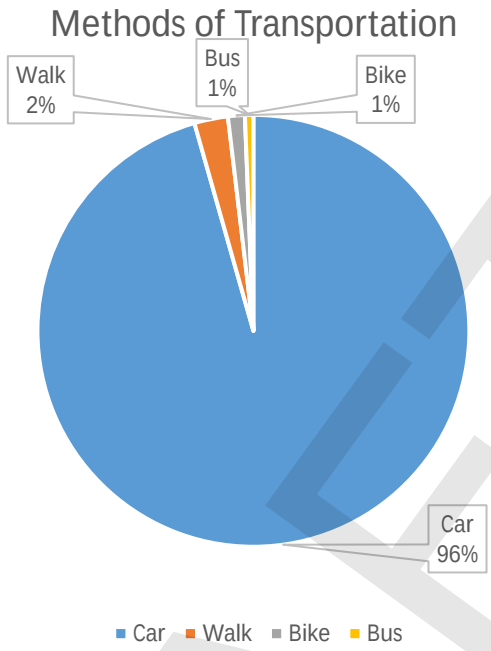


2. Do you work in Kannapolis?

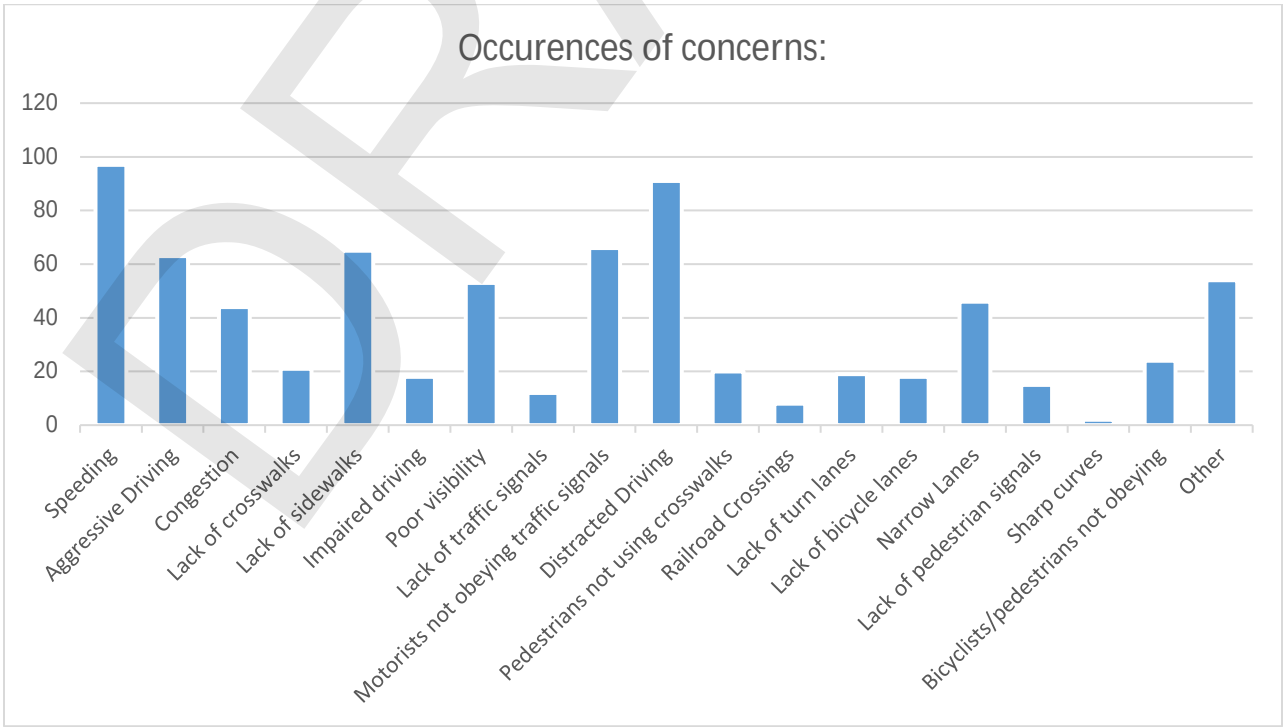


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3. How do you typically travel around Kannapolis?

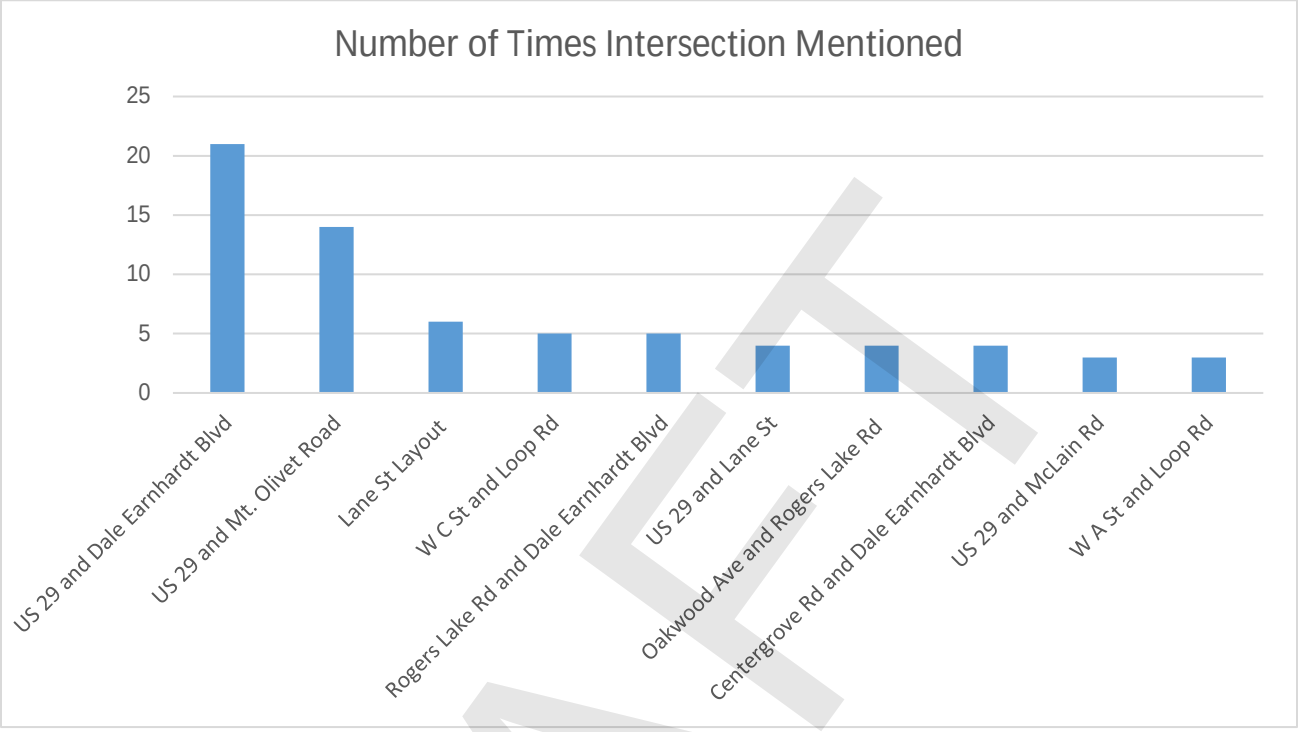


4. Select the top five transportation safety issues in Kannapolis from the list below:

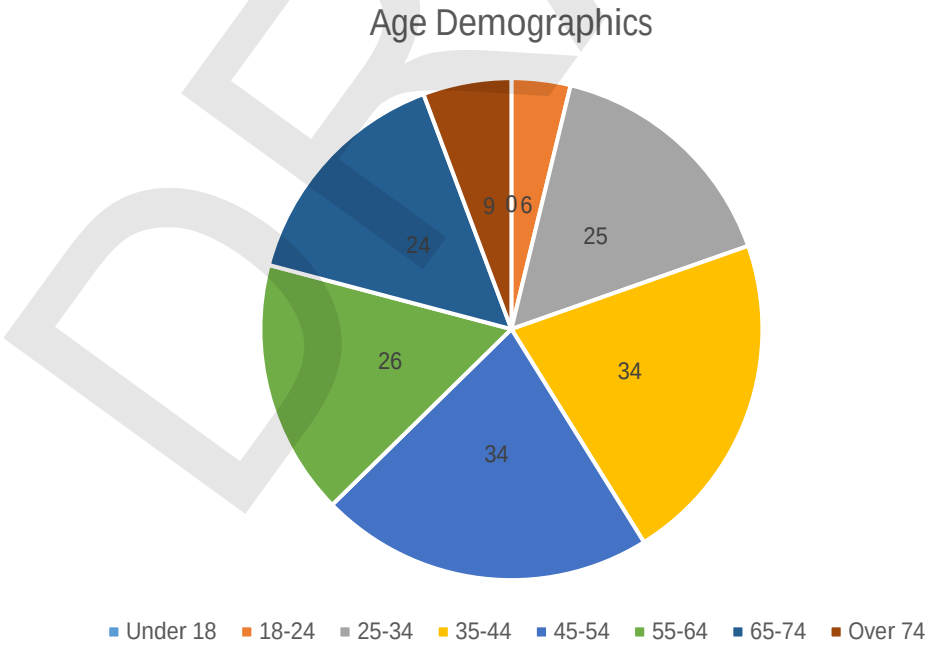


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5. List the three intersections or roadway segments in Kannapolis with the most safety concerns

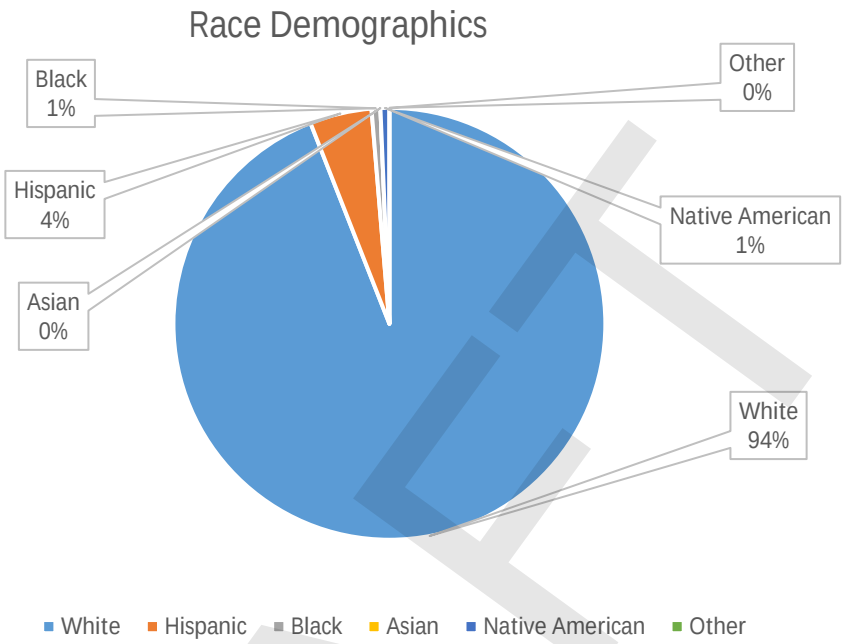


6. What is your age? (Optional question)

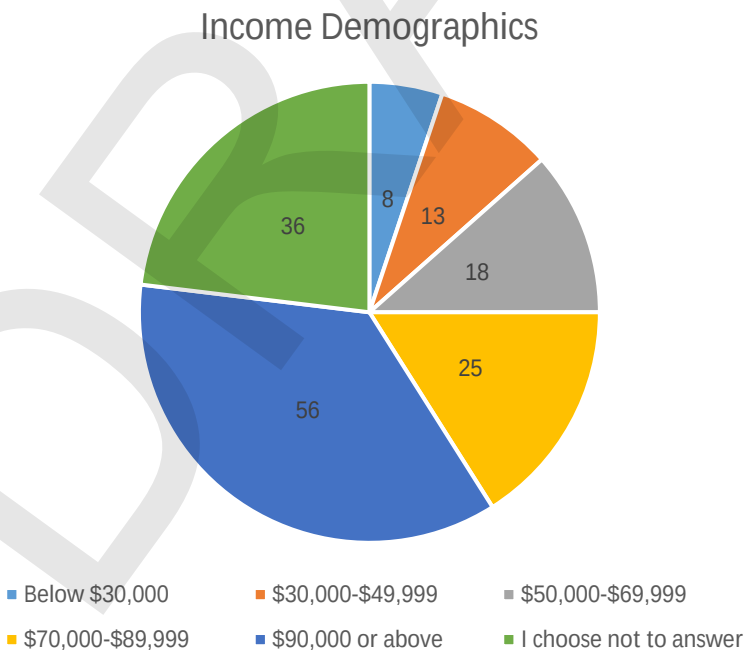


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7. How would you classify your race? (Optional question)



8. What was your household income last year? (Optional question)



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Appendix C

Roadway Segments/Intersections for Detailed Study

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TABLE C1
KANNAPOLIS SAFETY ACTION PLAN
RECOMMENDED ROADWAY SEGMENTS AND INTERSECTIONS FOR DETAILED STUDY

GIS FID	ROUTE/INTERSECTION	FROM	TO	WITHIN DISADVANTAGED CENSUS TRACT?	NO. OF SERIOUS INJURY CRASHES (FATAL OR A)	TOTAL NO. OF B OR C INJURY CRASHES	PROPERTY DAMAGE ONLY CRASHES	TOTAL NO. OF CRASHES	COMMENTS
49, 65, 108, 130, 138	SR 1430 (Kannapolis Pkwy.)	I-85	SR 1622 (Trinity Church Rd.)		6	77	270	353	
2, 33, 44, 83	NC 3	Watson Crick Dr.	SR 1766 (Rogers Lake Rd. E)	Y	6	73	254	333	
1, 95	SR 1643 (Rainbow Dr./Bethpage Rd.)	NC 3 (Mooresville Rd.)	SR 1008 (S. Main St.)	Partially	2	11	22	35	
8, 40, 76, 106, 111, 122	US 29	I-85	Wilson St.	Partially	3	135	441	579	
3, 102, 139, 143	NC 3 (Concord Lake Rd.)	I-85	SR 2126 (Dale Earnhardt Blvd.)	Y	1	37	101	139	
110	SR 2126 (Dale Earnhardt Blvd.)	Old Earnhardt Rd.	I-85	Y	1	26	109	136	
17	SR 1008 (S. Main St.)	Fredrick Ave.	Walker St.	Partially	1	6	21	28	
22, 86, 152, 182	SR 1625/SR 1766 (Rogers Lake Rd.)	Sherwood Dr.	NC 3 (Dale Earnhardt Blvd.)	Partially	2	40	82	124	
32, 117, 181	SR 2154 (Little Texas Rd.)	NC 3 (Dale Earnhardt Blvd.)	Chipola St.	N	1	21	25	47	
45, 167	SR 1124 (West C St.)	SR 1129 (Nathan Ave.)	Glenn Ave.	Partially	1	7	21	29	
10, 63	NC 3 (Mooresville Rd.)	Bethpage Rd.	Cypress Ave.	Partially	0	11	21	32	
155	SR 1008 (S. Main St.)	SR 1790 (Winecoff School Rd.)	Easy St.	N	0	14	32	46	
53	SR 1706 (E. 1st St.)	N. Main St.	N. Harding Ave.	Y	0	2	2	4	Concentration of bicycle and pedestrian crashes.
89	SR 1430 (Kannapolis Pkwy.)/Rogers Lake Rd.			N	1	7	9	17	
135	NC 73/SR 1622 (Trinity Church Rd.)			N	0	10	56	66	
121	US 29 (N. Cannon Blvd.)/SR 1254 (E. 22nd St.)			Y	1	4	16	21	
112	North Loop Rd./SR 1680 (West C St.)			Y	0	5	19	24	Identified in survey.
	North Loop Rd./SR 1913 (West A St.)			Y	N/A	N/A	N/A	N/A	Identified in survey.
126	US 29 (N. Cannon Blvd.)/SR 1267 (Ebenezer Rd.)			Y	0	5	15	20	
124	SR 1238 (China Grove Rd.)/SR 1308 (Moose Rd.)			Y	1	8	11	20	

N/A-Not Available

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Agenda Item: F.B

Kannapolis

Agenda Staff Report
November 10, 2025

To: Mayor and City Council

From: Heather James, Human Resources Director

Subject: **RESOLUTION** - Adopting new Kannapolis Personnel Policy **TABLED TBD**

Recommended Action Requested by City Council

Motion to approve a Resolution to adopt the new City of Kannapolis Personnel Policy

Required Votes to Pass Required Action

Majority Present at Meeting

Background

The current version of the City of Kannapolis Personnel Policy was first adopted on January 1, 1995, and several changes have occurred over the last 30 years. Since 1995, changes in employment laws, court decisions, and the pressures to reinvent the local government workplace experience to match the various values of the current workforce in an evolving highly competitive labor market have occurred that impact employment policies. After 18 months of research, consultation and evaluation, this is a request for the adoption of a significant revision to the current Personnel Policy and, if approved, will replace that document.

Over the past several months, the management team and all department heads were given the opportunity to review these changes. Several adjustments to the policy were made based on that feedback.

Due to the magnitude, it is impossible to identify every change. Therefore, the attached summary details the most significant changes. Also attached is the PowerPoint that will be used at the meeting to present this information.

Additionally, we have surveyed employees about specific policies and updated the policies to reflect the feedback. An information webinar was provided for employees to present the changes that resulted from the survey feedback. The interactive webinar was also conducted to answer any lingering questions from employees.

Fiscal Implications

The increase in costs are associated with the double time paid to part-time employees that work holidays and the increase in pay for on-call (weekends and holidays). Additionally, there are increased costs associated with the retention bonus and retention bonus extension. These will be discussed at the meeting.

Alternate Courses of Action

1. Table action to a future meeting.
2. Take no action.

Attachments

1. New Personnel Policies & Procedures - Survey Updates
2. Personnel Policy PP - Council w Employee Feedback
3. Graph with Age
4. Resolution to adopt new Kannapolis Personnel Policy

Kannapolis Personnel Policy

Presented October 13, 2025
Proposed Adoption November 10, 2025
Effective January 1, 2026

SUBJECT: GENERAL PROVISIONS, AUTHORITY, AND ADMINISTRATION OF POLICIES

Purpose

It is the purpose of this policy and the rules, regulations and policies set forth herein to establish a fair and uniform personnel system for all employees of the City of Kannapolis, NC, hereinafter referred to as "City", under the supervision of the City Manager. To the extent that any provisions of the Personnel Policies and Procedures, hereinafter referred to as "Policy", may conflict with federal, state or local laws, the City will abide by the applicable federal, state or local laws. **The City may, at any time, in its sole discretion, modify or vary anything stated in this Policy, including the benefits provided herein, with or without advanced notice—except as otherwise required by law. The policies are not to be interpreted as promises of specific treatment.**

Nothing in this Policy shall be deemed to constitute a contract of employment. City Council has the sole authority to enter into contracts of employment and any such contract must be in writing, must declare it an "Employment Contract" and must be executed by the Mayor after a majority vote of Council.

All employees of the City are employees-at-will who may leave the City's employ at any time for any reason and whose services may be terminated by the City at any time with or without notice.

All City positions, benefits and funding for salary advancement are subject to budget review and approval each year by the City Council.

As personnel policies and procedures are updated/revised, the policy supersedes all prior policies issued by the City. To the extent that any personnel related administrative procedure may conflict with the Personnel Policies and Procedures, the City will abide by this Policy and resolve the conflict in the administrative procedure. The intent of personnel related administrative procedures is to work in concert with and under the umbrella of this Policy and any applicable federal, state or local laws. In the event of the amendment of any ordinance, rule or law incorporated in this document or upon which these provisions rely, these rules shall be deemed amended in conformance with those changes. **Any violation of the policies set forth herein may result in disciplinary action, up to and including termination of employment.**

Authority

The City Manager is designated as the City's Chief Executive Officer and is responsible for directing the activities of all classified employees of City of Kannapolis Government. The City Manager shall be responsible for the administration of all personnel rules and regulations and shall have all authority granted to him/her under N.C.G.S. 160A-148 and such additional authority as is granted, required, or authorized to him/her by the City Council. Policies, procedures, rules, and regulations created and approved by the City Manager are binding on all employees; provided that no such policy, procedure, rule or

regulation is contrary to the City Charter or Ordinances, North Carolina General Statutes, or with Federal laws.

The City Manager (or designee) has the authority to create and approve administrative policies that supplement this Policy.

Unless otherwise stated, the word/term, “employee”, shall mean a person under the direct supervision and control of the City and being paid through the City payroll.

Unless otherwise stated, the word/term, “City Manager (designee)”, shall mean the Deputy City Manager.

Departmental Rules and Regulations

Due to particular personnel and operational requirements, the various departments of the City are authorized to establish supplemental rules and regulations applicable only to operating policies and procedures for those departments. All such rules and regulations shall be subject to the approval of the City Manager (designee) and shall not, in any way, conflict with this Policy, but shall be deemed to be supplemental thereto. To the extent that any departmental rule or regulation may conflict with this Personnel Policy, the City will abide by this Policy and resolve the conflict. The intent of departmental rules and regulations is to work in concert with and under the umbrella of this Policy and any applicable federal, state or local laws.

SUBJECT: ADMINISTRATION OF EMPLOYEE PERSONNEL RECORDS

1. Establishment of procedures and responsibilities for the maintenance of personnel records in accordance with N.C.G.S. 160A-168, "Privacy of Employee Personnel Records".

    a. The Director of Human Resources is responsible for establishing and maintaining an official personnel file for each employee of the City. As used in this policy, “employee” includes former employees of the City.

    b. All employee files are confidential except in accordance with N.C.G.S. 160A-168, "Privacy of Employee Personnel Records", the information listed in the N.C.G.S. with respect to each City employee that is public record.

    c. Access to the personnel files regardless of where the physical files are located is allowed by the City Manager, Human Resources and the Department Head having supervisory authority at any time when requested. All other access, examining, or copying requests of confidential records will be in accordance with NCGS 160A-168 and in consultation with the Director of Human Resources.

    d. The police department is responsible for providing full access to documents that are reserved for Criminal Justice Education and Training Standards auditing purposes when requested by the Human Resources Director (or designee) or City Manager (or designee).

    e. An employee who objects to material in his/her file on grounds that it is

inaccurate or misleading may seek to have placed in the file a statement relating to the material. The employee may seek the removal of such material in accordance with the grievance procedure.

f. Separate personnel files shall not be maintained by individual departments unless for police auditing purposes for Criminal Justice Training & Education Standards.

2. Identification of information to be included in the employee's personnel file:

   a. Permanent Documents. Documents retained throughout the association of an employee with the City will comply with the North Carolina Department of Natural and Cultural Resources Municipal Records Retention and Disposition Schedule adopted by City Council on December 13, 2021 (Resolution #2021-60).

3. This policy will be periodically reviewed to ensure compatibility with current accepted personnel procedures.

4. These records are maintained during the tenure of the employee and 30 years after the employee leaves City employment.

SUBJECT: REASONABLE ACCOMMODATION OF INDIVIDUALS WITH DISABILITIES

The City recognizes and supports its obligation to endeavor to reasonably accommodate job applicants and employees with known physical or mental disabilities who are able to perform the essential functions of the position, with or without reasonable accommodation. The City will endeavor to provide reasonable accommodation to otherwise qualified job applicants and employees with known physical or mental disabilities, unless doing so would impose an undue hardship on the City or pose a direct threat of substantial harm to the employee or others. Recruitment and selection processes will grant equal opportunity for employment to qualified applicants and will not discriminate on the basis of disability.

An applicant or employee who believes he/she needs a reasonable accommodation of a disability should discuss the need for possible accommodation with his/her direct supervisor, Department Head, or Human Resources. Any time an employee indicates that he/she is having a problem performing the essential functions of the position and the problem is related to a medical (physical or mental) condition, the supervisor should consider whether the employee is making a request for accommodation under the American Disabilities Act (ADA) and contact Human Resources for assistance in a timely fashion. If the response takes longer than expected (i.e. determining if the accommodation is reasonable, consulting Human Resources), the supervisor should provide updates to the employee on the status of their request. The City typically uses the Interactive Process to determine whether reasonable accommodation can be provided for the employee. Human Resources in collaboration with the department supervision is responsible for resolving reasonable accommodation, safety/direct threat, and undue hardship issues.

In certain circumstances, the City may need to request additional medical information or documentation to establish whether the individual's medical condition is protected by law, or to determine whether and what type(s) of accommodations would be effective. Employees are encouraged to respond to these types of requests promptly. Any medical

information received as part of the accommodation request or during the interactive process will be maintained by Human Resources in a confidential separate medical file.

Human Resources in collaboration with the department supervision is responsible for resolving reasonable accommodation, safety/direct threat, and undue hardship issues. Decisions to deny accommodation requests or to provide accommodations other than the requested accommodation(s) should be explained to the applicant or employee to help prevent misunderstandings.

The City prohibits any retaliation, harassment or adverse action due to an individual's request for an accommodation under this policy or for reporting or participating in an investigation of unlawful discrimination under this policy.

SUBJECT: REASONABLE ACCOMMODATIONS FOR PREGNANT WORKERS AND LACTATION

The City recognizes and supports its obligation to endeavor to reasonably accommodate job applicants and employees with known limitations related to, affected by, or arising out of (includes current, past, potential, or intended) pregnancy, childbirth, or related medical conditions, unless doing so would impose an undue hardship on the City or pose a direct threat of substantial harm to the employee or others. Recruitment and selection processes will grant equal opportunity for employment to qualified applicants and will not discriminate on the basis of pregnancy, childbirth, or related medical conditions.

An employee or applicant who believes she needs a reasonable accommodation due to pregnancy, childbirth, or a related medical condition should discuss the need for possible accommodation with his/her direct supervisor, Department Head, or Human Resources. The accommodation request should include an explanation of the pregnancy-related limitations, the accommodation needed and any alternative accommodation(s) that might be reasonable. Depending on the nature of the accommodation, the individual may be requested to submit a statement from a health care provider substantiating the need for the accommodation.

Any time an employee indicates that he/she needs a reasonable accommodation for their pregnancy, childbirth, or related medical conditions the supervisor should respond promptly and effectively to such requests. If the response takes longer than expected (i.e. determining if the accommodation is reasonable, consulting Human Resources), the supervisor should provide updates to the employee on the status of their request. The City typically uses the Interactive Process to determine whether reasonable accommodation can be provided for the employee. Human Resources in collaboration with the department supervision is responsible for resolving reasonable accommodation, safety/direct threat, and undue hardship issues. Reasonable accommodations will be determined on a case-by-case basis, considering the pregnant employee's specific needs, the organization's operational requirements, and any potential undue hardships.

If it is reasonable and necessary, the City may request supporting documentation from a health care provider. In many instances, it may not be needed. Any medical information received as part of the accommodation request or during the interactive process will be maintained by Human Resources in a confidential separate medical file. Information regarding an employee's pregnancy or related medical conditions and accommodation will be treated confidentially and shared only with individuals directly involved in the

accommodation process on a need-to-know basis. Human Resources in collaboration with the department supervision is responsible for resolving reasonable accommodation, safety/direct threat, and undue hardship issues. Decisions to deny accommodation requests or to provide accommodation other than the requested accommodation(s) should be explained to the applicant or employee to help prevent misunderstandings.

An employee may request paid or unpaid leave as a reasonable accommodation under this policy; however, the City will not require an employee to take time off if another reasonable accommodation can be provided that will allow the employee to continue to work.

The City prohibits any retaliation, harassment or adverse action due to an individual's request for accommodation under this policy or for reporting or participating in an investigation of unlawful discrimination under this policy.

Lactation Accommodations

As part of our family-friendly policies and benefits, the City supports breastfeeding employees by accommodating an employee who needs to express breast milk during the workday by providing a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child, to the extent required and in accordance with applicable law.

The break time, if possible, must run concurrently with rest and meal periods already provided to the employee. If the break time cannot run concurrently with rest and meal periods already provided to the employee, the break time will be unpaid, to the extent permitted by applicable law. The employee may use personal leave or make up the time as negotiated with their supervisor.

The City will also make reasonable efforts to provide employees with the use of a sanitary room or location other than a toilet stall for the employee to express milk in private. To the extent reasonable, the room will be located near a sink with running water for washing hands and rinsing out breast pump parts and have an electrical outlet. Breastfeeding employees are responsible for keeping the area clean/wiped for the next user. If employees prefer, they may also breastfeed or express milk in their own private offices, or in other comfortable locations agreed upon in consultation with the employee's supervisor.

Labeled expressed milk (name & date) can be stored in general City refrigerators/in designated refrigerators provided in the lactation room or other location/in employee's personal cooler. The City may not be able to provide additional break time if doing so would seriously disrupt the City's operations. Please inquire with Human Resources if you have questions regarding this policy

SUBJECT: REASONABLE ACCOMODATION OF INDIVIDUAL'S RELIGIOUS BELIEFS AND PRACTICES

The City recognizes and supports its obligation to endeavor to reasonably accommodate job applicants and employees with sincere religious beliefs or practices who are able to perform the essential functions of the position, with or without reasonable accommodation. The City will endeavor to provide reasonable accommodation to otherwise qualified job applicants and employees, unless doing so would impose an undue hardship on the City.

An applicant or employee who believes he/she needs a reasonable accommodation of a sincere religious belief or practice should discuss the need for a possible accommodation with his/her direct supervisor, Department Head, or Human Resources. Any time an employee indicates that he/she needs a reasonable accommodation for their religious beliefs and practices, the supervisor should respond promptly and effectively to such requests. If the response takes longer than expected (i.e. determining if the accommodation is reasonable, consulting Human Resources), the supervisor should provide updates to the employee on the status of their request.

In certain circumstances, the City may need to request additional religious information or documentation to establish whether the individual's religious beliefs are protected by law, or to determine whether and what type(s) of accommodations would be effective. Employees are encouraged to respond to these types of requests promptly.

Human Resources in collaboration with the department supervision is responsible for resolving reasonable accommodation, safety/direct threat, and undue hardship issues. Decisions to deny accommodation requests or to provide accommodations other than the requested accommodation(s) should be explained to the applicant or employee to help prevent misunderstandings.

The City prohibits any retaliation, harassment or adverse action due to an individual's request for an accommodation under this policy or for reporting or participating in an investigation of unlawful discrimination under this policy.

SUBJECT: SEARCHES OF CITY AND EMPLOYEE PERSONAL PROPERTY

To protect employees and the City from theft, and to enforce the City's policies including those related to substance abuse, workplace violence, and any other applicable policies, the City reserves the right to search employees and their personal property *when written permission is given* (i.e., vehicles, clothing, packages, purses, brief cases, lunch boxes, or other containers brought onto City premises) when there is reason to believe City policy is being violated. Employees are expected to cooperate in the conduct of such searches *when written permission is given*.

The City provides property to employees for their use (e.g., City vehicles, desks, file cabinets, employee lockers, etc.). Searches of City facilities and property, including City property in the possession of the employee, may be conducted at any time and do not have to be based upon reason to believe City policy is being violated. Employees may not withhold permission for the City to search City-supplied property including, but not limited to desks, lockers, tool boxes, and City vehicles and/or equipment.

The employee's supervisor or Department Head and at least one individual from Human Resources, another department, or others as reasonably necessary will conduct the search or inspection.

All criminal activity complaints in the workplace should be referred to the Kannapolis Police Department.

SUBJECT: WORKPLACE VIOLENCE PREVENTION

The City is strongly committed to providing a safe workplace for all employees. The

purpose of this Policy is to minimize the risk of personal injury to employees and damage to City property. The City specifically discourages employees from engaging in any physical confrontation with a violent or potentially violent individual. However, employees are expected and encouraged to exercise reasonable judgment in identifying potentially dangerous situations and informing management accordingly.

Threats, threatening language, or any other acts of aggression or violence made towards or by any City employee will not be tolerated. For purposes of this policy, a threat includes any verbal or physical harassment or abuse, attempts to intimidate or to instill fear in others, menacing gestures, bringing weapons to the workplace, stalking, or any other hostile, aggressive, injurious and/or destructive actions undertaken for the purpose of domination or intimidation.

All potentially dangerous situations including threats by co-workers should be reported immediately to your Supervisor, the Department Head, Human Resources or to any other member of management with whom you feel comfortable. Reports of threats may be made anonymously. All threats will be promptly investigated. No employee will be subject to retaliation, intimidation, or discipline as a result of reporting a threat under this policy.

If an investigation confirms that threat of a violent act or violence itself has occurred, the City will take appropriate corrective action. Anyone, regardless of position or title, whom the City determines has engaged in conduct that violates this policy, including retaliation, will be subject to discipline, up to and including dismissal.

The City reserves the right to seek a civil “no-contact” order in accordance with the provisions of the North Carolina General Statutes (N.C.G.S.) on behalf of any employee who has been the victim or target of workplace violence or other unlawful conduct in the workplace in violation of this policy.

If you are the recipient of a threat made by an outside party, follow the steps detailed in this section. It is important for the City to be aware of any potential danger in the workplace.

SUBJECT: WEAPONS PROHIBITED ON CITY PROPERTY

See Code of Ordinances for City of Kannapolis, North Carolina located on the City’s website, Section 11-1.1.

SUBJECT: EQUAL EMPLOYMENT OPPORTUNITY

Statement of Policy:

It is the policy of the City to foster, maintain and promote equal employment opportunity. The City shall select employees on the basis of the applicant's qualifications for the job and award them with respect to compensation and opportunity for training and advancement, including upgrading and promotion, without regard to race, religion, color, sex, national origin, sexual orientation, age, veteran status, marital status, political affiliation, non-disqualifying disability, genetic information, on the basis of actual or perceived gender as expressed through dress, appearance or behavior, or any other protected class under applicable state or federal law

except where specific age, sex, or physical requirements constitute a bona fide occupational qualification necessary for job performance. Applicants with physical disabilities shall be given equal consideration with other applicants for positions in which their disabilities do not represent an unreasonable barrier to satisfactory performance of essential duties with or without reasonable accommodation.

Limitation of employment because of a pregnancy related condition is prohibited.

This policy includes all employment decisions, including, but not limited to recruitment, hiring, employment, compensation, training, promotion, demotion, job classification, transfer, lay-off, termination, and all other terms and conditions of employment, except as provided by law. The City prohibits discrimination in all aspects of its personnel policies, practices, and operations.

It is a violation of City policy to retaliate in any way against an employee who assists, participates in, or supports this policy or anyone making a bona-fide complaint under this policy or who participates or assists in any EEOC, OSHA or other internal or external processes protected by law.

Policy Responsibility

All personnel responsible for recruitment and employment shall implement this policy through procedures that will ensure equal employment opportunity based on reasonable performance related job requirements. The City operates on the premise that a skilled, diverse work force provides more effective services for the citizens. Notices with regard to equal employment matters shall be posted in conspicuous places on City premises in places where notices are customarily posted.

Merit Principle

All appointments and promotions shall be made solely on the basis of merit. Decisions regarding appointments and promotions are within the City's discretion. All positions requiring the performance of the same duties and fulfillment of the same responsibilities shall be assigned to the same class and the same salary range. No applicant for employment or employee shall be deprived of employment opportunities or otherwise adversely affected as an employee because of such individual's race, religion, color, sex, national origin, sexual orientation, age, veteran status, marital status, political affiliation, non-disqualifying disability, genetic information, or on the basis of actual or perceived gender as expressed through dress, appearance or behavior.

SUBJECT: TYPES OF EMPLOYMENT AND ELIGIBILITY FOR BENEFITS

This policy establishes guidelines and definitions for types of employment and for benefit eligibility purposes. The types of City employment are:

1. Probationary: Class 1
   An employee on a trial status during the initial period of employment. All newly hired full-time employees (1A) and part-time employees (1B) assigned to a position which is expected to continue for an indefinite duration and budgeted to work a minimum of 1000 hours per calendar year serve a probationary period which extends for six (6) months from the date of hire, twelve (12) to eighteen (18) months for sworn law enforcement

personnel, and twelve (12) months for telecommunicators. Probationary periods may be extended under special circumstances.

2. Regular: Class 2

   Class 2A – Regular Full-time Employee: An employee who has successfully completed the probationary period, is assigned to a position which is expected to continue for an indefinite duration and works a shift schedule which will total no less than 2080 hours per year.

   Class 2B – Regular Part-time Employee: an employee who has successfully completed the probationary period, is assigned to a position which is expected to continue for an indefinite duration and works a shift schedule that annually averages a minimum of 20 hours or more, but less than 29 hours, per week. The position is budgeted to require at least 1,000 hours of work in a full calendar year. These part-time positions are regularly scheduled to work less than 29 hours per week or work on a variable-hours per week schedule and may work over 29 hours in a single week *occasionally*. The position is never authorized to average 30 hours or more a week (limited to less than 1500 hours in a calendar year) over the duration of a year.

   Class 2C – Regular Part-time Employee: An employee who is assigned to a position which is expected to continue for an indefinite duration and works a shift schedule of less than 1000 hours per a full calendar year. Weekly hours may fluctuate widely; however, employee works consistently each month, event, or season and is regularly scheduled to work less than 29 hours per week -or- works on a variable-hours per week schedule and may work over 30 hours in a single week *occasionally* and does not average 20 hours a week or more over the duration of a year. These employees do not serve a probationary period.

3. Limited-Service (Temporary/Seasonal): Class 3
   A non-regular status employee that is assigned to serve in a position performing work on an as needed basis, completing a specific job, or performing work on a seasonal basis, and the expected duration is less than twelve months. If the regular schedule of work is expected to be 30 or more hours per week, there is an employment limit of twelve (12) weeks. For all other employees in this class, weekly hours may fluctuate widely; however, employee is regularly scheduled to work less than 29 hours per week -or- works on a variable-hours per week schedule and may work over 30 hours in a single week *occasionally*. These employees do not serve a probationary period.

The terms “continue for an indefinite duration” or "permanent" used anywhere in City personnel policies, procedures, or benefit related documents shall not be deemed to constitute a contract of employment, a guaranteed length of employment, or a benefit.

Employee compensation shall be stated in terms of annual salary or hourly wage.

Entitlement to employee benefits shall be provided as follows:

1. Employees classified as regular full-time employees shall receive all employee benefits provided by the City subject to applicable eligibility laws, provisions, and time periods. Probationary employees who, upon successful completion of the probationary periods will be regular full-time employees, shall be entitled to the same benefits as regular full-time employees, subject to applicable eligibility laws, provisions, and time periods.

2. Employees classified as part-time or limited-service (temporary/seasonal) shall receive no benefits unless specifically enumerated in City policies, procedures, or benefit documents or required by law and part-time employees are required to work a minimum of 200 hours per calendar year to remain employed.

SUBJECT: HIRING

This policy establishes policy and procedures for new hires and provides guidelines for internal promotional and transfer hiring, working in conjunction with those policies. The Human Resources Department works in conjunction with departments on the hiring process for position vacancies to ensure compliance with contractual, legal, and equal opportunity requirements. The following general procedures will be adhered to by all departments in the recruitment, selection process, and promotional or transfer processes.

In the event of a job vacancy within City government, the Human Resources Department typically publicizes such vacancy in order to seek qualified and diverse pool of applicants. Publication locations and/or recruitment services for a vacancy or promotional opportunity are determined for each position according to the position and the City's needs, typically striving to reach broad diverse audiences for qualified applicants. The City Manager may waive the normal recruitment and selection process. The City Manager has the final appointing authority. Employment recommendations are typically made by the Department Director.

<u>Recruitment and Selection Process</u>

1. The Human Resources Department receives notification of vacant positions by the department.

2. The request should note if there are any specific employment advertisements requested for the position.

3. A determination in consultation with the department will be made by Human Resources on whether it will be an internal or external process and the length of the position posting. Internal process is defined as accepting applications from current employees and external process includes accepting applications from internal and external candidates.

4. Any current employee interested in applying for a promotion or transfer to a vacant posted position must complete a City employment application following the instructions on the employment opportunities notice. As with external applicants, the same confidentiality rules and laws apply to internal applicants.

5. After the department reviews the candidates, but before scheduling of interviews occur, Human Resources will check the eligibility of candidates. Departments are responsible

for communicating with Human Resources about the candidates prior to the interviews are scheduled.

Testing

1. Examinations may be developed for certain positions based on the position's responsibilities, the qualifications required, and resources available. The examination may consist of oral interview/application review, a structured questionnaire, practical tests, written tests, in-basket exercise, or assessment center, etc. In all cases, the testing will be job related and designed to determine the candidate's knowledge, skills, and abilities (KSA's) for the position.

2. The examination contents are developed by the Department in consultation with Human Resources. Examination contents are confidential and unauthorized disclosure to any candidate is grounds for discipline. In certain situations, outside consultants may be contracted to assist with test development.

3. The testing process is administered by the department, outside consultant and on occasion by Human Resources.

4. If an applicant requests an accommodation for testing, the ADA Coordinator will engage in the interactive process to assess if a reasonable accommodation can be made.

Interview Process

The employment interview is a component of the overall selection process. Certain guidelines will be observed to maximize the validity and reliability of the interview process as well as ensure the adherence to current EEO guidelines.

1. Departments coordinate the interview process, including scheduling candidates, development of interview questions, selection of interview panel, etc.

2. If used, the interview panel will be selected by the department in consultation with Human Resources. The composition of the interview panel shall generally consist of current employees and outside experts who have expertise with the technical elements of the position. Careful selection will be made of panel members to ensure objectivity and job knowledge. Any individual that may pose a conflict of interest will be excluded from serving on the panel.

3. Departments in consultation with Human Resources develop the interview questions and standards for measurement of candidate responses. Consistency will be maintained in the questions asked of all candidates.

4. Resources:
   UNC SOG List of Interview Questions Do's and Don'ts
   The JAN Workplace Accommodation Toolkit

Pre-Employment Screenings

Once a conditional offer of employment is made, the offer is contingent on the successful

completion of any position appropriate pre-employment screenings. Authorization by the individual is required prior to screening. The City requires position-appropriate pre-employment, promotion, and reassignment screenings to include, yet not limited to social security verification, criminal, driving, credit, drug, prior employment verification, educational, and reference information. Appropriate background checks are required for prospective volunteer coaches or other volunteers according to the nature of the volunteer tasks and public contact.

It is the policy of the City that no City employee or volunteer shall be permitted to work with children, youth and vulnerable adults if they have demonstrated conduct incompatible with service to, or care of, children, youth or vulnerable adults.

Pursuant to N.C.G.S. 160A-164.2, the City will conduct a fingerprint-based state and national criminal history records check of all applicants who have received a conditional offer of employment. These checks are conducted in accordance with City of Kannapolis Resolution 2025-69 and must be conducted in accordance with N.C.G.S. 143B-1209.26.

Upon employment, the City conducts continuous monitoring of employees' criminal backgrounds and motor vehicle records. This policy applies to all City employees and is a condition of employment with the City. Continuous monitoring may also be required for contract employees, volunteer coaches or other volunteers according to the nature of the tasks and public contact. The employee's authorization to conduct continuous monitoring of the employees' criminal background and motor vehicle records and to conduct periodic checks and updates on other employees' records throughout the duration of their employment with the City is required prior to the initiation of continuous monitoring. Employees' rights will be respected, and continuous monitoring will be conducted in accordance with applicable laws and regulations.

Background Check Procedures:

The City will not engage in blanket disqualification of applicants based on background checks but will consider the specific requirements for each position. In accordance with legal requirements, the City will conduct an individualized assessment using the following factors:

- The nature and gravity of the offense or conduct;
- The time that has passed since the offense, conduct and/or completion of the sentence; and
- The nature of the job held.

Human Resources will order the background check. A designated HR representative will review all results and will notify the hiring manager if the results are satisfactory to move forward in the hiring process. In instances where negative or incomplete information is obtained, the Human Resources Assistant Director and Human Resources Director (if necessary) will assess the potential risks and liabilities related to the job's requirements and determine whether the individual should be hired. If a decision not to hire or promote a candidate is made based on the results of a background check, there may be certain additional Fair Credit Reporting Act (FCRA) requirements that will be handled by Human Resources in conjunction with the employment screening service (if applicable). Background check information will be maintained in a file separate from employees' personnel files for a minimum of five years.

Offers of employment may also be conditional based on the results of medical examinations, fitness for duty examinations, and/or physical abilities testing depending on the requirements of the position. Any applicant, after the offer of employment and prior to beginning employment with the City, may be required to complete a City-paid examination for the purpose of determining fitness for the particular position. Such an examination shall be made at the expense of the City and performed by a medical provider selected by the City.

Applicant Notification

1. After references are verified and a final decision reached, the department notifies the candidate of his/her selection, makes a conditional employment offer, and requests that the offer be accepted or rejected within a set number of days.

2. If the first offer is rejected, it will be decided whether to hire another candidate or to readvertise the position on the City's career page.

3. Once a candidate accepts the employment offer, all candidates that were interviewed are notified that they were not selected for the position.

4. Human Resources and the department will begin their respective new hire and orientation responsibilities. The department is responsible for communicating to the new employee where and when to report on the first day of employment and for conducting a departmental level orientation. *NOTE: A blackout period for no new hires (start date/first date of employment) occurs annually typically during the last payroll in June and may extend into the first payroll in July. This period and the specific dates are typically set with the publication of the annual payroll schedule. The blackout period may vary from one to two payroll cycles and is subject to change.*

SUBJECT: RE-EMPLOYMENT

Reinstatement

A former employee who resigns while in good standing and giving the required written advance notice or is separated because of reduction in force may be reinstated to the same or a new position within one year of the date of separation if they had a satisfactory work record while employed with the City, upon recommendation of the Department Head, and upon approval of the City Manager. An employee who is reinstated in this manner shall be credited with previous service for vacation accrual rate and previously accrued sick leave; the former employee will be ineligible for the retention allowance extension. This is considered a break in service for purposes of longevity and retention allowance extension. The compensation paid to a reinstated employee returning to the same position shall be as close as reasonably possible, given the circumstances of each employee's case, to the compensation level previously attained in the pay grade range for the previous class of work. Those moving to a new position will be evaluated consistent with all applicants.

An employee who enters extended active duty with the Armed Forces, the Armed Forces Reserve, the National Guard, or other uniformed services of the United States will be granted reinstatement rights commensurate with the Uniformed Services Employment and

Reemployment Rights Act (USERRA).

Rehire

For a former employee who resigns while in good standing and giving the required written advance notice or is separated because of reduction in force and returns to the City past one year of separation if they had a satisfactory work record while employed with the City, this is not considered a reinstatement and is regarded as a new employee, subject to all of the provisions of this policy. The City Manager may authorize reinstatement rights as described above.

Ineligibility for Reinstatement or Rehire

Former employees who had a less-than-satisfactory work record during their prior employment with the City and/or did not provide the required written advance notice will not be considered for rehire. This includes employees with a less-than-satisfactory rating on their most recent performance evaluation and/or employees who terminated employment with an unresolved performance improvement plan. Employees who were involuntarily terminated by the City or were selected for layoff due to less-than-satisfactory work performance will not be considered for rehire.

SUBJECT: EMPLOYMENT OF RELATIVES AND OTHER CLOSE RELATIONSHIPS

Due to the potential for perceived or actual conflicts, such as favoritism or personal conflicts from outside the work environment, which can be carried into the daily working relationship, a policy and approval process for employment of family is necessary.

This policy applies to candidates for employment, current employees, promotions, and other reassignments.

Employment of a relative of any member of the governing body or City official of the City is discouraged.

Under no circumstances should a person be hired or assigned to work in a position:

- Under the administrative influence, supervision, or under the influence in any way over the rate of pay of an immediate family member.
- Where one relative would be responsible for auditing the work of the other.
- Other circumstances exist which would place the relatives in a situation of actual or reasonably foreseeable conflict between the City's interest and their own.

The City reserves the right to apply this policy to situations where there is a conflict or the potential for conflict because of the relationship between employees, even if no direct reporting relationship or authority is involved.

No employee's family member shall be hired without prior Human Resources Director review and the approval of the City Manager. The hiring supervisor is responsible for ensuring policy compliance. Exceptions may be made on a case-by-case basis for 2C

positions working less than 1,000 hours per year.

If any employee, after employment or change in employment, enters into one of the above relationships, one of the affected individuals must seek a transfer or a change in the reporting relationship. Such changes must be approved by the City Manager. No exception to this policy will be made without the written consent of the City Manager.

For purposes of this section, the definition of immediate family includes spouse, child, parent, brother, sister, grandparents, grandchildren, or guardian plus the various combinations of half, step, in-law and adopted relations derived from those named. Also included in the immediate family definition are uncle, aunt, nephew, or any individual with whom an employee has a close personal relationship, such as a domestic partner, co-habitant, or significant other.

If employees begin a dating relationship, enter into a marriage, or otherwise become relatives, partners or members of the same household, and one party is in a supervisory position, that person is required to inform both their supervisor and Human Resources of the relationship. The employees will have 60 days to resolve the situation on their own. After 60 days, if the employees have not yet resolved the situation on their own by means acceptable to the City, such as a transfer or employment outside the City, the employees' supervisor(s) will work with Human Resources to determine the most appropriate action for the specific situation. This may include transfer or, if necessary, termination of one of the employees.

For purposes of this policy, "dating relationship" is defined as an intimate association primarily characterized by the expectation of affectional or sexual involvement. The term does not include a causal relationship or an ordinary association between persons in a business or social context.

If you are in a relationship with a co-worker that may create a conflict, or which may include or become one of the prohibited situations, you must notify your supervisor or Human Resources.

If there is a situation where action of the City, such as reduction in force, results in an involuntary circumstance in which two relatives, partners or members of the same household may be reporting to each other, one of the employees will be reassigned within 60 days. During those 60 days, the supervisory employee will not be involved in or have direct input in the employment decisions of the other employee.

> *All employees who were a City employee and had an immediate family member within the same department before are considered exempt only from the portion of this policy regarding the prohibition of working within the same department with an immediate family member. The exemption applies only to the specific existing family member relationship, not to any new relationships entered into on January 1, 2026, or thereafter.*

SUBJECT: RECRUITMENT AND RETENTION INCENTIVES

The City recognizes the importance of attracting and retaining skilled employees for roles critical to municipal operations. This policy authorizes the City Manager to approve additional benefits or pay adjustments to ensure competitive compensation and bolster workforce stability while maintaining compliance with all relevant laws and regulations.

This policy applies to positions identified as essential, hard-to-fill, or requiring specialized skills vital for effective city governance. Such incentives may be utilized for key leadership, supervisory, or technical staff or employees in a key or challenging position to recruit and retain in which the market is very competitive.

Authority and Compliance

The City Manager is authorized to initiate recruitment and retention incentives not already outlined and authorized in this Personnel Policy, provided that all actions comply with applicable IRS regulations, employment laws, and city financial policies. The end goal and purpose is to guide departments in competitive practices related to recruiting and retaining a skilled and diverse workforce when in the best interest of the City for recruitment or retention of an experienced individual. Prior to finalizing any incentive or pay adjustment decision, the City Manager shall consult with both the Human Resources and Finance Director to ensure:

- IRS Guidelines: Incentives are structured in accordance with federal tax regulations.
- Budgetary Constraints: Incentives are in line with the city's financial policies and budget.
- Incentives are funded in existing departmental budgets and subject to funding availability. It is the responsibility of the hiring department to track and ensure the completion of required administrative actions.
- Employment Law Compliance: All incentives adhere to applicable employment laws and any related statutory requirements.
- A review of local labor market conditions and departmental needs and ensure that the incentives are consistent with overall employment strategies.
- Document all decisions to ensure transparency and accountability.

Incentives

Examples of permissible incentives include, but are not limited to:

- Performance-Based Incentives linked to productivity, efficiency, or achievement of key performance targets.
- Hiring Bonuses, not to be paid prior to the successful completion of the employee's probationary period.
- Retention Bonuses, given upon reaching predetermined tenure milestones (e.g., 3 years, 5 years).
- Salary Adjustments: competitive pay increases designed to retain skilled professionals.
- Flexible Work Arrangements such as remote work or alternative scheduling

outside the parameters of City policy.

- Professional Development Stipends for education, professional conferences, training sessions, or certifications.

- Additional Paid Leave establishing a vacation leave earning rate or a deposit of extra vacation days, consistent with the existing City vacation leave earning rate schedules.

SUBJECT: PROBATIONARY PERIOD

This policy establishes policy and procedures for the probation period for new employes.

All new full-time employees (1A) and part-time (1B) employees assigned to a position which is expected to continue for an indefinite duration and budgeted to work a minimum of 1000 hours per calendar year must serve an initial period of probation upon hire (excluding exempt department heads). Sworn law enforcement personnel serve a 12-month to 18-month probation and telecommunicators serve a 12-month probation; all other employees serve a six-month probation. Typical factors that determine the length of the sworn law enforcement personnel probationary period include, yet not limited to, attendance of basic law enforcement training, length/start of field training, and type and length of prior law enforcement experience.

The probation period is designed to give the employee time to learn the position and to give the supervisor time to evaluate the employee's potential and performance. During the established probationary period, the City reserves the right to terminate the probationary employee's service at any time for any non-retaliatory, non-discriminatory reason, without a pre-dismissal hearing and without the right to file a grievance.

Termination During Probation

If an employee is unable to perform the work, the person must be terminated as early as possible. Rejected probationers shall be notified of such action in writing by the Department Head (in consultation with Human Resources) at any time during the probationary period and a copy of said notification shall be retained in the personnel files.

Probationary Period Evaluation

Throughout the probationary period, expectations will be set, and feedback will be given by the supervisor. It is highly recommended to provide at least three (3) informal feedback sessions during a 6-month probationary period and six (6) during a 12-month probationary period. At the end of the probation period, the employee is formally evaluated and through the performance evaluation system of progress.

Extension of Probation

At times circumstances may necessitate extending the probationary period. Probation extension is done upon recommendation of the Department Head and the review of the Director of Human Resources. Probationary period extensions may never exceed 90 days.

Successful Completion of Probationary Period

If the employee successfully completes the probation period, he/she is informed that he/she is now a regular employee after the performance evaluation has been conducted.

Providing that the employee successfully completes his/her probationary period (receiving an overall "achieving" rating) and that Council has allocated appropriate funding for the fiscal year, the employee's hire date and length of probationary period will determine if the employee receives a prorated performance/merit pay increase at the end of the probationary period.

SUBJECT: WORK PERIODS AND SCHEDULES

Work Periods

All work periods and schedules will be established and maintained in accordance with the Fair Labor Standards Act (FLSA).

A. The work period for Non-Exempt Sworn Law Enforcement Personnel shall normally be fourteen (14) days consisting of a maximum standard hour for this period of 86 hours (2184 annual hours). This work period starts on Wednesday and ends 14 days later on Tuesday.

B. The work period for Non-Exempt Fire Protection Personnel shall normally be fourteen (14) days consisting of a maximum standard hours for this period of 106 hours (2756 annual hours). This work period starts on Wednesday and ends 14 days later on Tuesday.

C. The work period for all other City employees shall normally be seven (7) days starting on Wednesday at 12:00 a.m. and ends 7 days later on Tuesday at 11:59 p.m. With the exception of non-sworn personnel assigned to a twelve-hour shift, all other non-exempt City employees will normally have 40 hours of regularly scheduled work in the 7-day work period. Non-exempt non-sworn personnel assigned to a twelve-hour shift will normally have 36 hours or 44 hours of regularly scheduled work in the 7-day work period. The maximum standard hours for the 7-day work period is 40 hours (2080 annual hours) for the purposes of computing overtime compensation.

The hourly rate of pay, leave accrual rates, maximum leave accruals, and holiday pay are established by the maximum standard hours for the established work period. The hourly rate of pay is the rate at which an employee is actually paid for standard non-overtime hours.

The above referenced work periods may be changed to accommodate special work schedules upon recommendation of Department Heads with City Manager approval, if the change is intended to be permanent and is not made to evade policy.

Employees in positions determined to be "exempt" from the FLSA (as Executive, Administrative or Professional staff) shall work the number of hours necessary to assure the satisfactory performance of their duties and are paid on a salary basis and will not receive pay for hours worked in excess of their normal work periods.

Work Schedules/Hours of Work

Currently normal City business hours of operation for the public are 8:00 am – 5:00 pm, Monday – Friday, excluding holidays. When the activities of the City or a particular department require another schedule to meet work needs, the City Manager may authorize a deviation from the normal schedule.

Department directors shall establish work schedules, with the approval of the City Manager, which meet the operational needs of the department in the most cost-effective manner possible. Managers/supervisors will advise employees of their individual work schedules. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

Flexible Work and Telework Schedules

The City desires to create an opportunity for flexible work options when feasible, which supports and embraces work-life integration, increased productivity, reduced absenteeism and turnover, and enhanced customer satisfaction. Department directors are to identify methods of implementation that meet the service and operational needs of the department while maintaining continuity of operations over the span of standard operating hours.

There are certain positions that cannot accommodate flexible work arrangements. Every job, employee, and situation are different; it cannot be assumed that the same decision is appropriate for two similar positions.

An employee's first responsibility is to perform the duties of her/his job, including the availability of responding to telephone and e-mail communications, to attend work regularly, to meet and interact with associates and supervisors, and to meet with and serve customers. To be approved, the employee must have completed the probationary period, must have a satisfactory attendance record, meet all performance expectations of the current role, and consistently demonstrate the ability to complete tasks and assignments independently and on a timely basis. In certain circumstances, the requirement to complete the probationary period prior to flexible/telework schedules may be waived.

The department director is encouraged to explore opportunities to offer flexible work arrangements to include flexible work schedules and/or telework opportunities for positions that can successfully be performed in a decentralized, flexible and/or teleworking manner. However, departments are not authorized to establish a remote employee (100% teleworking) position.

Telework cannot exceed 50% of scheduled hours in a work week.

Employees are expected to adhere to all City and department established policies and procedures in like-fashion of all other City work periods and locations. Unless you travel for business, teleworks shall remain available to report to a City worksite as needed. While teleworking, an employee shall not conduct work for another employer while working or during their standard or normal work schedule. With limited exceptions as approved by the Human Resource Director, employees on approved leave are not eligible for telework unless the request is approved reasonable accommodation under state or federal law.

The employee is expected and responsible to equip their telework space (i.e., chair, desk,

basic office supplies, and must have reliable access to the internet. Employees who are unable to meet this expectation are not eligible for telework.

Approved flexible and/or telework arrangements can be ended at any time by the employee, the supervisor, or the department director.

Meal Breaks

The City encourages employees to take rest *breaks* to re-charge. The City provides you with two paid breaks on a normal workday. There are occasions when the workload or other circumstances make it necessary for an employee to work without a break.

Employees may not take their paid break by delaying beginning work or leaving early, adding the paid break to the unpaid break period, saving it for another day, combining it with other leave, or adding together to make one long break. Paid breaks are taken at the worksite regardless of whether the employee is at the department or in the field.

Employees may have an unpaid meal break during their shift. Each department head makes the decision whether an unpaid meal break is required. If an unpaid meal break is required by a department head, then it must be at least thirty (30) consecutive minutes (never less) during which an employee is completely relieved of duty and free to use the time for his/her own purposes. It is not counted as hours worked or paid time.

Due to the nature of their work, shift personnel with Police, Fire, Telecommunications and Water Treatment Plan Operators may be paid during their meal period.

Your supervisor will discuss the paid and unpaid break period schedules with you.

Attendance and Punctuality

To maintain a productive work environment and to discourage any unnecessary hardship, employees are expected to be reliable and punctual in reporting to work. Absenteeism and tardiness contribute to inefficient public services and place a burden on other employees and the City. Employees are expected to be at their workplace and ready to work at their starting time. Non-exempt employees are asked not to start work or "clock-in" more than seven (7) minutes before their starting time without their supervisor's permission. Non-exempt employees are also asked not to stay more than seven (7) minutes after the end of the workday without their supervisor's permission. **Non-exempt employees may never work off the clock or unrecorded work.**

Excused absences, late arrivals, and early departures are those that are pre-arranged and approved in advance by your supervisor. Exceptions to this are sudden emergencies, sickness, or accidents which *may* be considered excused.

NOTE: If an employee was absent from work for a significant portion of the performance year (more than 3 months), this may be considered when determining if the employee receives a prorated performance/merit pay increase or bonus for the year in like fashion as applied to probationary employees. In all situations the Human Resources Director must be consulted in this determination to ensure compliance with applicable employment-related laws

Call-In: In instances where employees cannot avoid being late or unable to work as scheduled, they should notify their supervisor at least two hours prior to their work shift for absence and at least thirty minutes prior to shift if lateness is foreseen. The employee shall communicate by whatever method is most preferred by their Supervisor which should include one of the following: speaking directly to supervisor (most preferred), voicemail, email and/or text message. If an employee does not speak directly to their Supervisor, it is still their responsibility to ensure the Supervisor has received the message. Unless the employee has made other arrangements with the supervisor, the employee must call the supervisor each day when he/she is absent.

Early Departures: Should you need to leave work early, this must be approved by your supervisor. If you are leaving work early, you must make sure that any urgent, uncompleted tasks are arranged to be completed by another employee.

Failure to give your supervisor notice of your absence may result in disciplinary action. A pattern of excessive or unexcused absences or tardiness may result in disciplinary action, up to and including dismissal.

Job Abandonment: If you are absent three or more consecutive workdays without giving proper notice to your supervisor, the City will deem you to have voluntarily abandoned your job and will interpret this as your voluntary resignation from employment.

Adverse (Inclement) Weather Attendance

City of Kannapolis offices will not close unless the severe inclement weather or other unusual circumstance situations including, but not limited to, natural or man-made disasters or emergencies requires this to occur. Severe adverse (inclement) weather includes, but is not limited to, an event that produces damaging winds, flooding, or accumulations of ice and/or snow. Any deviation from normal work hours or this policy shall be issued by the City Manager.

Emergency services personnel such as public safety, transportation and environmental services, water resources, operations, and information technology are essential to the safety of the public safety and therefore play a vital part in making sure necessary public services are available in time of need and therefore are considered essential personnel.

Regardless of whether City offices are open or closed, in the case of inclement weather each employee must make a personal decision regarding safety traveling to and from the workplace. If City Hall is open for business and an employee makes a personal decision not to come to work (or work remote if this is an option for the position), the employee is required to use available accrued annual leave and/or make arrangements with their supervisor to make-up work hours to the extent possible in the current work period (this is the work week for all employees excluding sworn law enforcement and fire protection). Please see administrative procedures for adverse weather situations in the Adverse Weather & Closures administrative policy.

SUBJECT: SEPARATION FROM EMPLOYMENT

Employment with the City of Kannapolis is voluntary and subject to termination by the employee or the City at will, with or without cause, and with or without notice, at any time. Nothing in this policy shall be interpreted to conflict with or to eliminate or modify in any way

the employment-at-will status of City of Kannapolis employees. It is the policy of the City to ensure that separation from employment is handled in a professional manner with minimal disruption to the workplace.

Separations occur when an employee leaves the payroll typically for reasons as indicated below.

Resignation or Retirement

Any employee voluntarily leaving the service of the City is asked to give three weeks' notice (four weeks for department heads) in writing to his/her supervisor who will send the resignation letter and any other pertinent information (e.g., employee's reason for leaving, last day of work). A retiring employee is asked to give a minimum of sixty (60) day notice in writing to his/her supervisor. See Holidays and Leave section of this Personnel Policy regarding written resignation or retirement notice requirements and leave accrual payments (vacation and sick leave sections).

For retiring employees, the date of separation is the last day of work, the last day of paid leave, or the paid holiday if the last day of the month.

For non-retiring employees, the date of separation is the last day of work (excluding verified unavailability due to physical or mental impairment or other requirements by law).

Unauthorized leave (failing to report to work without following call-in procedures) from work for a period of three (3) consecutive days shall be considered as a voluntary resignation. Separation pursuant to this policy should not occur until the department has made reasonable efforts to indicate that the employee was able to give or have someone else give notice during the period absent. Such terminations are voluntary resignations from employment and create no right of grievance or appeal.

Sick leave will only be approved during the final notice period of a notice with a physician's certification or comparable documentation. Using vacation leave during an employee's notice period is discouraged.

Dismissal

Dismissal is involuntary separation in accordance with the discipline procedures of this Personnel Policy.

Separation During Probation

An employee may be dismissed at any time during the probationary period typically for failure in performance of duties, failure in personal conduct, or failure to meet position/department requirements. Supervisors/Department Directors will consult with the Human Resources Director prior to this action. Separation during the probationary period creates no right of grievance or pre dismissal conference pursuant to this Personnel Policy.

Unable to Perform the Essential Functions of the Position

The City will comply with the Americans with Disabilities Act and will make all responsible efforts to identify and provide reasonable accommodation(s) to qualified employees through

the interactive process. An employee who cannot perform the essential duties of a position because of a physical or mental impairment may be separated. Action may be initiated by the employee or the City. In either case, such action should be accompanied by medical evidence certified by a licensed physician. The City may require an examination, at the City's expense, performed by a physician of the City's choice. Before an employee is separated for inability to perform the essential functions of his/her position, a reasonable effort shall be made to accommodate the employee in his/her current position or locate a vacant alternate position within the City for which the employee may be suited. In circumstances where the employee may be eligible to retire under the disability provisions of the North Carolina Local Governmental Employees' Retirement System, the City will provide assistance to the employee in filing such application.

Separation Due to Unavailability When Leave is Exhausted

An employee may be separated on the basis of unavailability when the employee becomes or remains unavailable for work after applicable leave has been exhausted and leave without pay has not been granted for reasons deemed sufficient by the employing department. Part-time employees with no leave accrual benefits may be separated for this reason when he/she is not available to work as needed for City business operations. Such reasons include but are not limited to, lack of suitable temporary assistance, criticality of the position, budgetary constraints, etc. Such separation is an involuntary separation, not a disciplinary dismissal, and may be grieved.

Death

The date of death shall be recorded as the employment separation date for the deceased employee. All compensation due in accordance with the policy will be paid to the estate of the deceased employee.

Reduction in Force

In the event that a reduction in force becomes necessary, consideration shall be given to the quality of each employee's performance, organizational needs, and seniority in determining those employees to be retained. The City Manager may implement a reduction in force. No regular employee shall be separated because of a reduction in force while there are temporary or probationary employees serving in the same class in the department, unless the regular employee is not willing to transfer to the position held by the temporary or probationary employee.

In this instance, those employees who are laid off shall be placed on an eligible list and shall be given first opportunity to return to work should an opening become available commensurate with his/her skills.

Employees laid off because of a reduction in force shall be given at least 30 calendar days' notice; should a severance package be provided, advance notice is not required. Severance pays shall not be offered to probationary, temporary, or seasonal employees. Any severance package shall be subject to the terms and conditions set forth therein and will generally require the execution of a written severance agreement and release.

Final Compensation, Benefits, and Out processing

Upon submitting his/her resignation or being separated in any other way from the employment of the City, the employee may be asked to participate in an exit interview with Human Resources. Generally, the exit interview is completed online, and results are sent to the Human Resources Department. Departments should notify Human Resources of the receipt of a resignation in a timely manner, to allow sufficient time to offer an exit interview.

The Human Resources Director shall, to the extent allowed by law, deduct and withhold from the final paycheck up to the FLSA minimum wage allowance or leave pay out of the employee any amount owed the City, any authorized legal deductions, and any other amounts specifically agreed upon by the employee and the City. The City also collects unpaid employee debt through the North Carolina Debt Setoff Program.

Employees shall receive pay for all hours worked through the last day of employment and for unused accumulated vacation leave balances as stipulated *and restricted by policy* and laws governing such payments. See Holidays and Leave section of this Personnel Policy regarding written resignation or retirement notice requirements and leave accrual payments (vacation and sick leave sections).

The separating employee is required to return all City property in his/her possession (i.e. City ID, manuals, cell phones, laptops, uniforms, tools, keys, City equipment). Failure by the separating employee to return City property prior to the final paycheck may result in the value of the outstanding items being deducted from the employee's final pay or vacation leave balance, collected through the North Carolina Debt Setoff Program, or invoiced.

Benefits continue through the official date of termination or the last day of the month in accordance with the benefit summary plan document. Employees will be notified of their right to COBRA benefits and information regarding the final dispensation of City provided or sponsored benefits.

Award of Badge and Service Sidearm

North Carolina General Statute 20-187.2 provides for the award of the badge and/or service sidearm of deceased and retiring members of State, city and county law enforcement agencies. The following guidelines are hereby established by the City Council as standing authorization for the award of badge and service sidearm under State law:

1. Any full-time sworn law enforcements officer of the City who retires from service in good standing, (including officers who qualify for disability retirement), may request the award of their badge and service sidearm.
2. No award of a badge or service sidearm will be made to a police officer who retires while under investigation for criminal or administrative misconduct, or who is otherwise ineligible to receive or possess a handgun under any provision of state or federal law.
3. Retiring officers shall, upon request, be awarded the badge worn or carried by the officer at no cost.
4. The surviving spouse, or in the event that an officer dies unsurvived by a spouse, the surviving children of an officer killed in the line of duty or who is employed as a police officer by the City at the time of their death, shall receive upon request and at no cost to them, the badge worn or carried by such deceased officer.
5. Retiring officers who have completed 20 or more years of full-time sworn law

enforcement service with the City of Kannapolis shall, upon request, be awarded their service sidearm at no cost.

6. Retiring officers who have completed less than 20 years of full-time sworn law enforcement service with the City of Kannapolis, shall, upon request, be awarded their service sidearm upon payment to the City of a pro-rated amount equal to 1/20th of the acquisition value of the weapon for each full year of service less than 20 years.

7. Officers who are approved for disability retirement as the direct result of an illness or injury sustained while engaged in the lawful and proper performance of law enforcement duties, regardless of the duration of employment with the City, shall, upon request, be awarded their service sidearm at no cost.

8. The City Manager may, in exceptional cases, waive any or all eligibility requirements for the award of badge and service sidearm established under this policy except those mandated by State Law.

SUBJECT: GENERAL PERFORMANCE AND CONDUCT STANDARDS

It is impossible to specifically identify all forms of work standards; therefore, *any guidance provided on work standards is not intended to be all inclusive*. Certain behaviors such as lying, cheating, or stealing are clearly unacceptable at any time. These standards are intended to help clarify what is acceptable work-related behavior. Together with good common sense and the employee's own understanding of right and wrong, they are meant to guide workplace behavior to ensure orderly operations and provide the best possible work environment.

In addition to protect the interests and safety of all employees and the City, the City complies with all applicable federal, state and local laws and regulations concerning employer/employee rights and obligations.

As a member of our City of Kannapolis Team, all employees are expected to contribute to our collective efforts to achieve a City-wide culture of Unity and Understanding. We do this through:

- Showing up each day with commitment and involvement in our work.
- Creating a shared understanding of the similar challenges and issues we all face in our public service.
- Continually striving to remove work silos and encourage inter-departmental interaction to accomplish our goals.
- Contributing to being a place where we make people feel welcome every day.
- Having a strong work ethic: people that gets stuff done.
- Exceeding expectations in our shared goal of improving the City and providing residents a positive experience.

1. All employees shall strive to perform the duties and responsibilities of their position in an acceptable manner meeting or exceeding standards; follow appropriate instructions of their supervisor; work in a safe manner; and abide by all rules, policies, regulations, and laws of the workplace.

2. Employees shall maintain any required license, certification, or other credential of their position.

3. Employees charged with or convicted of a crime for any reason, other than a traffic citation such as a speeding ticket (unless driving a City vehicle), must notify their Department Head or Human Resources Director within 24 hours or no later than the next business day on a weekend or holiday. Failure to do so may result in disciplinary action, up to and including termination of employment.

4. Employees shall maintain a level of personal conduct that is befitting a public employee or officer; avoid real or preceived conflicts of interests; treat others with courtesy and mutual respect; work collaboratively and inclusively; use City time and resources for City business; keep confidential information confidential and protect sensitive information; give an honest day's work for every day's pay; and exercise stewardship and fiscal responsibility in your actions and decisions.

5. Employees shall use breaks and unpaid time rather than paid time to attend to personal matters, including but not limited to running errands, doing personal work, or making numerous or lengthy calls/texts/emails/social media use.

6. It is not possible to list all forms of work standard violations and behaviors that are unacceptable in the workplace. Work standard violations and unacceptable behaviors may result in corrective or disciplinary action up to and including dismissal. ***The following are illustrative examples and are not intended to be an all-inclusive or exhaustive list:***

    - Theft or inappropriate removal or possession of City property, merchandise, or money or the property of a fellow employee.
    - Willful destruction of City property or the property of a fellow employee.
    - Failure to follow City and Departmental ordinances, policies and procedures or the directions of one's supervisor(s).
    - Abuse of any leave privileges including reporting sick when not sick or obtaining sick leave pay falsely or under false pretenses.
    - Sleeping or giving the appearance of sleeping during work hours, unless otherwise provided by fire service.
    - Working under the influence of alcohol or illegal drugs.
    - Possession, distribution, sale, transfer or use of or illegal drugs in the workplace alcohol while on duty or while operating employer-owned vehicles or equipment (unless for a bona fide work-related purpose).
    - Fighting or threatening violence in the workplace.
    - Sexual or other unlawful harassment, discrimination, or retaliation.
    - Using excessively abusive, threatening or obscene language including use of such language towards a fellow employee or member of the general public while performing duties as a City employee.
    - Inability to get along with fellow employees so that the work is hindered, not up to required levels, or the work of other's is sabotaged.

- Making malicious, false, or harmful statements or accusations about others.
- Dishonesty, including giving false information and lying to supervisors in connection to your job.
- Unauthorized disclosure or use of confidential information.
- Falsifying City records or reports, including one's time records or the time records of another employee.
- Violations of safety or property security rules, regulations, or procedures.
- Possession of dangerous or unauthorized materials, such as explosives, weapons, or firearms, in the workplace.

SUBJECT: NO HARASSMENT-NO DISCRIMINATION-NO RETALIATION

The City is committed to having a workplace environment free of unlawful harassment, discrimination and/or retaliation. The City does not tolerate harassment, discrimination or retaliation of our job applicants, contractors or employees by another employee, supervisor, vendor, customer, or any third party. Any form of harassment or discrimination on the basis of race, religious creed, color, age, sex, sexual orientation, national origin, ancestry, citizenship status, religion, marital status, disability, military service or veteran status, genetic information, on the basis of actual or perceived gender as expressed through dress, appearance or behavior, or any other classification protected by applicable federal, state, and local laws and ordinances is prohibited and will be treated as a disciplinary matter.

Harassment Defined. Harassment includes, but is not limited to remarks, jokes, written materials, symbols, paraphernalia, clothing or other verbal or physical conduct which may intimidate, ridicule, demean or belittle a person because of their race, religious creed, color, age, sex, sexual orientation, national origin, ancestry, citizenship status, religion, marital status, disability, military service or veteran status, genetic information, on the basis of actual or perceived gender as expressed through dress, appearance or behavior, or any other classification protected by applicable federal, state, and local laws and ordinances.

Harassment does not include the conduct or actions of supervisors intended to provide employee discipline, such as deficiency notices, performance evaluations, oral warnings, reprimands or other supervisory actions intended to promote positive performance.

Sexual harassment includes unwelcome: sexual advances; requests for sexual favors; and other verbal or physical conduct of a sexual nature, as well as behavior, remarks, jokes, or innuendos that intimidate, ridicule, demean, or belittle a person on the basis of their gender (regardless of whether the remarks are sexually provocative or suggestive of sexual acts). Harassment occurs when:

- Submission to and/or tolerance of the unwelcome conduct is explicitly or implicitly made a term or condition of a person’s employment;
- Submission to, tolerance of, and/or rejection of the unwelcome conduct is a basis for employment decisions; or

- The unwelcome conduct substantially interferes with a person's work performance and creates an intimidating, hostile, or offensive work environment.

While it is not possible to identify every act that constitutes or may constitute sexual harassment, the following are some examples of sexual harassment:

- Unwelcome requests for sexual favors;
- Lewd or derogatory comments or jokes;
- Comments regarding sexual behavior or the body of another;
- Sexual innuendo and other vocal activity such as catcalls or whistles;
- Obscene letters, notes, emails, invitations, photographs, cartoons, articles, computer programs, internet web sites, or other written or pictorial materials of a sexual nature;
- Repeated requests for dates after being informed that interest is unwelcome;
- Retaliating against another for refusing a sexual advance or reporting an incident of possible sexual harassment to the Organization or any government agency;
- Offering or providing favors or employment benefits such as promotions, favorable evaluations, favorable assigned duties or shifts, etc., in exchange for sexual favors; and
- Any unwanted physical touching or assaults or blocking or impeding movements.

Because it is difficult to define unlawful harassment, employees of the City are expected to behave at all times in a professional and respectful manner. Employees should be aware that harassment, discrimination and retaliation is unacceptable not only in the workplace but also in any work-related settings such as business trips and business-related social functions, regardless of whether the conduct is engaged in by a supervisor, co-worker, customer, vendor, or other third party.

The wearing or displaying (i.e., lunch boxes, bags, office items, or other similar personal property) of **symbols which may intimidate, ridicule, demean or belittle a person because of their protected status** (race, religious creed, color, age, sex, sexual orientation, national origin, ancestry, citizenship status, religion, marital status, disability, military service or veteran status, genetic information, on the basis of actual or perceived gender as expressed through dress, appearance or behavior, or any other classification protected by applicable federal, state, and local laws) while on City property or performing City work is not allowed.

<u>Reporting Harassment, Discrimination, or Retaliation</u>

Employees are responsible for bringing any form of harassment or discrimination to our attention.

All employees are responsible for helping to ensure that harassment and discrimination in the workplace are avoided. We cannot remedy claimed harassment, discrimination or retaliation unless you bring these claims to the attention of the City. Therefore, while no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment. Failure to report claims of harassment and/or retaliation prevents us from taking steps to remedy the problem. ***Failure to report acts of harassment is serious and may be grounds for disciplinary action, up to, and including termination of employment.***

If an employee experiences any problem of this sort, becomes aware of any other employee experiencing a problem of this sort, or has knowledge of any form of harassment or discrimination, sexual or otherwise, they must immediately report it to their supervisor, or directly to the Human Resources Director or Assistant Human Resources Director.

If an employee believes that it would be inappropriate to discuss the matter with their supervisor, they are uncomfortable/reluctant discussing the matter with their supervisor, or the complaint is against or involves their immediate supervisor, they may elect to bypass the supervisor and report the matter directly to the Department Leader or the Human Resources Director or Assistant Human Resources Director.

In addition, the City encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that his or her behavior is unwelcome and to request that it be discontinued. Often this action alone will resolve the problem. The City recognizes, however, that an individual may prefer to pursue the matter through complaint procedures.

Supervisors are required to immediately report all conduct they believe may violate this policy, whether they directly observe this conduct, or it is reported to them by an employee or another individual, directly to the Director of Human Resources, Assistant Director of Human Resources, or any member of management above their level.

Investigate

We will investigate thoroughly and promptly all claims of harassment or discrimination, ***WITHOUT CONSEQUENCE TO THE EMPLOYEE EXPERIENCING OR REPORTING THE CONDUCT***, so long as the report is made in good faith and the information provided is truthful to the best the employee's knowledge.

To the fullest extent practicable, the City will keep complaints, investigative records, and the results of the investigation confidential. If an investigation confirms that harassment has occurred, the City will take corrective action to effectively end the harassment. Responsive action may include, for example, training, referral to counseling or disciplinary action such as a warning, reprimand, withholding of a promotion or pay increase, reassignment, temporary suspension without pay, or termination, as the City believes appropriate under the circumstances.

Employees are required to cooperate with any investigation involving harassment and/or discrimination.

False and malicious complaints of harassment, discrimination or retaliation (as opposed to complaints that, even if erroneous, are made in good faith) may be the subject of appropriate disciplinary action.

No Retaliation. No employee will be subject to, and the City prohibits, any form of discipline or retaliation for reporting perceived violations of this policy in good faith, pursuing any such claim, or cooperating in any way in the investigation of such claims in good faith. If an employee

believes someone has violated this no-retaliation policy, the employee should bring the matter to the immediate attention of the Human Resources Director, Assistant City Manager, Deputy City Manager, or the City Manager.

SUBJECT: NO SEXUAL OR OTHER ABUSE

The City will not tolerate any form of sexual abuse or other abuse. This policy affirms the City's commitment to provide a safe place for citizens and customers, and for employees, and condemns clearly any instance of sexual or other abuse. This policy also affirms our commitment to provide a safe place for children, youth and vulnerable adults and condemns clearly any instance of sexual or other abuse of children, youth or vulnerable adults by our employees, volunteers and any other City representatives.

YOU HAVE THE RESPONSIBILITY TO BRING ANY FORM OF ABUSE OR INNAPROPRIATE ACTIVITY TO OUR ATTENTION.

Each employee and volunteer is responsible for helping assure that we avoid sexual or other abuse at the City. If you become aware of or suspect any problem of this sort, you must immediately report it to the Human Resources Director, your Department Leader, or the City Manager.

All employees, volunteers and any other City representatives are responsible for helping to ensure that we avoid actual or perceived instances of sexual or other abuse in City children, youth and vulnerable adults programs and otherwise. In order to avoid the potential for actual or perceived instances of sexual or other abuse of children in City children, youth and vulnerable adults programs, an employee, volunteer and any other City representative who works with or around children, youth and vulnerable adults:

- should not put him or herself in a one-on-one situation involving a child who is not their own;

- should not provide unwarranted gifts, trips, attention and affection to individual children who are not their own.

A thorough and prompt investigation will be conducted on all claims of abuse or inappropriate activity, WITHOUT REPRISAL TO THE PERSON REPORTING THE CONDUCT, so long as the report is made in good faith and the information provided is truthful to the best of your knowledge. The City will endeavor to keep complaints, investigations and resolutions confidential to the extent possible; however, the City cannot compromise its obligation to investigate complaints or to report instances of sexual or other abuse to the appropriate law enforcement authorities.

If an investigation confirms that abuse or inappropriate conduct has occurred, the City will take immediate corrective action, including discipline, up to and including termination of our relationship with the offending party as appropriate. However, if after investigating any complaint of abuse or inappropriate conduct, the City determines the complaint is not bona fide, and was not made in good faith, or that any person(s) has provided false information regarding

the complaint, disciplinary action may be taken against the person(s) who filed the improper complaint or who gave the false information.

VIOLATION OF THIS POLICY WILL SUBJECT YOU TO DISCIPLINARY ACTION UP TO AND INCLUDING IMMEDIATE DISMISSAL.

SUBJECT: NO VIEWING OR SAVING PORNOGRAPHY

The viewing or saving of pornography by employees, elected officials, or appointees on or to any device owned, leased, maintained, or otherwise controlled by the City is prohibited.

Employees of City of Kannapolis are prohibited from viewing pornography on any network of the City.

Definitions
Appointees means persons appointed by the City Council to serve on any board, commission, committee, authority or similar body created by the City Council or by statute.

Device means any cellular phone, desktop or laptop computer, or other electronic equipment capable of connecting to a network.

Network means any of the following, whether through owning, leasing, maintaining, or otherwise controlling: the interconnection of communication systems with a computer through remote or local terminals, or a complex consisting of two or more interconnected computers or telephone switching equipment; internet service; and internet access.

Pornography means any material depicting sexual activity with *material* and *sexual activity* to mean as defined in G.S. 14-190.13.

Policy exceptions: This shall not apply to an official or employee that is engaged in any of the following activities in the course of that official's or employee's official duties:

- Investigating or prosecuting crimes, offering or participating in law enforcement training, or performing actions related to other law enforcement purposes.
- Identifying potential security or cybersecurity threats.
- Protecting human life.
- Establishing, testing, and maintaining firewalls, protocols, and otherwise implementing this section.
- Participating in judicial or quasi-judicial proceedings.

Annually, no later than August 1 and in the format required by the State Chief Information Officer, the City's Director of Information Technology shall report information to the State Chief Information Officer on the number of incidences of unauthorized viewing or attempted viewing of pornography on the City's network; whether or not the unauthorized viewing was by an employee, elected official, or appointee of the City; and whether or not any of the unauthorized viewing was on a device owned, leased, maintained, or otherwise controlled by the City.

Violation of this Policy by an employee who is not an elected official or appointee shall constitute grounds for disciplinary action up to and including immediate dismissal. Any violation of this Policy by an appointee shall constitute grounds for removal of the appointee from office.

SUBJECT: DRUG AND ALCOHOL-FREE WORKPLACE

The City desires to provide a safe and healthy work environment for employees and the best service possible to citizens. To achieve these goals, the City has the following rules about the use, possession, and sale of drugs and alcohol by its employees.

The illegal or unauthorized use, being under the influence of, sale, distribution, or possession of narcotics, drugs, or controlled substances while on the job (on or off City property) will result in immediate disciplinary action, up to and including termination of employment. In addition, alcohol cannot be consumed on City property unless at an authorized social function sponsored by the City and approved by the City Manager, in which case consumption must be reasonable and responsible. The use of alcohol during working hours or reporting to work under the influence of alcohol is strictly prohibited.

The use of controlled substances prescribed to you by a licensed physician or are available over the counter is not prohibited by this policy. However, if a physician has prescribed medication that requires an accommodation or poses safety concerns, your supervisor or Human Resources should be notified to discuss the requested accommodations or safety concerns.

In addition to pre-employment screenings, the City conducts reasonable suspicion drug and alcohol tests, and post-incident. Employees in safety sensitive positions are subject to random drug tests. All such testing will be in compliance with federal and state laws as well as the procedures established by the City in the **Drug and Alcohol Free Workplace Policy** administrative document. Refer to this policy for details in the Risk and Safety Program policies.

Violation of this Policy will result in disciplinary action, up to and including termination. ***The City maintains a policy of non-discrimination and will endeavor to make reasonable accommodations to assist individuals recovering from substance and alcohol dependencies, as well as employees who have a medical history which reflects treatment for substance abuse conditions. However, employees may not request an accommodation to avoid discipline for a policy violation.***

SUBJECT: APPROPRIATE WORK ATTIRE & IDENTIFICATION BADGES

Employees are expected to present a professional image and be identifiable as a City employee at all times while at work.

<u>Identification Badges</u>

Identification badges are required to be worn by non-uniformed employees so that they are easily seen. All employees must have their identification badge available to display/show while working, if requested or necessary. If a lanyard is used for the identification badge, it must be a break-away lanyard for safety. If there is a personal safety concern, consult with Human Resources/Risk Management. Employees may be charged a payroll deduction fee for non-normal-wear-and-tear badge replacements.

Appropriate Attire

Because of our relations with citizens and customers, the public and the nature of public service, neatness and cleanliness are absolutely necessary at all times. Employees who do not require uniforms should dress conservatively, in good taste, and according to the requirements of their position. Clothing, footwear and overall appearance must be appropriate and safe for the environment, work duties, and work location for the day. Departments may have additional standards based on the business needs, environment, and nature of work; employees are expected to adhere to those additional or more stringent standards.

While relaxed, business casual work attire is acceptable in office and field settings on most workdays, representing the City in the community or other formal event/meeting settings may require different decisions about attire for the day. Business casual dress or Class B uniform is the *minimum* standard that must be observed when you are representing the City. Before the event, determine the accepted professional dress according to the audience, purpose of the event, and location.

Any staff member who does not meet the dress standards will be required to take corrective action, for example leaving the premises to change clothing. Any time missed because of failure to comply will be charged to accrued annual leave; if annual leave is not available, then the leave will be without pay. Supervisors are charged with setting the example for professional appearance in the workplace and enforcement of appropriate dress standards. If you have any questions about the proper attire for your work area, or require an accommodation for this appropriate dress policy, ask your supervisor or Human Resources.

Workplace attire guidelines cannot cover all contingencies; therefore, employees must use a certain amount of good judgment in their choice of work clothes; when in doubt, don’t wear the clothing item.

In addition, supervisors will address if poor hygiene, excessive perfume/cologne, or body piercings, or tattoos become an issue. Such conversations are to be held in private.

Uniforms

Uniform attire is appropriate if uniforms are provided and required. Employees must wear them in accordance with department uniform and safety guidelines.

Uniforms provided by the City serve to identify employees as City personnel, are not to be worn off duty (excluding personal errands to/from work or while on call), and are to be neat and clean.

The City will replace uniforms damaged as a result of job requirements or performance. Damaged uniforms must be reported to the supervisor immediately. If uniforms are damaged as a result of neglect or abuse, individuals may be required to replace the uniforms at their own expense.

Employees leaving City employment must turn in all uniforms; this excludes City branded apparel and SWAG items that were not issued as uniforms. The cost of uniforms not returned may be deducted from the employee's annual leave balance, final paycheck, or billed to the employee.

On call/emergency call back attire is at the discretion of the Department Head.

Accommodations

The City will endeavor to reasonably accommodate a staff member's sincere religious belief or practice or medical needs in terms of workplace attire unless doing so imposes an undue hardship on the City or pose a direct threat of substantial harm to the employee or others. An applicant or employee who believes he or she needs a reasonable accommodation should discuss the need with his or her supervisor or Human Resources. For assistance in determining if a request may be reasonably accommodated, management should contact Human Resources.

SUBJECT: PERSONAL VISITS, TELEPHONE CALLS, EMAILS, AND SOCIAL MEDIA

While the City values family life and seeks to provide a family-friendly environment for employees, we must recognize that the City's first priority is to serve the public while at work. To this end, frequent, excessive, or extended presence of children and personal visitors during work hours are inappropriate and not allowed. Likewise, frequent, excessive, or extended personal telephone calls, emails, use of social media, etc. are inappropriate, a misuse of work time, and not allowed during work time. Personal mail should be directed to your home and not to your City address.

Personal use of social media and posts should be on the employee's own personal electronic device, not the City's electronic device, and on the employee's own time. Additionally, employee's personal use of social media and posts should not represent their opinions or comments as that of the City of Kannapolis or as an official of the City of Kannapolis. We encourage you to write a disclaimer such as, "The postings on this site are my own and do not necessarily reflect the views of any other entity or person." The City shall consider on a case-by-case basis the impact of any social media posting's impact on the efficiency or integrity of operation of the City and may take action if the posting is in violation of the City's personnel policy, other City policies, or laws.

SUBJECT: TOBACCO USE

The City of Kannapolis proper resides within two North Carolina counties, Cabarrus and Rowan with City owned, leased, occupied, and operated properties in both Counties. Therefore, this City Tobacco Use Policy for all City employees works in conjunction with other tobacco use policies that may be in place for a particular work location/City property. Employees will always comply with the more stringent policy applicable to the work location.

For example, the use of tobacco products for local government buildings in Cabarrus County are regulated by the Cabarrus Health Alliance Rules. The use of tobacco products is prohibited by this Rule in Local Government Buildings and Transportation Vehicles. Definitions and Rule details are located at TobaccoRuleRevised1-13-2016. The North Carolina Research Campus is a tobacco free campus. Additionally, the use of tobacco is prohibited in Kannapolis City Parks as described in Chapter 12 – Parks and Recreation, Section. 12-36.

Use of tobacco, tobacco-derived, electronic and vapor products (including non-tobacco derived) by City employees is prohibited:

- In buildings and structures (unenclosed or closed) owned, leased, occupied or operated by the City;
- In City vehicles and when operating City equipment, which are owned, leased or otherwise controlled by the City;
- On City property/grounds owned, leased, occupied or operated by the City (excluding on City property leased to a third party while the employee is on that property during his/her personal/non-work time); and
- While performing duties including on customer or citizen property, where an employee is working.

Examples of these products include, but are not limited to, cigarette, cigar, pipe, chewing tobacco, snuff, dipping tobacco and electronic device/cigarette.

Departments are not required to make time available to allow employees to leave the workplace in order to use these products.

Individuals who smoke outdoors are responsible for not smoking in an area that may create a recognized fire or safety hazard, use outdoor ashtrays or other appropriate receptacles to discard their refuse, and should not litter the grounds.

Use of products approved by the FDA for sale as tobacco cessation aids, and are being marketed and sold for that purpose, are exempt from this policy.

The City will not discriminate against employees based on the lawful use of lawful products while off duty and off premises.

SUBJECT: OUTSIDE (SECONDARY) EMPLOYMENT

Administrative Note: Upon effective date of this policy, all current employees with outside or second jobs will be required to comply with this policy submitted the required written request within 60 days of the policy effective date.

The City recognizes some employees may need or want to hold additional jobs outside their employment with the City. Employees are permitted to engage in outside work or hold other jobs, subject to certain restrictions based on reasonable business concerns.

Outside or second jobs being held by a City employee should not conflict with or compromise, in any way, the position that the employee holds with the City. **All full-time City employees must submit written requests for outside employment, including self-employment (independent contractor), to the Supervisor and/or Department Head.** The Department Head will review such employment in consultation with the Human Resources Director (or designee). The request will be reviewed for possible conflict of interest, and the approval/denial documentation will be maintained by Human Resources.

Conflict of interest is defined as: (1) directly or indirectly affect their ability to make unbiased decisions or recommendations in the duties of their job with the City; or, (2) create the appearance of favoritism for any person or entity providing goods or services to the City; or (3) compromise their independent judgement regarding recommendations or choice of vendors or services that are provided to the City of Kannapolis; or, (4) violate any federal or state statute, City of Kannapolis charter or City of Kannapolis ordinance.

Any conflicts will be reported to the Human Resources Director for final determination.

Outside employment-related activities and conduct away from the City must not compete with, conflict with or compromise the City's interests or adversely affect job performance and the ability to fulfill all responsibilities to the City. Employees may not solicit or conduct any outside employment/business during work time for the City or use any City tools, materials, goods, equipment or technology to conduct outside employment/business.

Employees must carefully consider the demands that additional work activity will create before accepting outside employment. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work overtime or different hours. If outside work activity causes or contributes to job-related problems, the employee will be asked to discontinue the outside employment, and the employee may be subject to the normal disciplinary procedures for dealing with the resulting job-related problem(s).

Employees may not use paid sick leave to perform work for another employer.

Outside employment is prohibited while an employee is on a paid or unpaid leave of absence for his/her own sickness or disability where benefits may be maintained.

Any employee violating the provision of this section shall be subject to disciplinary action up to and including dismissal.

SUBJECT: POLITICAL ACTIVITY

The City encourages an employee to exercise civic responsibility in supporting good government practices at all levels by voting for the political candidates and issues of his/her choice.

An employee may join or affiliate with political organizations, may attend political meetings and may advocate and support political principles and policies in accordance with the Constitution and laws of the State of North Carolina and of the United States of America.

However, an employee shall not:

- Engage in political activity while on duty, through phone calls, e-mails, letters, meetings, social media, etc.;

- Be required to contribute funds or support for political or partisan purposes as a condition of employment, pay raise, promotion or tenure of office;

- Use official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office;

- Use City-owned supplies, equipment or facilities to prepare or display political slogans, posters or stickers and the like or for any other political purpose; and

- Shall not hold a political office for the City.

In addition to the above prohibitions, employees subject to the Hatch Act (certain federally aided programs) may not be candidates for elected office in a partisan election.

Any violation of this section shall be considered a failure in personal conduct and shall subject an employee to disciplinary action up to and including dismissal.

Policy exception: With the approval of the City Manager, an exception shall be allowed when the subject (not a person running for office) of an election has received the endorsement and support of the City Council (e.g. bond issue).

SUBJECT: SOLICITATIONS

To maintain efficient and safe operations and to encourage employees to give their full attention to their jobs, the City must limit solicitation and distribution of literature on City premises and via City electronic devices and networks.

With the exception of United Way and other City approved activities, peddling or soliciting for sale or donation of any kind on City of Kannapolis premises during normal working hours is not allowed. Exceptions may be granted by the City Manager. This policy applies to both City employees and non-employees. Working hours include the working time of both the employee doing the soliciting or distributing, and the employee to whom such activity is directed.

Employees are free to discuss these matters before or after normal working hours, and during lunch or rest periods in non-work areas. This policy is not intended to restrict any lawful employee rights.

Outside vendor or third-party solicitation/sales requests should be directed to the Finance Department (purchasing).

SUBJECT: CONFLICTS OF INTEREST

This policy is not all-encompassing in its definition of conflicts of interest. When conducting City business and the duties of their respective jobs, as public stewards City employees are to use the “prudent person” rule as a guideline for making decisions using the principles of common sense and reasonable risk. The prudent-person rule sets a reasonable expectation that the person will make rational, intelligent decisions when making decisions on behalf of the City.

No City of Kannapolis employee shall engage in any act which is in conflict or creates an appearance of unfairness or conflicts with the performance of official duties.

No public officer or employee who is involved in making or administering a contract on behalf of the City may derive a direct benefit from the contract except as provided in N.C.G.S.14-234(b), or as otherwise allowed by law.

A public officer or employee who will derive a direct benefit from a contract with the City, but who is not involved in making or administering the contract, shall not attempt to influence any other person who is involved in making or administering the contract.

No public officer or employee may solicit or receive any gift, favor, reward, service, or promise of reward, including a promise of future employment in exchange for recommending, influencing, or attempting to influence the award of a contract by the City.

Recognizing that personal friendships often precede and can evolve from official contact between employees and persons engaged in business with the City, reasonable exceptions to this section are permitted for those occasions which are social in nature and are not predicated on the employee’s ability to influence, directly or indirectly, any matter before the City.

See also the City’s Purchasing Policy administered by the Finance Department for additional guidance and policies.

SUBJECT: GIFTS, GRATUITIES, AND HONORARIUMS

In compliance with N.C.G.S. 133-32, it shall be unlawful for any officer or employee of the City who is charged with the duty of:

1. Preparing plans, specifications or estimates for public contracts;

2. Awarding or administering public contracts; or

3. Inspecting or supervising construction to willfully receive or accept gifts or favors from any contractor, subcontractor or supplier prohibited by N.C.G.S. 133-32 from making such gifts or favors.

This section is not intended to prevent the gift and receipt of honorariums for participating in meetings, advertising items or souvenirs of nominal value (valued at less than $50), or meals furnished at banquets. This section is not intended to prevent any contractor, subcontractor or supplier from making donations to professional organizations to defray meeting expenses where City employees are members of such professional organizations, nor is it intended to prevent

City employees who are members of professional organizations from participating in all scheduled meeting functions available to all members of the professional organization attending the meeting. This section is also not intended to prohibit customary gifts or favors between employees or officers and their friends and relatives or the friends and relatives of their spouses, minor children, or members of their household where it is clear that it is that relationship rather than the business of the individual concerned which is the motivating factor for the gift or favor.

Speeches and presentations which are related to City Services delivered by City employees to community and professional organizations are made without charge. If an organization wishes to give an honorarium or contribution for such a presentation, the remuneration must be made to the City, not to the individual employee. An honorarium or contribution for a speech or other presentation made by a City employee to a group outside the City, either during working time or for which the City provided travel expenses, will also be made to the City. Such contributions and honorariums shall be turned over to the Finance Director for disposition.

All gifts knowingly made or received are required to be reported to the Department Head if the gifts are made by a citizen/customer, contractor, subcontractor, or supplier doing business or desiring to do business directly or indirectly with the City to ensure policy compliance, conflicts of interest do not arise, and upholding ethical public steward standards.

SUBJECT: USE OF CITY PROPERTY AND EQUIPMENT

No employee of the City shall request, use, or permit the use of City owned vehicles, clothing, equipment, material, or other property for unauthorized personal convenience for profit, for private use, or as part of secondary employment. Use of such City property is to be restricted to such services as are available to the City generally and for the conduct of official City business.

Employees are responsible for taking proper care of all City property and equipment that they are entrusted with. Employees are not permitted to alter or modify city property or equipment for personal expression such as affixing stickers or similar to City issued headgear, technology equipment, and all other City property and equipment without the express written permission of the department head.

No individual shall operate a City vehicle except as is required for the conduct of official City business. An individual that is not a City employee will not be allowed to *operate* a City vehicle without prior approval or contract agreement. No non-employee passengers may be transported in a City vehicle except as required for official duties or as approved by the Department Director or the employee's supervisor if the request is from a Department Director or above.
Employees are responsible for the IRS tax liability imposed for commuting in vehicles that do not fall with the IRS categories of non-personal use. The Administrative Procedure: Vehicle Use Procedures describes use requirements in detail.

Employees leaving City employment must turn in all City owned/issued equipment. The cost of equipment not returned may be deducted from the employee's annual leave balance, final paycheck or billed to the employee.

Employees are responsible for adhering to all aspects of this policy and are subject to be audited and disciplined for non-compliance.

SUBJECT: TECHNOLOGY AND ELECTRONIC COMMUNICATIONS

The City of Kannapolis utilizes technology resources for business purposes in serving the interest of City residents. Technology resources are the property of the City of Kannapolis and include, but are not limited to, computer equipment, software, software as a service, operating systems, storage media, telephone equipment, wireless/portable equipment, office equipment, email, voice mail, network access, infrastructure as a service and associated systems, networks, equipment, and their various derivatives whether on premise or in the cloud. Technology resources and their use are subject to NCGS § 132 Public Records Law and may be monitored, reviewed, and analyzed for business purposes and compliance. Digital communications governed by the public records retention policy can only be conducted by approved methods on approved devices. The City of Kannapolis Technology Appropriate Use administrative policy describes requirements in detail.

SUBJECT: DISCIPLINARY ACTION

General Purpose

It is important to understand that employment with the City of Kannapolis is "at will". This means an employee may leave City employment at his/her own discretion. Likewise, an employee may be relieved of his/her duties at the City's discretion. However, the City tries to ensure that disciplinary actions are fair, equitable and consistent without regard to factors protected under applicable law.

Duties and Responsibilities

While it is desirable that all employees strive to achieve the highest success in their jobs, it is the responsibility of each employee to maintain at least an acceptable level of job performance and conduct. It shall be the duty of employees to comply with and to assist in carrying out the provisions of the Personnel Policy, administrative policies and procedures, and departmental level policies and procedures.

It is the duty of all supervisory personnel to promptly discuss improper or inadequate performance with employees so as to correct deficiencies during the ongoing performance feedback and coaching process; this includes documented oral warnings to correct minor work deficiencies and is not considered a disciplinary action. It is the responsibility of the employee's supervisor to notify the employee of his/her unsatisfactory work or conduct, and what corrective measures must be taken for the work or conduct to be satisfactory.

All disciplinary actions involving demotion or dismissal require City Manager approval.

An employee may be suspended by their Department Head (or designee) with consultation with the Human Resources Director (or designee) for causes related to personal conduct determined

to be detrimental to city service (1) in order to avoid undue disruption of work, (2) to protect the safety of persons or property, or (3) for other serious reasons.

Disciplinary Procedures

Disciplinary action may occur when the unacceptable performance/conduct is at a level of severity or frequency deemed inappropriate to the best interests of the City. When circumstances permit, discipline should ordinarily be of an increasingly progressive nature for each successive instance of employee misconduct but is not required. Discipline should ordinarily be documented in the employee's personnel record.

In recognition of the fact that each instance of misconduct differs in some respect and that the severity of an individual situation may warrant no progressive discipline, the City has a right to treat each occurrence individually without setting a precedent for future cases. The disciplinary procedures are not to be construed as a limitation of the City's right to take any form of disciplinary action, including dismissal, when deemed appropriate.

Types of disciplinary action may include written warning, disciplinary suspension without pay, reassignment, demotion, and dismissal.

The original copy of the written notice of any disciplinary action is to be placed in the employee's personnel file and a copy must be given/emailed to the employee. The supervisor responsible for the final decision shall issue the written notice to include the specific acts or omissions that are the basis of the action and the employee's right of appeal.

Administrative note: The City typically utilizes electronic workflow process for numerous employee actions, including the documentation of disciplinary actions and procedures. Departments are required to use such electronic workflow processes and are to contact Human Resources for assistance.

Written Warning/Reprimand – If, due to the seriousness or repetition of the work performance deficiency, the supervisor may issue a written reprimand after consultation with the Department Head. The reprimand should ordinarily include the nature and date of the offense; the corrective action needed by the employee; and a notice to the employee that continued unsatisfactory performance may result in dismissal. The employee should be requested to sign the reprimand to acknowledge that he/she has seen the reprimand, not that he/she agrees or disagrees with its contents. If the employee refuses to sign the acknowledgement, then the supervisor and one other witness shall note on the reprimand that the employee received a copy thereof and refused to sign it. A copy of the reprimand should be placed in the employee's personnel file.

Disciplinary Suspension – An employee who is suspended for disciplinary reasons shall be temporarily relieved of all duties and responsibilities and shall receive *no compensation*, including pay for accumulated vacation and sick leave, for the period of suspension. Disciplinary suspension shall be for no less than one workday or shift, but normally not more than ten full workdays or shifts.

A written reprimand from the supervisor or Department Head must be issued to the employee, with a copy placed in the employee's personnel file. The reprimand should be reviewed by the Human Resources Director. The written reprimand/suspension should indicate:

- The reasons for the disciplinary action; and
- The employee's right of appeal under the grievance procedure.

In rare situations, a disciplinary suspension by the Department Head (or designee) may occur immediately and without notice in order to avoid undue disruption of work, to protect the safety of persons or property, or for other serious reasons. When a Department Head suspends an employee immediately, he/she shall tell the employee to leave City property at once and remain away for the specified time. The Department Head will immediately notify the Human Resources Director (or designee). Additional disciplinary action may be taken in such cases if deemed appropriate.

Demotion - Demotion may be used in those instances where an employee has been promoted to a position where they are unwilling or unable to perform the responsibilities of that position. Demotion is not to be used as a substitute for dismissal, when dismissal is warranted. See also Compensation Policies section of this Policy.

Dismissal – An employee may be dismissed due to the frequency or nature of work deficiencies, misconduct, or because of continued substandard performance. Also, violations of such a degree that continued employment of the individual may not be desirable may be grounds for immediate dismissal without prior disciplinary actions.

Immediate removal of an employee from the job site pending review for dismissal may be warranted in instances involving serious insubordination, theft, serious illegal or destructive acts while on the job, or other substantial reasons deemed appropriate by the City Manager.

A non-probationary employee who is dismissed should normally be granted a pre-dismissal conference as outlined below.

Last Chance Employment Agreements

In lieu of terminating employment of an employee for serious violations of City policies, procedures and rules and for other inappropriate behavior or conduct, the City reserves the right to offer the employee a final opportunity to continue employment.

A last chance agreement is an agreement between the City and an employee setting out the terms the employee must comply with to remain employed. The agreement may include a period of leave without pay beyond the unpaid disciplinary suspension period in which the employee must meet certain requirements, take specific actions, or participate in and successfully complete specific standards, education programs, counseling, or any other steps deemed appropriate for the situation in order for the employee to remain employed with the City.

Non-disciplinary suspension for investigatory purposes (Administrative Leave)

Investigatory suspensions may be used to allow time to investigate, establish facts and reach a decision concerning an employee's status in those cases in which it is determined the employee should not continue to work pending a decision, to provide time to schedule and hold a pre-dismissal meeting, to avoid undue disruption of work, or to protect the safety of persons or property. A non-disciplinary suspension for investigatory purposes may be with or without pay or a combination of the two. Typically, the first day of non-disciplinary suspension for investigatory purposes will be paid and continuance of (or decision of) the pay status will be determined with City Manager (or designee) approval and consultation with the Human

Resources Director (or designee). If the allegation proves false or if no disciplinary or other action is taken based on the results of the investigation, the employee will return to active work status without loss of pay and benefits.

An investigatory suspension usually should not exceed 45 calendar days. However, a Department Head may, with City Manager (or designee) approval and consultation with the Human Resources Director (or designee), extend the period of investigatory suspension without pay beyond the 45-day limit. The employee must be informed in writing of the extension, the length of the extension and the specific reasons for the extension. A copy of the above communication shall be sent to the Human Resources Director. If no action has been taken by management by the end of 45 calendar days, and no extension has been made, one of the following must occur: return the employee to active work status with full back pay and benefits or take appropriate disciplinary or other action based on the results of the investigation and/or a pre-discipline conference.

Note: See Leave Policies Administration Rules for guidance on shutting off City network access to any employee that is approved or placed on any type or combination of leaves for thirty (30) continuous days or more. This is applicable to non-disciplinary suspension for investigatory purposes when it is continuous for thirty (30) days or more.

Pre-dismissal conference

A pre-dismissal conference shall be held between management representatives and the employee.

Pre-dismissal conference notice: A statement of employee conduct and/or performance issues and notification of time and place of the pre-dismissal conference shall be provided twenty-four (24) hours in advance of conference. Once the employee is given this notice, the supervisor typically places the employee on paid Administrative Leave until the conclusion of the pre-dismissal conference; prior City Manager approval is not required.

No attorneys or other such representatives for either party shall be present at this conference; a witness or security personnel may be present if management deems this is necessary. The Human Resources Director or designee shall attend to monitor the pre-discipline conference process and will typically record the conference.

During the pre-dismissal conference, the City representative (usually the employee's supervisor) shall present to the employee and the City's pre-dismissal representative (usually the department head) with the specific reasons for the proposed dismissal and a brief summary of the information which is believed to support the dismissal. The employee shall have a right to respond to the written notice of proposed action in the conference.

After the end of the conference, the City's pre-dismissal representative responsible for the final decision/recommendation to the City Manager on the proposed action should review and reflect on the information provided in the conference and make a recommendation to the City Manager no sooner than the next day and no later than five working days. He/she shall present the employee with a letter notifying the employee of the action with City Manager approval. However, the City's pre-dismissal representative or City Manager may elect to defer the action, reconsider the entire issue, or initiate a disciplinary action less severe than recommended. If,

following deferral or reconsideration, the decision is to take the proposed action, then no further conference is required.

The employee must be given written notice of any disciplinary action. The City representative responsible for the final decision/recommendation to the City Manager shall issue a written notice to include the specific acts or omissions that are the basis of the action and the employee's right of appeal.

A pre-dismissal conference shall not be held under the following circumstances:

- When the employee is physically unable to attend a conference.
- When the employee waives the conference either through expressed intent or implied actions.
- When to conduct a conference would otherwise not be practical.

When a conference is not held as set forth above, the City's pre-dismissal representative responsible for the final decision/recommendation to the City Manager on the proposed action should review and reflect on all information available and render a decision no sooner than the day following the decision not to conduct the conference and no later than five working days from the decision not to conduct the conference is made. In rare circumstances if a decision has not been made in five working days, the City Manager may recommend an extension; the employee must receive notice of the extension. If the City representative determines that a disciplinary action is justified, he or she shall present the employee with a letter notifying the employee of the action. However, the City representative may elect to refer the action, reconsider the entire issue, or initiate a disciplinary action less severe than recommended.

Grievance or Appeal

Employees, excluding probationary, have a right to appeal any disciplinary action (see types of disciplinary actions defined in this Policy above). Refer to the Grievance Procedure in the Policy.

SUBJECT: GRIEVANCE PROCEDURE

General Purpose

The City of Kannapolis desires to resolve employee complaints and grievances in a fair and equitable manner.

Employees whose grievances result from work situations deserve and have the right to submit such grievances for orderly resolution with complete freedom from discrimination, coercion, recrimination, restraint, or reprisal including when appearing as a witness, or in seeking information in accordance with these procedures. Should these principles be violated, the facts should be brought to the attention of the Human Resources Director or City Manager by the appellant, the appellant's representative or the person affected so that the appropriate remedial action may be taken.

The resolution of grievances promotes more effective employer/employee relationships and is in the best mutual interests of all affected parties.

It is the responsibility of supervisors at all levels, consistent with the authority delegated to them, to consider and take appropriate action promptly and fairly on a grievance of any employee.

The purposes of the grievance procedure include, but are not limited to:

- Providing employees with a procedure by which their complaints can be considered promptly, fairly, and without reprisal;
- Encouraging employees to express themselves about the conditions of work which affect them as employees;
- Promoting better understanding of policies, practices, and procedures which affect employees;
- Increasing employees' confidence that personnel actions taken are in accordance with established, fair, and uniform policies and procedures;
- Increasing the sense of responsibility exercised by supervisors in dealing with their employees;
- Encouraging conflicts to be resolved between employees and supervisors who must maintain an effective future working relationship, and therefore, encouraging conflicts to be resolved at the lowest level possible of the chain of command; and
- Creating a work environment free of continuing conflicts, disagreements, and negative feelings about the City or its leaders, thus freeing up employee motivation, productivity, and creativity.

The City has established the following procedures for the administration and resolution of grievances.

Coverage

The provisions of this procedure shall apply to all City employees, except the City Manager and City Attorney.

Definition of a Grievance

Grievance shall be defined as a complaint or dispute by an employee relating to his/her employment, including but not limited to:

- Disciplinary or adverse actions involving dismissals, demotions, suspensions, reduction in pay, involuntary transfer, or lay off;
- An event or condition which affects the circumstances under which an employee works;
- Allegedly caused by misrepresentation, unfair application, or lack of established policy pertaining to employment conditions;
- Alleged safety or health hazards, unsatisfactory physical facilities, surroundings, materials or equipment;
- Alleged unfair or discriminatory supervisory or disciplinary practices, unjust treatment by fellow coworkers, unreasonable work quotas;

- Acts of reprisal as the result of utilizing the grievance procedure;
- Complaints of discrimination, harassment or retaliation; or
- Any other grievance relating to conditions of employment.

Employees are advised that the following items are not subject to the grievance procedure:

(1) Conditions of employment, law, policy, wages, salaries, and fringe benefits established by City Council.

(2) However, the application or interpretation of the items listed above are subject to the grievance procedure. If there is a question whether or not an employee's concern is clearly a grievance, the Human Resources Director will contact the City Attorney who has full and final authority to settle this question.

In addition, it is to be understood that the establishment of this procedure shall in no way remove the right of the City government to do the following, provided that none of these rights may be exercised in an arbitrary or capricious manner:

(1) Direct the work of its employees.

(2) Hire, promote, transfer and assign employees.

(3) Demote or dismiss employees for cause.

(4) Maintain the efficiency of governmental operations.

(5) Relieve employees from duty because of a lack of work or for other legitimate reason.

(6) Take actions necessary to carry out duties of an agency in emergencies.

(7) Determine the methods, means and personnel necessary to carry out operations.

(8) Establish department work rules.

Procedure

All grievable employment disputes will be administered in the specified manner and will ordinarily be processed within the stated time limits. Failure by the employee to process a complaint within the stated time limits, or agreed upon extension, shall constitute termination of the complaint.

Nothing in this grievance procedure is intended to create an expressed or implied agreement that alters the employment at-will relationship that exists between the City and the employee, nor does it provide or vest any employee with any due process or procedural rights prior to the imposition of disciplinary action or dismissal.

If an employee has any question as to which step of the procedure, he/she should initiate his/her grievance, he/she should contact Human Resources for direction.

In the case of an unlawful workplace harassment complaint involving a supervisor or leader in the employee's chain-of-command, the employee may skip any of these steps,

reporting the matter directly to the Department Head or the Human Resources Director. Please see the City's No Harassment/No Discrimination/No Retaliation section within this Personnel Policy.

Informal Resolution: Prior to the submission of a formal grievance, the employee and supervisor are encouraged to meet to discuss the problem and seek to resolve it informally. Either the employee or the supervisor may involve the respective Department Head as a resource to help resolve the grievance. In addition, the employee or supervisor may request mediation support through Human Resources. Mediation may be used at any step in the process when mutually agreed upon by the employee and relevant City supervisor or Department Head. Mediation is the process where a neutral party assists the parties in conflict with identifying mutually agreeable solutions or understandings.

The response from the supervisor for each step in the formal grievance process outlined below shall be in writing and signed by the supervisor. The responder at each step shall send copies of the grievance and response to the Human Resources Director.

Step One: An employee who has a grievance should present the problem to his/her immediate supervisor in writing. The employee must present his/her initial grievance to his/her immediate supervisor within fifteen (15) calendar days of the complaint occurrence or of the time of learning of its occurrence. The immediate supervisor should and is encouraged to consult with any employee deemed necessary to reach a correct, impartial, and equitable determination and should respond to the employee in writing within fifteen (15) calendar days.

Step Two: If the employee is not satisfied with the response of the immediate supervisor from Step 1, or if the employee does not receive a response within the time frame specified, the employee may file, within ten (10) calendar days, a written grievance with his/her Department Head. The Department Head should respond to the employee within fifteen (15) calendar days after receiving the employee's written grievance. The Department Head may request additional information from the employee and/or schedule a meeting with the employee to obtain additional information related to the grievance.

Step Three: If the employee is not satisfied with the response of the Department Head, the employee may file, within fifteen (15) calendar days of receipt of the Department Head's response, a request for review by the City Manager. In this case, the City Manager shall hear the grievance and shall provide a written decision with regard to the grievance within fifteen (15) calendar days. The City Manager may postpone issuance of the decision for up to 30 additional days to further investigate, consult with the City Attorney, or seek advice from other responsible sources.

In providing the written decision to the grievant, the City Manager may seek the advice and consent of the City Attorney or other legal counsel to examine all ramifications and liabilities that may be associated with the decision. All decisions made by the City Manager are final.

In the case of a Department Head filing a grievance or a direct report of the City Manager, the City may wish to obtain a neutral outside party to act as a mediator to assist in resolving the conflict.

Role of the Human Resources Director

Throughout the grievance procedure, the roles of the Human Resources Director are as follows:

- To advise parties (including employee, supervisors, and City Manager) of their rights and responsibilities under this policy, including interpreting the grievance and other policies for consistency of application;
- To be a clearinghouse for information and decisions in the matter including maintaining files of all grievance documents;
- To give notices to parties concerning timetables of the process, etc.;
- To facilitate the resolution of conflicts in the procedures or of the grievance at any step in the process; and
- To help locate mediation or other resources as needed.

Grievance and Adverse Action Appeal Procedure for Discrimination

When an employee, former employee, or applicant, believes that any employment action discriminates illegally (i.e. is based on age, sex, race, color, national origin, religion, creed, political affiliation, or non-disqualifying disability, genetic information, or veteran status except where specific age, sex, or physical requirements constitute a bona fide occupational qualification), he/she has the right to appeal such action using the grievance procedure. While such persons are encouraged to use the grievance procedure, they shall also have the right to appeal directly to the Human Resources Director or City Manager. Employment actions subject to appeal because of discrimination include promotion, training, classification, pay, disciplinary action, transfer, layoff, failure to hire, or termination of employment. An employee or applicant should appeal an alleged act of discrimination within thirty (30) calendar days of the alleged discriminatory action or within thirty (30) calendar days the date he/she should have become aware of it.

Other Remedies Preserved

The existence of the grievance procedure does not preclude any individual from pursuing any other remedies available under law.

No part of the above procedure shall be in conflict or violation of state or federal laws and regulations.

No punitive action shall be carried out against the employee for utilizing the grievance procedure outlined above.

Back Pay Awards

Back pay and benefits may be awarded to reinstated employees in suspension, demotion, dismissal, and discrimination cases

SUBJECT: POSITION CLASSIFICATION PLAN

It is the policy of the City to assign jobs with similar duties and responsibilities to the same pay level. The most recently adopted "Classification Plan of the City of Kannapolis" shall be the classification plan of the City.

The City Manager, with City Council approval, shall make all assignments of positions to classes and of classes to pay grades. The Plan shall become effective upon City Council approval in accordance with NCGS 160A-162.

The City Manager is authorized to reclassify positions and approve position title changes if the need arises with the following limitation. Upon analysis and recommendation from the Human Resources Director, position classifications currently on the position classification schedule can be modified up to a two-pay grade change and approved by the City Manager providing budgetary allocations are available. Any additional changes must be approved by City Council.

The Human Resources Director, under the direction of the City Manager, shall be responsible for the administration of the Plan and for interpreting the appropriate application of the Plan to situations not specifically covered.

Maintenance of the Plan

The Director of Human Resources shall be responsible to the City Manager for the administration and maintenance of the position classification plan so that it accurately reflects the duties performed by employees in the classes to which their positions are allocated. Human Resources will conduct periodic studies of various jobs when there is an indication the employee is working above or below the established responsibilities for that position. These studies are normally initiated at the request of the department in conjunction with the annual budget process.

Classification of New Positions

New positions shall be established upon recommendation of the City Manager with approval of City Council. The City Manager may (1) allocate the new position to the appropriate class within the existing classification plan or (2) recommend that the City Council amend the position classification plan to establish a new class to which the position may be allocated.

SUBJECT: COMPENSATION PLAN

It is the policy of the City and the purpose of this plan to establish a compensation system that will allow the City to effectively compete for qualified personnel and to ensure that pay is equitable and commensurate with the duties performed by each employee. The compensation plan shall consist of a Pay and Classification Plan schedule containing a series of pay ranges, each range having a minimum, midpoint, and maximum. The plan shall be adopted by the City Council.

Human Resources is responsible for the continuous maintenance and administration of the City's Compensation Plan. Periodic reviews will include an analysis of prevailing rates of pay for similar positions in comparable labor markets, organizations, cost-of-living factors, budgetary

considerations, and other related factors. On the basis of this information, the City Manager shall recommend to the City Council changes to keep the plan current, uniform and equitable. Such changes shall be approved by the City Council and are typically submitted in the annual budget to the City Council.

Definitions

Date of hire shall mean the effective date of the individual's employment with the City.

Hire date refers to the anniversary of the original date of employment for the purposes of calculating length of continuous service.

Pay effective date shall mean the most recent date of hire, classification change from part time to full time, promotion or demotion. A regular employee who is promoted, demoted, or hired to a full-time position will have his/her pay effective date change to the effective date of the promotion, demotion, or position status change.

There will be no change in an employee's pay effective date in the following instances: reallocation of an employee's position to a new classification when there have been no recent, abrupt and/or significant changes in assigned tasks and responsibilities, lateral transfers or reclassification.

Pay Range refers to the minimum and maximum pay for a given pay grade to which given position classifications are allocated and includes a hiring range and midpoint. Along with the pay grade, this signifies the pay range authorized for the position.

Performance Rating is a numerical score with a rating name and description that defines the overall level of job performance in the performance rating scale. The evaluated work dimensions/competencies are outlined in the current performance evaluation document.

Administration of Pay and Benefits

With adoption of the annual budget, City Council approves budgetary allocations designated for City personnel pay and benefits. Within these annual allocations, the City Manager is charged with the responsibility and administrative flexibility to administer this budget allocation for pay and benefits in a manner that maintains service levels and improves the productivity and efficiency of City employees.

The pay plan is intended to provide equitable compensation for all positions reflecting the differences in duties, responsibilities, and qualifications; the comparable rates of pay for positions in private and public employment in the area; the financial condition of the City; and other factors. The pay plan of the City of Kannapolis shall be administered in a fair and systematic manner in accordance with work performed. The pay plan shall be externally competitive, shall maintain proper internal relationships among positions, and shall recognize performance as the basis for pay increases within the established salary range.

Pay At Hire

Employees are typically employed at the minimum rate of their assigned pay range. The minimum rate for each class is based upon the assumption that a new employee meets the minimum qualifications. Exceptions may be granted upon the recommendation of the Director of Human Resources with approval of the City Manager in the following cases:

(a) If it becomes necessary to appoint a new employee of lesser qualifications, the new employee should be appointed as a trainee for six months at the minimum of the range that is one pay grade below the minimum rate for the class. Trainees should be reviewed at the end of six months to determine if they are qualified to assume full responsibilities for the position.
(b) If a new employee more than meets the minimum qualifications and will not accept appointment at the minimum rate of the class, they may be appointed up to 15% above the minimum of the range or in unusual cases at a higher level of pay commensurate with the employees qualifications. Final approval of the exceptions rests with the City Manager.

Pay Changes

Pay changes are effective on the first day of the pay period (action effective date). Increases are subject to funding by the City Council in the annual budget or in amendments to the budget except for those that lie within the discretionary authority of the City Manager.

Performance (Merit) Pay Increases

March 1, 2025 – February 28, 2026: Pay increases will be based on City Manager recommendation to City Council and not tied to performance.

Beginning March 1, 2026, the following new policy on performance (merit) pay increases will become effective and the above current policy will be removed from the Personnel Policy at that time.

Increases shall be granted on the basis of performance only. All regular non-probationary employees' (this excludes temporary/seasonal employees) performance is evaluated on an annual basis.

Performance pay increases are not automatic and are awarded based on individual performance and the merit increase table published in written administrative procedures. Once the amount of funding has been determined, merit pay increases will be awarded based on performance upon the employee's overall annual performance evaluation rating. The performance pay increase scale for each of the overall annual performance evaluation ratings is established by the City Manager in conjunction with the Human Resources Director's recommendations. The annual scale is determined by considering the following factors:

- Consumer Price Index (CPI)
- Inflation Rate
- Merit Increases Occurring in the Market and Surrounding Communities
- Private Sector

- Additional Percentage Dependent Upon the Budget

Funding for performance increases is contingent upon Council approval. Generally, award amounts are announced after the approval of the annual budget.

Note: If an employee was absent from work for a significant portion of the performance year (more than 3 months), this may be considered when determining if the employee receives a prorated performance/merit pay increase for the year in like fashion as applied to probationary employees. In all situations the Human Resources Director must be consulted in this determination to ensure compliance with applicable employment-related laws.

Performance (Merit) Pay Bonus

March 1, 2025 – February 28, 2026: Pay bonuses will be based on City Manager recommendation to City Council and not tied to performance.

Beginning March 1, 2026, the following new policy on performance (merit) pay bonuses will become effective and the above current policy will be removed from the Personnel Policy at that time.

Employees who are at the maximum amount of the pay range for their position classification are eligible to be considered for a performance pay bonus. The employee's overall annual performance evaluation rating must be at least at "Achieving" to be eligible for a performance pay bonus. Based upon the employee's overall annual performance rating, an eligible employee may receive merit pay bonus in an amount based upon the current year's merit scale. The merit bonus pay shall be paid in a lump sum on the same pay date of all other annual merit pay increases are awarded to eligible employee, provided City Council has approved such funding for the fiscal year. Merit incentive pay shall be a one-time payment and will not increase the employee's base salary.

Note: If an employee was absent from work for a significant portion of the performance year (more than 3 months), this may be considered when determining if the employee receives a prorated performance (merit) pay bonus for the year in like fashion as applied to probationary employees. In all situations the Human Resources Director must be consulted in this determination to ensure compliance with applicable employment related laws.

Market Adjustments

The City Council shall, based on the recommendation of the Director of Human Resources and the City Manager, adjust base pay amounts and/or the minimums and maximums of the pay grade ranges in recognition of the need for a market adjustment or when other conditions exist which warrant a general pay adjustment.

Market adjustments to the range will be considered annually and rounded down to the nearest one-half percent of the economic indicators used.

Other market adjustments to an employee's base pay shall be based on the results of pay analysis. The percentage increase in pay shall be at the recommendation of the City Manager and approval of City Council.

Recommended market rate adjustments shall be applied to positions classified as regular (2A, 2B, and 2C). Employees in a probationary and regular status assigned to such positions are eligible for such market adjustments.

Discretionary Bonus/Awards

The City uses formal recognition programs, including discretionary monetary and nonmonetary awards to motivate and retain valued employees who provide exemplary. These programs are intended to reward staff employees whose achievements have resulted in a particular benefit to the City.

The City Manager may authorize signing, retention, or employee recognition of significant accomplishment bonuses at his/her discretion when recommended in writing and with justification by the Department Head and Human Resources Director review.

Typically, these are lump-sum bonuses (or spread across multiple installments) expressed in flat amounts (non-salary percentage based) or non-monetary awards such as vacation or other leave, recognition awards, points redeemable in the Kannapolis NC 360 Recognition program for merchandise or Kannapolis branded items, career development opportunities or similar. Such awards may be taxable in accordance with IRS guidelines. Funding is subject to the annual budget approved by City Council.

Examples of significant accomplishments include but are not limited to: (1) meeting assigned performance or major project goals and objectives as agreed upon by the City Manager, Department Director, and /or Supervisor; (2) outstanding work achievement; (3) use of innovative efficiency techniques and cost saving measures; (4) technical or professional competence, (5) consistently serving as a role model for others, displaying desirable characteristics and workplace behaviors such as outstanding customer service, positive approach to work, effective and cooperative team member without regard to silos, and team leadership, and (6) other exceptional job related performance.

The amount of a lump-sum bonus may not exceed 20% of the employee's base salary. Non-monetary awards may not exceed the value of $500. *Decisions about the amount/value of the discretionary bonus/award should be dependent on the nature and complexity of the accomplishment and the ability of the department to fund the award.* Under special circumstances, with the City Manager's approval, a higher bonus may be approved. (Significant documentation must be submitted to support such a request.)

The Department Head should clearly communicate to the recognized employee the specific outstanding achievements that led to the award.

These programs are not intended to replace informal and spontaneous recognition or praise of staff achievements and work performance. Informal recognition of employees should take place

every day. Saying “thank you” to employees and complimenting an employee on a job well done are part of the managers’ and supervisors’ responsibilities.

Pay Effect of Promotions, Reclassifications, Transfers, and Demotions

Note: When a vacant position is competitively posted internally, the selection process works in conjunction with the current hiring process. If a current City employee is the selected candidate for vacant position this typically translates into a promotion, transfer, or voluntary demotion position/pay action change based upon the selected employee’s current pay grade and the pay grade of the vacant posted position that the employee will move to. If a current employee applies for and accepts such vacant position, it is the responsibility of the two Department Heads to reach agreement on a transfer date in consultation with Human Resources. Arrangements should be made for the effective date of the new position to be within two weeks of the offer’s acceptance with consideration of any necessary job knowledge or position responsibility transfer/coverage. The City may designate ‘no promotion, transfer, and/or demotion’ blackout periods during the fiscal year for administrative purposes as deemed necessary. In accordance with NCGS 160A-168, the personnel file of the current or former employee applying for a vacant City position will only be made available to a supervisor involved in the selection process if such supervisor has current supervisory authority over the employee.

Note: A blackout period for no promotions, reclassifications, transfers, or demotions occurs annually typically during the last payroll in June and may extend into the first payroll in July. This period and the specific dates are typically set with the publication of the annual payroll schedule . The blackout period may vary from one to two payroll cycles and is subject to change.

Demotions

An employee reassigned to a position in a lower classification regardless of the reason (disciplinary, in lieu of layoff, reorganization, etc.) will receive pay commensurate with the nature of the demotion, the employee’s qualifications to perform the job, and consistent with the placement of other employees within the same classification in that salary range as recommended by the Department Head in consultation with Human Resources and approved by the City Manager.

No employee shall be demoted to a position for which he or she does not possess the minimum qualifications.

An employee may request in writing a demotion to a position with a lower pay grade on a voluntary basis subject to recommended approval of the Department Head, review by the Human Resources Director, and approval by the City Manager. An employee may apply for another vacant City position with a lower pay grade on a voluntary basis and be considered along with all other applicants.

When an employee is demoted for disciplinary reasons or the demotion is from a position with supervisory or leadership responsibilities, their pay will normally be reduced. Any employee whose work in their present position is unsatisfactory may be demoted, provided the employee

shows promise of becoming a satisfactory employee in another position. Such a demotion shall follow the disciplinary process procedures.

Promotions

A promotion is the reassignment of an employee to an existing vacant position having a higher salary pay grade than the initial position. A promotion also occurs when the job duties and responsibilities, span of influence and control, and/or eligibility requirements of an existing position are substantially restructured and results in its allocation to a higher pay grade.

In filling vacant positions, the City typically strives to encourage and support upward mobility of well qualified current City employees when such practices fully meet the current business needs of the organization and the vacant position before advertising to the general public. No City selection process (internal or external) should never be based on non-job-related factors.

Whenever an employee is promoted to a higher position (including part-time 2B) said employee will enter the new grade/position at the entry level of the new position or receive a five percent increase in pay for each increase in grade up-to 15% maximum, whichever is greater. When moving from one part-time position to another part-time position, part-time 2C employees will enter the new grade/position at the entry level of the new position or the hiring manager can recommend higher salary within the hiring range. The City Manager may approve a higher salary in the assigned hiring range upon recommendation by the Department Director, Deputy City Manager or Assistant City Manager and review by Human Resources or designee. Such factors as the employee's qualifications and work experience and internal compensation equity will be considered when approving a request for a higher salary assignment. The new pay rate, upon promotion, shall not exceed the maximum of the new pay range. Promotions do not change the person's date of hire.

Transfers

A lateral transfer is the reassignment of an employee to a position of the same or different job classification that is assigned to the same salary range. The position can be in the same or a different department or division as the original assignment. Generally, a lateral transfer will have no impact on the employee's salary or salary effective date, except that employees who exceed the minimum requirements for the position may be offered a salary consistent with the employee's level of skills, experience, and knowledge. A Department Director's request for a salary adjustment requires review by the Human Resource Director and approval of the City Manager.

Reclassifications

Reclassification is the reassignment of an existing position from one job classification to another, based on changes in job content such as duty, difficulty, required skills and/or responsibility of the work performed. This may or may not result in a change in paygrade for the reclassified classification. When a department requests a position reclassification, the Department Head shall submit a written request for position analysis to the Human Resource

Director including justification for the reclassification and outlining the changes in position responsibilities or requirements for qualifications (i.e. experience, education, certifications, etc.).

The request will be reviewed, and market salary analysis completed by Human Resources. If the request is justified, the Human Resource Director will prepare a recommendation for review and approval by the City Manager. Typically, such requests coincide with the annual budget requests process.

An employee whose position is reclassified to a classification having a higher pay grade will enter the new grade/position at the entry level of the new position or receive a five percent increase in pay for each increase in grade up-to 15% maximum, whichever is greater.

If the position is reclassified to a lower pay range, the employee's pay will remain the same. If the employee's pay is above the maximum established for the new range, the pay of that employee shall be maintained at the current level with no increases to base pay until the range is increased above the employee's pay.

Pay Equity Adjustment

Pay Equity Adjustments are pay changes up to maximum-in-hire (based on the employee's qualification and tenured experience at the City of Kannapolis) that is outside the other normal pay programs such as promotions, reclassifications, lateral transfers, etc. Pay Equity Adjustments are used to correct unacceptable internal (not market) pay disparities between employees in the same department, job title and job grade with equivalent experience or to correct an unacceptable pay inequity between an employee's pay and the average pay of similar positions in the market when it has been determined that the position(s) is/are not able to be filled at the current pay rate (hard-to-fill positions). Pay Equity Adjustment increases are not meant to replace or supplement merit and structure increases, nor are they given solely based on performance or increased workload. Salary Equity Adjustments reviews and increases are not entitlement of the employee nor are they a requirement by the City. Employees must have been employed for a minimum of two (years) with the City in their current position.

In such situations, Human Resources will first evaluate to ensure the employee's position is classified correctly based upon current job functions. If the position is classified correctly, Human Resources will evaluate the employee's qualifications and experience and the potential pay disparities to determine if a recommendation to the City Manager for a pay equity adjustment is appropriate.

Revaluation

When City Council approves a change in pay range for a class of positions, the salaries of the employees whose positions are allocated to that class shall be affected as follows:

Allocated to Higher Pay Grade

When a class of positions is assigned to a higher pay range, employees in those positions shall receive a percentage increase as recommended by the City Manager based on pay study results or an increase to the entry level of the new pay grade, whichever is greater to maintain market competitiveness.

Allocated to a Lower Pay Grade

When a class of positions is assigned to a lower pay range, employees will move to the new pay grade and will retain their current rate of pay.

Pay Rates Exceeding Range Maximum

An employee's base pay rate may exceed the maximum of the range as the result of a market adjustment to base salaries or reallocation of his/her job classification to a lower pay grade or job classification (when there have been no recent dramatic changes in assigned duties and responsibilities causing the reallocation) until general schedule adjustments or range revisions bring it back within the lower range. This will not reduce the incumbent employee's pay. This does not apply to demotions or position reclassifications where there have been recent dramatic changes in assigned duties and responsibilities that are the basis of the position change.

Employees whose base pay exceeds the maximum of the range will receive a lump sum pay over the maximum amount for the range.

OTHER COMPENSATION PAY SITUATIONS

Furlough

The City Manager has the authority to reduce the hours worked and/or the pay of employees in order to meet budgetary restrictions.

Holiday Premium Pay

All *part-time and limited-service (temporary and seasonal) employees* who are required to work on the following dates will receive holiday premium pay (compensation for hours worked at a premium rate of pay equivalent to double the employee's normal hourly rate). Employees that traditionally work normal business hours are discouraged from working on a holiday unless prior supervisor approval is granted.

Holiday Premium Pay Dates
New Year's Day
Martin Luther King, Jr. Day
Good Friday and Easter Sunday
Memorial Day
Independence Day
Labor Day
Veterans' Day
Thanksgiving Day
Christmas Eve and Christmas Day

The holiday premium pay period is defined as the 24-hour period between 12:00 a.m. and 12:00 midnight of the designated Holiday Premium Pay Dates above.

Holiday premium pay is not included when determining the regular rate of pay for overtime pay purposes.

Compensation for Temporary/Interim Assignments

Temporary assignments may be made by the department's head for a specified time or assignment as necessary. Such assignments are made on an "acting" basis and the employee returns to his or her regular position, duties, and pay upon completion of the assignment considering any increase the employee would have received if not placed in the interim assignment or did receive (i.e. annual merit pay increase). The actual pay for "acting" assignments is recommended by the Department Head in consultation with the Human Resources Director.

Temporary compensation increases are typically awarded to employees fulfilling a temporary/interim assignment. Situations in which an employee receives compensation for duties that are typically assigned in the same or lower pay range as his/her regular job or distributed across multiple employees are rare and will be reviewed on a case-by-case basis to determine if any pay adjustment is warranted. Departments are to make every effort to distribute the workload among team members prior to requesting compensation for temporary assignments. The employee may or may not continue to perform some or all their regular duties while assuming the additional temporary/interim assignment. The following scale is used as a guide for compensation for temporary/interim assignments considering the difference in pay grades, department size/scope, the significance of duties assumed, and the level of responsibility for persons, property, services, and operations.

Compensation for temporary/interim assignments is not intended to address short-term, fill-in situations covering vacations/brief absences on the part of the incumbent or brief position vacancies.

Temporary/Interim Duties	**Typical Temporary Increase Range**
Executive Department or Division Leader Duties	5 – 20% or flat amount
Supervisor or Crew Leader Duties	5 - 15% or flat amount
Other Key Duties	5 – 10% or flat amount

Compensation During Declared State of Emergency or Other Emergency Situations

In the case of a severe and unusual circumstance including, but not limited to, natural or man-made disasters the City Manager may declare a "State of Emergency for Operational Purposes" (this is not to be confused with N.C.G.S.166A-19.22). The State of Emergency for Operational Purposes will typically be declared with a specified timeframe. In the case of a State of Emergency for Operational Purposes, all adverse weather procedures *generally* apply. Reassignments and deployment of essential personnel, and any other administrative policies deemed necessary by the City Manager (or designee) are possible. Essential personnel are critical to ensure public safety, provide limited services at a minimum to the City of Kannapolis citizens and customers, and to restore the City of Kannapolis to normal operation. Emergency situations may necessitate employees to perform overtime work without any limitation on the number of days or hours. However, to the extent possible, managers and

supervisors should schedule work assignments to avoid such extreme measures and take measures to ensure adequate rest, sleep, recovery and eating breaks, being observant of signs of mental and physical fatigue.

In the event the City Manager should declare a “State of Emergency for Operational Purposes” in response to unusual circumstances including, but not limited to, natural or man-made disasters, the City Manager is authorized to approve temporary supplemental pay or benefits for identified groups of employees (excluding the City Manager) involved in or responding to the circumstance.

Should the designation of the “State of Emergency for Operational Purposes” continue for an extended period of time due to severe and unusual circumstances or its aftermath, the City Manager or his/her designee may re-evaluate and modify the compensation rate and any other administrative policies deemed necessary.

During such emergency periods, all City employees are subject to temporary assignments and other duties as assigned.

In the event of emergency situations including but not limited to an Executive Order of the State, local governmental authority during a declared State of Emergency, a State of Emergency for Operational Purposes, or other emergency situations employees assigned and required to work the emergency situation will be compensated as outlined below:

> Non-Exempt Employees: In emergency situations, non-exempt employees will be compensated at their usual overtime rate of time and one half for hours worked in excess of their standard FLSA work period hours and double time for hours worked on weekends and holidays.
>
> Exempt Employees: For exempt employees (including Department Heads) required to work extended hours during an emergency, they will be compensated for hours worked over and above the regular workweek at their regular hourly rate.

Employees Unable to Work Remotely and are not Required to Report to Work:

The City Manager may authorize the continuance of compensation to eligible full-time and part-time (2B) employees who are unable to work remotely during times when employees are required not to report to work under an Executive Order of the State or other local governmental authority during a declared State of Emergency. Eligible employees shall be paid at their usual rate of pay during the State of Emergency as provided herein. The weekly hours compensated for full-time employees shall not exceed the minimum scheduled weekly hours. Emergency continuance of compensation shall not exceed four weeks beyond any emergency paid leave required by federal, state, or local legislative action taken during States of Emergency. Such employees will remain available for temporary assignments and other duties as assigned.

SUBJECT: OVERTIME

Non-Exempt City employees can be requested and may be required to work overtime hours as necessitated by the needs of the City and determined by the Department Head. All overtime work must be authorized in advance (except in cases of emergency), properly documented on the timesheet, and administered in accordance with the Fair Labor Standard Act (FLSA). Non-exempt employees are expected to work during all assigned work hours excluding breaks or mealtimes. Employees are not to perform work at any time that they are not scheduled or approved to work, except in cases of emergency. **Employees must not engage in off-the-clock or unrecorded work.** "Off-the-clock" work means work performed but not reported on the timesheet.

An emergency exists if a condition arises that could reasonably result in damage to property or persons or which requires immediate attention from the employee. Employees who work excess hours due to an emergency shall advise their immediate supervisor of the overtime worked as soon as practical following the completion of the work. If an employee works unauthorized non-emergency overtime, he/she is subject to disciplinary action.

Supervisors shall attempt to arrange non-exempt employee work, schedules, and time off to accomplish the required work within the FLSA work period without incurring overtime.

To the extent that local governmental jurisdictions are so required, the City will comply with the Fair Labor Standards Act (FLSA). The City Manager shall determine, with recommendation of the Human Resources Director, which jobs are "exempt" under the terms of exemptions in accordance with the FLSA (as executive, administrative, professional, or computer staff) and are therefore not subject to the FLSA in areas such as hours of work and work periods, rates of overtime compensation, and other provisions.

According to the Fair Labor Standards Act, "hours worked" are actual hours worked during the FLSA work period; in no event will any leave types, paid holidays, or other similar non-work paid hours be included in the computation of hours worked for FLSA purposes. Non-exempt employees who work in excess of the hours permitted in their designated FLSA work period will be paid at a rate of one and one-half times the employee's regular hourly rate for all hours worked over the FLSA designated work period hours.

FLSA Exempt Employees

An exempt employee's compensation covers all hours worked without regard to the amount of time required to perform the job and is not subject to the FLSA overtime provisions. A normal work week is established by management for exempt employees, who are expected to be available during the normal workday. Although compensation is not determined by the specific number of hours worked, an exempt position normally requires a minimum of 40 hours per week to meet the needs of the City and the responsibilities assigned to the position rather than working a specified number of hours. These employees may be granted occasional discretionary leave by their supervisor where the convenience of the department allows for extra hours work beyond their standard work week. Such discretionary time is not guaranteed to be taken and ends without compensation upon separation from the organization. Discretionary leave may be granted in hourly increments up to two (2) workdays by Department Heads and above. At the request of a Department Head or above and upon approval of the City Manager,

discretionary leave may be granted in increments of more than two (2) workdays when an exempt employee has worked significant extended hours in a concentrated period of time due to critical deadlines, City supported or sponsored events, or peak workload periods. *It is not the City's intent to replace time worked on an hour-for-hour basis.*

SUBJECT: ON-CALL (STAND-BY) AND CALL-BACK PAY

The City provides a continuous twenty-four hour a day, seven day a week service to its residents and customers. Therefore, it is necessary for certain employees to respond to any reasonable request for duty at any hour of the day or night. One of the conditions of employment with the City is the acceptance of a share of the responsibility for continuous service, in accordance with the nature of each job position. If an employee fails to respond to reasonable calls for emergency service, either special or routine, the employee shall be subject to disciplinary actions up to and including dismissal. Time spent by an employee who is required to remain on call on the employer's premises or so close thereto that the employee cannot use the time for his own purposes is considered working time. An employee who is on call is not confined to his/her home or any particular place but is required only to leave word where he/she may be reached by any electronic device, the hours spent on call are not regarded as working time. If the employee is called back to work, he/she is to be credited for this work time in the work period when the call back work was performed. Administrative procedures for on-call and call-back requirements are approved by the City Manager.

Non-Restricted On-Call (Standy-By)

Non-Restricted On-Call (FLSA term is waiting to be engaged) is defined as that time when an employee must carry a communication device (and be able to freely move about geographically with the communication device), there is a relative infrequency of calls that necessitate a response from the employee on stand-by, has the ability to trade stand-by shifts, the employee is able to engage in personal activities. and must respond within the timeframe as determined by the Department Head. During non-work On-Call hours employees are free to engage in their own personal pursuits and this time is typically not considered hours worked and not compensable. Nonexempt employees who are required to be on-call duty will be paid as follows for each twenty-four (24) hour period of on-call duty:

- Monday – Friday: one (1) hour of pay at their base hourly rate
- Saturday or Sunday: one and a half (1.5) hour of pay at their base hourly rate
- City paid holidays and any unscheduled City closure: two (2) hours of pay at their base hourly rate

This pay is not attributable to any particular hours of work and is included when determining the regular rate of pay for overtime pay purposes.

The on-call employee must remain in an emotional, mental, and physical condition that is necessary to perform his/her job in a safe and satisfactory manner during the entire on-call period; this includes being free from the influence of alcohol or narcotics in accordance with the City's drug free workplace policy.

Department Heads have the authority to place additional employees on-call outside of the regular on-call schedule when severe or unusual circumstances arise and dictate the

need. Examples are inclement weather, natural disasters or incidents with a potential to require personnel resources beyond normal on-call staffing.

If the employee has a conflict and is unable to be on-call during their assigned period, it is the employee's responsibility to pre-arrange with their supervisor for a replacement. If such incident shall happen where the employee on-call does not respond in the required time as set forth by the Department Head, they will be subject to disciplinary action up to and including termination.

Restricted On-Call

Restricted On-Call (FLSA term is engaged to wait) exists when employees are restricted to the work unit or a specific location and are restricted from engaging in their own personal pursuits. This means that employees are engaged to wait and all time associated with that engagement shall be counted as regular hours worked. All Restricted On-Call hours will be included in the weekly calculation of hours worked for that specific week and shall be included in the determination of overtime compensation for that week for eligible employees. Additionally, each employee on Restricted On-Call shall receive the on-call compensation. Use of Restricted On-Call is not typical and departments must consult with the Human Resources Director prior to utilizing to ensure compliance with FLSA regulations.

Illustrative examples of restricted on-call:

- *An employee who reads a book at City Hall while waiting for a vendor to arrive and let them into the building after-hours.*
- *A messenger who works a crossword puzzle while awaiting assignments at a certain location.*
- *A firefighter who plays checkers while waiting for alarms.*
- *An employee who talks to someone on the phone while waiting for machinery to be repaired by a vendor at a City facility.*
- *Time spent by a repair person who has to wait for his or her employer's customer to get the premises ready is probably hours worked.*
- *Time spent by a City employee who has to wait at or near the job site for goods to be loaded or unloaded is hours worked.*
- *Time spent by a bus driver who reaches his or her destination and while awaiting the return trip stays with the bus to guard the bus and any items left on the bus is hours worked.*

Call-Back

Nonexempt employees will be guaranteed a minimum payment of two (2) hour's wages for being called back to work outside of normal working hours. If more than one callback occurs within a given shift, total callback time cannot exceed two hours unless the actual work time exceeds two hours. When called back to work, the actual hours worked shall include the driving time from and returning home. To capture actual hours worked when called back to work, the employee will clock-in for work when leaving home and clock-out upon arrival back at home in the City's timekeeping system. Employees responding remotely by telephone, computer, or other communications device, with no return to the work site, will receive a minimum of 15 minutes pay for each occasion of callback, or compensation for all time actually engaged,

whichever is greater. “Callback" provisions do not apply to previously scheduled overtime work or telecommuting work from home.

SUBJECT: LONGEVITY PAY

It is the policy of the City and the purpose of this plan to establish a longevity compensation system that will allow the City to continuously retain qualified and trained personnel and to reward loyal service. Longevity payments shall be subject to approval of annual appropriation by the City Council.

Eligibility

Full-time employees who are currently employed in a regular full-time position are eligible to receive longevity incentive pay as stipulated in this policy. Employees who leave employment with the City of Kannapolis and are later re-employed shall forfeit their eligibility for longevity incentive pay until they meet the *continuous* minimum years of service eligibility based on their new date of hire for full-time employment.

Continuous service shall be computed from the most recent hire date or appointment date to the full-time position.

Employees who retire from service will receive longevity based on January 1 of the calendar year. For the purpose of this policy, retirement from service will include disability retirement.

Years of Service

Employees must have completed five or more years of continuous service by July 1 of the year of payment to be eligible for longevity pay. Effective January 1, 2025, employees receiving retention bonus or retention bonus extension will be ineligible for longevity pay.

Computation

Longevity pay shall be computed as follows:

LENGTH OF SERVICE	$800 INCREMENTS
5<10 years of service	$1,100
10<15 years of service	$1,900
15<20 years of service	$2,700
20<25 years of service	$3,500
25<30 years of service	$4,300
30+ years of service	$5,100

Longevity pay will be distributed by the pay date for the pay period that precedes the Thanksgiving holiday. Except as otherwise provided below, employees must be on active payroll status on the date of payment to receive longevity pay. Active payroll status shall

include employees on approved vacation leave, sick leave, family/medical leave, or worker's compensation leave.

Longevity pay is not considered a part of an employee's annual base pay for classification and pay purposes, nor is it to be recorded in personnel records as a part of annual base compensation.

SUBJECT: PUBLIC SAFETY EDUCATION PREMIUM PAY

All sworn law enforcement officers and fire protection personnel who obtain an educational level higher than the minimum qualifications established for initial appointment are eligible for an educational premium pay in accordance with the guidelines specified herein.

Authorization for educational premium will be given only after a careful review of the employee's academic transcript. To be eligible, credits earned must meet the following criteria:

1. Credits must be earned for academic course work completed at a college or university accredited by the Commission on Colleges of the Southern Association of Colleges and Schools, or by the corresponding regional commission on Colleges approved by the US Department of Education. It will be the responsibility of the employee to obtain and provide the City with satisfactory verification that the college or university attended is properly accredited in accordance with this requirement.

2. Law Enforcement Officers: Credits must be earned in a declared criminal justice related degree program. Credits in non-declared majors will not be accepted. For the purpose of this requirement, the term criminal justice related degree program includes academic programs in the disciplines of Criminal Justice, Law enforcement, Political Science, Sociology, Psychology, or Public Administration. Credits in other academic disciplines may be eligible for incentive pay if the Department head in consultation with Human Resources determines that the course work is substantially relevant to the officer's professional duties and responsibilities.

3. Fire Personnel: Credits must be earned in a declared fire protection or medical related degree program. Credits in non-declared majors will not be accepted. For the purpose of this requirement, the term fire protection or medical related degree program includes academic programs in the disciplines of Fire Protection, Fire Prevention, emergency Medical, Political Science, Sociology, Psychology, or Public Administration. Credits in other academic disciplines may be eligible for incentive pay if the Fire Chief in consultation with Human Resources determines the course work is substantially relevant to the firefighter's professional duties and responsibilities.

4. A grade of "C" (satisfactory) or better (or similar depending on the educational system's grading mechanisms) must be attained.

Education Premium Pay is established as follows:

Based on 26 pay periods for the year.

- Associate's degree $576.00 per year ($22.15 per pay period)
- Bachelor's degree $1,152.00 per year ($44.31 per pay period)
- Master's degree $1,728.00 per year ($66.46 per pay period)

SUBJECT: INCENTIVE PAY PROGRAMS

The City has determined that certain incentive pay programs are necessary due to the changing nature of the employment environment and to attract and retain a highly trained and skilled workforce capable of meeting the current and future responsibilities of City government. Employees can demonstrate initiative through developing new competencies and skills. Incentive pay programs establish consistency in the application of such programs to this end.

When an employee achieves education, certification, or skill requirement for an incentive pay in accordance with the written program, the established incentive pay increase is approved as a pay increase to their current annual base pay/compensation and does not result in a pay grade move. The respective department is responsible for tracking eligibility and submitting appropriate pay change requests to Human Resources.

Current applicable programs include:

All employees are eligible:

- Bi-Lingual: $100.00 per pay period ($2,000 per year)

Fire Lateral Advancement

- Hazardous Material Technician (II) $600

Police Lateral Advancement

- Investigators (CID) 5.00% of base pay
- Police Field Training Officer (FTO): 5.00% of base pay
- Traffic Reconstructionist 5.00% of base pay.

Current exceptions to this policy: Educational Premium Pay, Shift Differential Pay, and the Water & Sewer Utilities Incentive Pay Program. See the policy on these in the Compensation Section.

Incentive pay(s) will be removed from an employee's pay at anytime the employee ceases to meet or maintain the requirements. In like fashion of all other City policies and programs, these programs may be modified or discontinued at any time; and as with other pay increases is dependent upon budget, other constraints and City Council action.

Such incentive pays are typically rewarded for education, certification, or skill achievements *above* the employee's current position minimum requirements as described in the position description and are job-related.

A compensation adjustment made as the result of an incentive pay does not trigger an equity adjustment compensation increase or review for other employees in the same grade and/or position title.

SUBJECT: TIMEKEEPING, PAYROLL PREPARATION, DEDUCTIONS, AND GARNISHMENTS

Timekeeping

Non-Exempt employees must record their actual time worked for payroll and benefit purposes. Time worked includes all time that an employee is required to perform duties for the City.

Exempt employees are required to record their daily work attendance and report absence from work (full days and partial hours) for reasons such as leaves of absence, sick leave, vacation leave, or personal business.

Non-exempt employees must record the time work begins and ends, as well as the beginning and end time of any departure from work for any non-work-related reason, in the timekeeping system as prescribed by the City. **Employees must not engage in off-the-clock or unrecorded work.** "Off-the-clock" work means work performed but not reported on the timekeeping system of hours worked. Employees should not work any hours outside of their scheduled workday unless their supervisor has authorized the unscheduled work in advance. No employee should start work early, finish work late, work during a meal break or do any other extra or overtime work unless authorized to do so and that time is recorded. ***Any employee who fails to report or inaccurately reports any hours worked will be subject to disciplinary action, up to and including discharge.***

Employees are not permitted to clock in and out or otherwise record time for other co-workers.

A completed timekeeping record includes an accurate recording of all hours worked, leave time utilized, and totaled hours, and is approved and submitted through the City's time keeping software.

Any errors in your timekeeping hours worked or leave time should be reported immediately to your supervisor, who will work with payroll to correct legitimate errors. Employees who consistently miss time clock entries will be subject to disciplinary action. Altering, falsifying, or tampering with time records is prohibited and subjects the employee to discipline, up to and including discharge.

Payroll Preparation

All payrolls are prepared in the Finance Department from the corresponding pay period's timekeeping records.

Accruable paid leave (annual, sick, etc.) requested in a work period cannot result in paid hours that exceed the scheduled hours for the week or period. The leave hours requested but not needed to complete a schedule work period will remain in the employee's respective accrued leave balance. The timekeeping for the work period is balanced for the work period, not for a daily period.

It is the policy of the City that as a condition of employment, all employees shall be required to enroll in direct deposit for the electronic deposit of wages into a designated bank account as authorized by the employee. Any changes to the direct deposit designated bank account must be made in a method where the employee's identity is verified as the individual making the request to prevent fraud or theft.

It is the City's policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. The City makes every effort to ensure its employees are paid correctly. Occasionally, however, inadvertent mistakes can happen. When mistakes do happen and are called to the City's attention, the City will promptly make any correction that is necessary. **Employees are responsible for reviewing each statement of earnings and deductions when it is received to make sure it is correct. If employees believe a mistake (i.e. overpaid, underpaid, incorrect leave usage, improper deductions) has occurred, or if there are any questions, please contact the payroll administrator immediately. The payroll administrator will work with Human Resources as applicable to resolve the issue.**

The City will not allow any form of retaliation against individuals who report alleged violations of this policy or who cooperate in the City's investigation of such reports.

Employees who are classified as **FLSA-exempt employees** will receive a compensation which is intended to compensate for all hours that he/she may work for the City in a work period. This compensation will be established at the time of hire or when classified as an exempt employee and is subject to certain deductions for certain reasons and conditions under federal law. While it may be subject to review and modification from time to time, such as during compensation review times, the compensation will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work the employee(s) performs except as otherwise provided by state and federal law.

Deductions

The Human Resources Director (designated as a Deputy Finance Director by City Council for these purposes) is authorized to make established deductions from an employee's gross pay to cover federal and state income taxes, contributions for retirement systems, and for employee group life insurance and health plan premiums or other deductions as required by law. With the authorization of the employee, and approval of the City Manager, the Human Resources Director shall also make other payroll deductions considering the capability of the payroll system, associated increase in workload, and appropriateness of the deduction.

With each pay, the City employee receives a statement of earnings and deductions itemizing the various deductions. It is the employee's responsibility to maintain current payroll deduction information with Human Resources and payroll. Employees wishing to add or change their payroll deductions should contact Human Resources.

Garnishments

The City will adhere to North Carolina wage garnishment laws and any other applicable laws when garnishing an employee's wages. The City will deduct a processing fee in addition to the garnishment as permitted by certain laws.

Separation Allowance and Insurance Deduction Preparation

Retirees receiving the separation allowance are required to comply with direct deposit requirements.

Retirees that owe insurance premiums to the City are required to have an account on file for insurance premium deductions (unless premium is deducted from separation allowance) and are responsible for notifying the City of an account change.

Retires are responsible for reviewing separation allowance deposits and insurance premium deductions for accuracy.

SUBJECT: SHIFT DIFFERENTIAL PAY

This policy establishes guidelines for shift differential pay for City of Kannapolis employees in the police department support services and field operations bureaus and eligible employees in water resources. Shift differential pay is designed to compensate employees who work outside normal or less desirable business hours.

All regular full-time personnel assigned and working a regular, non-rotating peak (sworn police and civilian telecommunications), midnight, or other shifts as defined by this policy shall receive shift differential pay in addition to their regular base hourly rate.

The respective department is responsible for tracking eligibility and submitting appropriate pay change requests to Human Resources.

Newly hired employees are ineligible for shift differential pay during training until released from training and assigned their regular shift.

In the event a current employee is reassigned to a regular, non-rotating day shift the shift differential end.

Differential pay shall be at the following rates:

	Police Department Support Services Bureau *Applicable to non-sworn telecommunicator positions only*	Police Department Operations Bureau *Applicable to sworn police officer positions only*	Water Resources *Applicable to water treatment plant and special assignment construction maintenance crew only*
Shift Type			
Peak Shift Applicable to non-rotation shift beginning between 11:00 am -2:00 pm (Adjusted annually based on police chief's discretion)	$0.75 per hour	$1.00 per hour	n/a
Second Shift	n/a	n/a	$1.50 per hour

Beginning at 3:00pm			
Night Shift Applicable to non-rotating 12-hour shift beginning between 5:00pm – 7:00pm	$1.50 per hour	$2.00 per hour	n/a
Other 8-, 10- or 12- hour shift beginning between 5:00 pm – 7:00 pm EST	n/a	n/a	$1.50 per hour

Police Department Support Services Bureau

Authorization for shift differential pay will be given only after a full-time civilian telecommunicator has been released from training upon the recommendation of the supervisor with approval of the Chief of Police in accordance with the following guideline:

- Differential pay will only be paid to telecommunicator employees assigned to a regular, non-rotating night or peak shift. The night shift is defined as any twelve (12) hour shift beginning between the hours of 5PM and 7PM EST. The peak shift is defined as any 12-hour shift beginning between the hours of 11AM to 2PM EST. The beginning peak shift hours may be adjusted annually based on calls for service.

- Employees working outside their normal rotation (training, supplementary duty, etc.) will be compensated according to their regular assignment and not the hours worked on a specific day, provided the hours worked outside the regular assignment does not exceed seven (7) consecutive days.

Police Department Field Operations Bureau

Authorization for shift differential pay will be given only after a full-time sworn office has been released from training upon the recommendation of the supervisor with approval of the Chief of Police in accordance with the following guidelines:

- Differential pay will only be paid to sworn officers assigned to a regular, non-rotating night or peak shift. The night shift is defined as any twelve (12) hour shift beginning between the hours of 5 PM and 7 PM. The peak shift is defined as any twelve (12) hour shift beginning between the hours of 11 AM to 2 PM. The beginning peak shift hours may be adjusted annually based on calls for service data.
- Employees working outside their normal rotation (training, supplementary duty, etc) will be compensated according to their regular assignment and not the hours worked on a specific day, provided the hours worked outside the regular assignment does not exceed seven (7) consecutive days.

Water Resources

Authorization for shift differential pay will be given only after a full-time water treatment plant employee on the special assignment second shift construction maintenance crew has been released from training upon the recommendation of the supervisor with approval of the Department Director in accordance with the following guidelines:

- Differential pay will be paid to Water Treatment Plant employees assigned to a regular, non-rotating night shift. The night shift is defined as any eight (8), ten (10), or twelve (12) hour shift beginning between the hours of 5 PM and 7 PM. Additionally, employees on the special assignment construction maintenance crew working second shift beginning at 3:00PM will be eligible.

SUBJECT: WATER RESOURCES INCENTIVE PAY PROGRAM

This policy establishes guidelines for the Water Resources Incentive Pay Program. Regular full-time, non-exempt Water Resources employees who engage in the construction, maintenance repair, and/or operation of water and sewer utilities, infrastructure, and/or water treatment plant who obtain one or more of the certifications listed in this policy are eligible for an incentive premium in accordance with the guidelines specified herein.

Authorization for the incentive premium will be given only are a careful review of the employee's academic transcript or official certification. To be eligible, certifications earned must meet the following criteria:

1. Eligible employees who are currently employed shall obtain prior approval of certification work from the Water Resources Director (or designee) in order for such certifications to be eligible for consideration for the incentive premium upon completion.

2. Certifications must be earned in accordance with the governing body for the certification. It will be the responsibility of the employee to obtain and provide the Water Resources Director (or designee) with satisfactory verification that the certification was received in accordance with this requirement. If any discrepancies in certification arise, the decision of the Water Resources Director (or designee) will be final.

3. Incentive premium for a new certification will begin the first pay period of the month, fifteen days after the certification has been submitted to the Water Resources Director

(or designee).

4. Incentive premium will cease for all certifications that are not maintained or renewed in accordance with the provisions of the governing board for the certification.

CERTIFICATION	GOVERNING BODY	AMOUNT
A Surface	NC Water Treatment Facility Operator Certification Board	$1,250
A Distribution	NC Water Treatment Facility Operator Certification Board	$1,250
B Distribution	NC Water Treatment Facility Operator Certification Board	$750
Collections 3	Water Pollutions Control Systems Operator Certification Commission	$750
Collections 4	Water Pollutions Control Systems Operator Certification Commission	$1,250
Bacteria Lab	NC Department of Health and Human Services & NC Waterworks Operators Association	$500
Process Control	NC Department of Health and Human Services & NC Waterworks Operators Association	$500
Pesticide		$250
Pipeline Assessment Certification	Pipeline Assessment Certification Program	$500
Cross Connection	NC Water Treatment Facility Operator Certification Board	$750
Backflow Tester	NC Water Treatment Facility Operator Certification Board and NC Rural Water Association	$750
Primary ORC	NC Water Treatment Facility Operator Certification Board & Water Pollution Control Systems Operator Certification Commission	$2,000
Backup ORC	Water Pollution Control Systems Operator certification Commission	$1,000

SUBJECT: BENEFITS

The City offers a number of benefits to its eligible employees. This Policy briefly describes some of those benefits for your general information. The provisions of the plans, including eligibility and benefit provisions, are summarized in the Summary Plan Descriptions (SPDs) which may be revised from time to time for each of the plans. The official plan documents are available for review upon request. The terms of the official plan documents control when and under what circumstances the various benefits are available and shall control the language of any descriptions or summaries of the plans, including SPDs.

While the City intends to maintain a certain level of employee benefits, there is no absolute right, contractual, or otherwise, to receive the benefits, and the City reserves the absolute right to modify, amend or terminate these benefits at any time, for any reason.

There is an annual open enrollment period during which employees may elect to make changes to their benefit elections.

SUBJECT: GROUP HEALTH PLAN AND GROUP DENTAL PLAN

The City offers a health plan and a dental plan to employees who satisfy the requirements for coverage under the applicable plan. The cost of such coverages for employees may vary from year to year and depending on the coverage selected. Dependent and/or spousal coverage may also be available for an additional premium(s) pursuant to the terms of the applicable plan. The City pays a portion of the premium as approved by City Council.

If an employee is on paid leave, premium payments must be paid by the method normally used. If the employee is on unpaid leave, premium payments must be paid on a bi-weekly plan or special arrangements must be made in advance with Human Resources. If the required premium payment is more than 30 days late, the health plan benefit coverage will terminate retroactively to the first day of the month for which the premium payment was due. The employee may extend the option to continue coverage under COBRA. Termination of coverage may occur without notice and results in ineligibility for reinstatement of coverage, except as may be required by law.

To remain on the group health or dental plans, an employee must be actively at work or on COBRA. When an employee's absence, whether paid or unpaid, exceeds six months, the employee and any covered dependents will be terminated from the active plan and extended an option to continue their coverage under COBRA. The employee and any eligible dependents may be reinstated to the active plan upon the return to an active employment status.

SUBJECT: PRE AGE 65 GROUP HEALTH PLAN AND GROUP DENTAL PLAN RETIREE BENEFITS

FOR RETIREES WITH A HIRE DATE OF PRIOR TO JUNE 30, 2021

The City offers continuation of group medical and dental coverage to all employees who retire from service and who are qualified to receive benefits due to normal retirement as follow:

Law Enforcement Employees

1. Attainment of age 50 and have completed 15 years of creditable services; or
2. Attainment of age 55 and have completed 5 years of creditable service; or
3. Completed 30 years of creditable service at any age.

Non-Law Enforcement Employees

1. Attainment of age 50 and have completed 20 years of creditable service; or
2. Attainment of age 60 (*age 55 for firefighters*) and have completed 5 years of creditable service, or
3. Completed 30 years of creditable service at any age.

Coverage will continue under the type of coverage (individual, family) as was in effect immediately preceding retirement date, and benefits will be the same as for all other members.

Coverage will be available only to those eligible dependents of the member covered on the day immediately preceding the date of retirement. The addition or removal of dependents will be allowed only as permitted by the group plan document that is in effect.

Future changes to benefit coverage, including addition or removal of dependent coverage, may be made only within 30 days of a qualifying event or during annual open enrollment.

Coverage for eligible retirees will continue until:

- Retirees cease to be eligible as a retired employee as specified under the Retirement System;

- Retiree fails to pay any applicable fees on or before the date due.

- Retiree becomes eligible for benefits under Title 42, Chapter 7, Subchapter Title XIX (Medicaid) of the Social Security act; whichever occurs first.

It is the retiree's responsibility to inform the Human Resources Department of any applicable changes.

If continuation of coverage is elected, medical and dental premiums for the pre 65 retirees are payable by the City of Kannapolis according to the following schedule. An employee is eligible for this benefit provided that at the time of retirement the **final five (5) years of service are years of employment with the City of Kannapolis**.

20 or more years of creditable service:	75% of total premium
10 but less than 20 years of creditable service:	50% of total premium
Less than 10 years of creditable service:	0% of total premium

Stipend Option

Employees who remain employed until meeting the reduced or unreduced retirement criteria for the Local Government Employees Retirement System (LGERS) for general employees or law enforcement officers may receive a monthly stipend. The stipend serves as a way to assist the retiree in purchasing individual health coverage until reaching Medicare eligibility at age 65, however, it is not a requirement that the stipend be used to purchase health insurance coverage. The percentage of coverage is dependent upon total **creditable years of service with the final five (5) years with the City of Kannapolis**. Eligible employees who retire may

receive a monthly stipend that is based on the employees health insurance plan at the time of retirement. The percentage of the stipend will be as follows:

20 or more years of creditable service:	75% of total stipend
15 but less than 20 years of creditable service:	50% of total stipend
10 but less than 15 years of creditable service:	25% of total stipend
Less than 10 years of creditable service:	0% stipend

Should the City's Employee Only health insurance coverage exceed $1,400 per month, the applicable percentage will be based on a maximum of $1,400 per month. Spouses and dependents of the retiree on the group health plan are ineligible for a stipend benefit.

Payment of Premiums

The retirees' portion of his/her premium, if any, and /or premiums for dependent coverage are the sole responsibility of the retiree. Premiums will be deducted from the separation allowance or drafted from the retiree's personal bank account on file. In the event of disability retirement, years of creditable service shall be determined by adding the number of years actually worked to the number of years until the employee will be age 65.

FOR RETIREES WITH A HIRE DATE AFTER JUNE 30, 2021

If continuation of coverage is elected, medical and dental premiums for the retiree, are payable by the City of Kannapolis according to the following schedule. An employee is eligible for this benefit provided that at the time of retirement the employee has completed the **requisite years of service with the City of Kannapolis**.

20 or more years of service:	75% of total premium
15 but less than 20 years of service	50% of total premium
10 but less than 15 years of service	25% of total premium
Less than 10 years of service	0 of total premium

Stipend Option

Employees who remain employed until meeting the reduced or unreduced retirement criteria for the Local Government Employees Retirement System (LGERS) for general employees or law enforcement officers may receive a monthly stipend. The stipend serves as a way to assist the retiree in purchasing individual health coverage until reaching Medicare eligibility at age 65, however, it is not a requirement that the stipend be used to purchase health insurance coverage. The percentage of coverage is dependent upon total **only years of service with the City of Kannapolis**. Eligible employees who retire may receive a monthly stipend that is based on the employees health insurance plan at the time of time of retirement. The percentage of the stipend will be as follows:

20 or more years of service:	75% of total stipend
15 but less than 20 years of service:	50% of total stipend
10 but less than 15 years of service:	25% of total stipend
Less than 10 years of service:	0% stipend

Should the City's Employee Only health insurance coverage exceed $1,400 per month, the applicable percentage will be based on a maximum of $1,400 per month. Spouses and dependents of the retiree on the group health plan are ineligible for a stipend benefit.

Payment of Premiums

The retirees' portion of his/her premium, if any, and /or premiums for dependent coverage are the sole responsibility of the retiree. Premiums will be deducted from the separation allowance or drafted from the retiree's personal bank account on file. In the event of disability retirement, years of creditable service shall be determined by adding the number of years actually worked to the number of years until the employee will be age 65.

FOR RETIREES WITH A HIRE DATE ON OR AFTER TO JANUARY 1, 2026

Retirees with a hire date after January 1, 2026, will not be eligible to remain on the City's group medical and/or dental plans.

Retirees who were hired after January 1, 2026, who remain employed until meeting the unreduced retirement criteria for the Local Government Employees Retirement System (LGERS) for general employees or law enforcement officers may receive a monthly stipend. The stipend serves as a way to assist the retiree in purchasing individual health coverage until reaching Medicare eligibility at age 65, however, it is not a requirement that the stipend be used to purchase health insurance coverage. The percentage of coverage is dependent upon **continuous years of service with the City of Kannapolis and qualifying for unreduced retirement under the Local Government Employees Retirement System (LGERS)**. Eligible employees who retire may receive a monthly stipend that is based on the City's cost of **Employee Only Health Insurance** at the time of retirement. The percentage of the stipend will be as follows:

20 or more years of service:	75% of total stipend
15 but less than 20 years of service:	50% of total stipend
10 but less than 15 years of service:	25% of total stipend
Less than 10 years of service:	0% stipend

Should the City's Employee Only health insurance coverage exceed $1,400 per month, the applicable percentage will be based on a maximum of $1,400 per month. Spouses and dependents of the retiree on the group health plan are ineligible for a stipend benefit.

Spouses and dependents of the retiree on the group health insurance plan are ineligible. Retirees, dependents and spouses can remain under the regular plan for the length of time allowed by COBRA as long as COBRA benefits are elected and premiums are pain in a timely manner to the third-party administrator.

SUBJECT: POST AGE 65 MEDICARE SUPPLEMENT GROUP HEALTH PLAN AND GROUP DENTAL PLAN RETIREE BENEFITS

FOR RETIREES WITH A HIRE DATE OF PRIOR TO JUNE 30, 2021

If continuation of coverage is elected, medical and dental premiums for the retiree, including the Medicare Supplement premium, are payable by the City of Kannapolis according to the following schedule. An employee is eligible for this benefit provided that at the time of retirement the **final five (5) years of service are years of employment with the City of Kannapolis**.

20 or more years of creditable service:	75% of total premium
10 but less than 20 years of creditable service:	50% of total premium
Less than 10 years of creditable service:	0% of total premium

Payment of Premiums

The retiree's portion of his/her premium, if any, and/or premiums for dependent coverage are the sole responsibility of the retiree and are due on or before the 25th day of the month preceding the month of coverage. Premiums will be deducted from the separation allowance or drafted from the retiree's personal bank account. In the event of disability retirement, years of service shall be determined by adding the number of years actually worked to the number of years until the employee will be 65.

FOR RETIREES AND EMPLOYEES WITH A HIRE DATE AFTER JUNE 30, 2021

A retiree who becomes Medicare eligible is no longer eligible to remain on the City's group medical and/or dental plans.

If the spouse or dependent is not yet Medicare eligible, that individual can remain under the pre 65 plan for the length of time allowed by COBRA as long as COBRA benefits are elected and premiums are paid in a timely manner.

SUBJECT: GROUP LIFE INSURANCE

The City offers group life insurance to full-time employees. The cost of such coverage and the amount of the benefit may vary from year to year and depend on the terms of the plan. Group Life Insurance benefits continue in accordance with the terms of the plan until the employee leaves the City's employment or the policy is discontinued completely by the City for some reason.

SUBJECT: NORTH CAROLINA LOCAL GOVERNMENT EMPLOYEES' RETIREMENT SYSTEM

All regular full-time employees and regular part-time employees in a position for which the duties require not less than 1,000 hours of work in a calendar year are required to enroll in the North Carolina Local Governmental Employees' Retirement System (NCLGERS) which is

administered by the Department of State Treasurer for North Carolina public employees. The City will pay the employer's portion and deduct the employee's portion from his/her paycheck. Enrollment is effective immediately upon employment with the City. Additional information regarding the NCLGERS system and benefits is available at www.myncretirement.com; employees are encouraged to sign up for access to their account information via the ORBIT system at this same website.

SUBJECT: SUPPLEMENTAL RETIREMENT BENEFITS

The NC 401(k) Plan is a Supplemental Retirement Plan offered by the State of North Carolina through the Department of State Treasurer. The City may provide a City paid contribution to the non-sworn employee's NC 401(k) supplemental retirement benefit accounts for employees enrolled, eligible, and contributing to the NCLGERS, subject to availability of funds and approval by the City Council. As prescribed by North Carolina State Law, the City will contribute a percentage of salary to the NC 401(k) Plan for each sworn law enforcement officer (currently 5%).

All full time and part time employees are eligible to participate in the NC 401(k) plan and may make voluntary contributions to the NC 401(k) Plan up to the limits established by law and the NC 401(k) provider.

The City also offers full-time and part-time employee voluntary contributions to the NC 457 Plan, a deferred compensation plan administered by the North Carolina Department of State Treasurer.

SUBJECT: SEPARATION ALLOWANCE

Separation Allowance: Sworn Law Enforcement Officers
N.C.G.S. 143-166.42.
Special separation allowances for local officers.

If this option is chosen, local law enforcement officers may return to work for the City of Kannapolis in any capacity not requiring participation in the Local Government Employees' Retirement System (LGERS). The local law enforcement officer is not restricted to only public safety positions.

Separation Allowance: All Employees Hired Prior on or Before December 31, 2025
Separation Allowance
Effective March 3, 1987 (Rev. March 3, 2020)

Applicable to employees hired on or before December 31, 2025, that Retire Under the Local Government Employees Retirement System (LGERS)

Beginning in the month in which an employee retires on a basic service retirement under the provisions of G.S. 128-27(a), an annual separation allowance equal to eighty-five hundredths percent (0.85%) of current base pay for each year of creditable service, is payable by the City to

the employee. This formula (last salary x .0085 x number of years creditable service) will be used to calculate annual separation allowance of employees who:

(1) Have (a) completed thirty or more years of creditable service or (b) attained age 55 years of age and completed five or more years of creditable service; and

(2) Have not attained 62 years of age*, and

(3) Have completed at least five years of continuous service as an employee of the City prior to retirement

*If the employee has reached 62 years of age, please refer to the retention bonus extension below.

Any breaks in continuous service because of disability retirement or disability salary continuation benefits shall not adversely affect an employee's qualification to receive this allowance, provided that the employee returns to service within 45 days after the disability benefits cease.

Annual allowance will be paid bi-weekly in twenty-six equal payments until age 62 or upon death whichever occurs first. "Creditable service" means the service for which credit is allowed under the applicable retirement system at time of retirement.

Return to Work After Retirement
Effective January 1, 2026

Return to Work, Receiving Separation Bonus and Receiving Retirement from the Local Government Employees Retirement System (LGERS)

Retirees who are currently receiving separation allowance as of December 31, 2025 or will be retiring from the Local Government Employees Retirement System (LGERS) after January 1, 2026 are (1) allowed to return to work in any capacity for the City of Kannapolis not requiring participation the Local Government Employees' Retirement System (LGERS) and /or (2) is allowed to work in service to a county board of elections on an election day or during the hours for early voting under Part 5 of Article 14A of Chapter 163 of the General Statutes in a capacity that complies with G.S. 128-21(19) and does not result in cessation or suspension of the retiree's benefit from the Local Government Employees' Retirement System (LGERS). Additionally, employees must not prearrange, before their retirement, that they will return to any type of employment after their retirement, even after a one-month break.

Retention Bonus Through Age 62
Effective January 1, 2026

Retention Bonus: Employees Eligible to Retire, Under the Age of 62 and Continue to Work for the City of Kannapolis

Beginning in the month in which an employee is eligible to retire on a basic service retirement (including unreduced and reduced benefit) under the provisions of G.S. 128-27(a), an annual

retention bonus equal to eighty-five hundredths percent (0.85%) of current base pay for each year of creditable service, is payable by the City to the employee. These payments will be made *in addition* to regular working wages into NC 457b Defined Contribution Plan.

If the aggregate IRS maximum for the 457b Defined Contribution Plan has been reached, then the remainder of the bonus will be paid bi-weekly.
Additional service years *are* reportable to LGERS for purposes of calculating service years under the system. Any bonuses not contributed to the 457b are reportable as wages under the Internal Revenue Service (IRS), the Local Government Employees Retirement System (GLERS) and will be reflected on employees' annual W-2. All appliable taxes will apply.

Hired Prior to December 31, 2025

This formula (base salary x .0085 x number of years creditable service) will be used to calculate retention bonus at the first date of eligibility of employees who were hired prior to December 31, 2025 and:

(3) Have (a) completed thirty or more years of creditable service or (b) attained age 55 years of age and completed five or more years of creditable service; and

(3) Have not attained 62 years of age*, and

(3) Have completed at least five years of continuous service as an employee of the City prior to retirement

Illustrative Example:

base salary x .0085 x number of years creditable service

$50,000 x .0085 x 16 years = $6,800 / 26 payrolls = $261.54

Bob is 56 and completed five years of continuous service with Kannapolis and was hired 1/1/2020. He earns $50,000 a year. He also has 10 years of creditable service working with the City of Concord. He also has one year of sick time. He would like to continue to work for Kannapolis. Bob would receive $261.54 as retention bonus into NC 457b plan plus he would receive regular bi-weekly pay. He would continue to receive the same retention bonus each payroll contributed to his NC 457b until he decides to retire.

*If the employee has reached 62 years of age and is currently employed in position with the City of Kannapolis that requires membership in LGERS, please refer to the retention bonus extension below.

Hired After January 1, 2026

This formula (base salary x .0085 x number of years of service with the City of Kannapolis) will be used to calculate retention bonus at the first date of eligibility of employees who were hired after January 1, 2026, and:

(3) Have (a) completed thirty or more years of creditable service or (b) attained age 55 years of age and completed five or more years of creditable service; and

(3) Have not attained 62 years of age*, and

(3) Have completed at least five years of continuous service as an employee of the City prior to retirement

Illustrative Example:

base salary x .0085 x number of years creditable service with Kannapolis

$50,000 x .0085 x 6 years = $2,550 / 26 payrolls = $98.08

Bob is 56 and completed five years of continuous service with Kannapolis and was hired 1/1/2030. He earns $50,000 a year. He also has 10 years of creditable service working with the City of Concord. He also has one year of sick time. He would like to continue to work for Kannapolis. Bob would receive $98.08 as retention bonus into his NC 457b plus he would receive his regular bi-weekly pay. He would continue to receive the same retention bonus each payroll into his 457b until he decides to retire or reaches age 62. He does not receive credit for service with the City of Concord.

*If the employee has reached 62 years of age and is currently employed in position with the City of Kannapolis that requires membership in LGERS, please refer to the retention bonus extension below.

Any breaks in continuous service because of disability (i.e. workers compensation injury) continuation benefits shall not adversely affect an employee's qualification to receive this bonus, provided that, the employee returns to service within 45 days after the disability benefits cease.

Annual bonus will be paid bi-weekly in twenty-six equal payments until age 62* into the NC 457b plan or upon death whichever occurs first. If the IRS maximum has been reached for the NC 457b plan, then the remainder will be paid bi-weekly as a bonus subject to LGERS contributions and all appliable taxes. The employee can work in any capacity that requires membership in the Local Government Employees Retirement System including full-time or part-time and is not receiving regular retirement from the Local Government Employees Retirement System (LGERS).

"Creditable service" means the service for which credit is allowed under the applicable retirement system at time of retirement. Unused accumulated sick time will be used to determine the total number of years of creditable service as of July 1.

If the employee retires under the Local Government Employees Retirement System (LGERS) before the age of 62, the employee will have retention bonus recalculated to include any increase in wages and additional service year(s) until age 62. The bonus will move from Retention Bonus to Separation Allowance the month the retirement becomes effective.

Retention Bonus Extension After Age 62

Retention Bonus Extension: Employees Eligible to Retire, Age 62+ and Continue to Work for the City of Kannapolis

Effective January 1, 2026

Applicable City of Kannapolis employees that are not retired (hired prior to December 31, 2025, and after January 1, 2026) between the ages of 62-67 with at least 20 years of creditable service with the City of Kannapolis. The retention bonus extension is not retroactive to those receiving separation allowance prior to December 31, 2025. *This bonus is only paid to those that continue to work for the City of Kannapolis in a position that requires membership in the Local Government Employees Retirement System (LGERS) and those that are not currently receiving retirement.*

If the aggregate IRS maximum for the 457b Defined Contribution Plan has been reached, then the remainder of the bonus will be paid bi-weekly.

Additional service years *are* reportable to LGERS for purposes of calculating service years under the system. Any bonuses not contributed to the 457b are reportable as wages under the Internal Revenue Service (IRS), the Local Government Employees Retirement System (GLERS) and will be reflected on employees' annual W-2. All appliable taxes will apply.

This formula (base salary x .0085 x number of years of service with the City of Kannapolis x reduction based on tier) will be used to calculate retention bonus at the first date of eligibility and:

(2) Currently employed with the City of Kannapolis in a position that does requires membership in the Local Government Employees Retirement System (LGERS)

(2) Employee must meet the City of Kannapolis service tier structure below:

Years of Service	Payment as Percentage of Base Retention Bonus
25 or more years of City of Kannapolis creditable service	50%
20 - 24.99 years of City of Kannapolis creditable service	25%
Less than 19.99 years of City of Kannapolis creditable service	n/a

Illustrative Example:

base salary x .0085 x number of years creditable service with Kannapolis

$50,000 x .0085 x 21 years = $8,925 x 25% = $2,231.25 / 26 payrolls = $85.82

Bob is 56 and completed 20 years of continuous service with Kannapolis and was hired 1/1/2005. He earns $50,000 a year. He also has 10 years of creditable service working with the City of Concord. He has one year of sick time. He would like to continue to work for Kannapolis. Bob would receive $85.82 as retention bonus extension into his NC 457b plan plus he would receive his regular bi-weekly pay. He would continue to receive the same retention bonus into his 457b for each payroll until he decides to retire or reaches age 67. Bob does not receive credit for City of Concord service.

Unused accumulated sick time will be used to determine the total number of years of creditable service as of July 1 even if accrued at another local government entity and is transferred to the City of Kannapolis.

Retention bonus will be paid bi-weekly in twenty-six equal payments into a NC457b until age 67 unless the employee retires or upon death whichever occurs first. Retention bonus ends the month in which the employee's retirement becomes effective.

The employee must work in any capacity that requires membership in the Local Government Employees Retirement System and is not receiving regular retirement from the Local Government Employees Retirement System (LGERS).

"Creditable service" means the service for which credit is allowed under the applicable retirement system at time of retirement. Retention bonus will be paid bi-weekly in twenty-six equal payments until age 67 or upon death whichever occurs first.

SUBJECT: TUITION REIMBURSEMENT/ASSISTANCE

Tuition reimbursement is available to employees participating in an approved program contingent upon approval of program funds by City Council in the annual fiscal budget. All full-time employees are eligible for tuition reimbursement after successful completion of the initial probationary period and have been employed by the City for a minimum of twelve months.

Provisions of Educational Assistance: An eligible employee may be reimbursed for eligible expenses for up to $2,500 per fiscal year that will better equip the employee to perform job related duties/relatedness to a function or service provided by the City. Reimbursement will be made as funding is available on a first come, first serve basis.
Eligible Expenses: Eligible expenses include actual tuition fees paid, required fees (i.e. lab/technology), and costs of textbook for approved academic coursework provided by a college or university accredited by the Commission on Colleges of the southern Association of Colleges and Schools, or by the corresponding regional Commission on Colleges approved by the Department of Education. It is the responsibility of the employee to obtain and provide proof that the college or university to be attended is properly accredited in accordance with this policy.

Approval of tuition assistance for an employee does not establish a precedent that all future requests for that employee or for that course by other employees will be approved.

Obtaining Educational Assistance.

1. Submit a completed application to the Human Resource Department. Applications are available in the Human Resource Department. The Human Resource Director will obtain Department Head approval. If Approved by the Department Head, the Human Resource Director (or designee) will ensure appropriate funds are available and encumber the maximum amount of eligible expenses to be reimbursed, pending completion of the course(s). The application requires a statement of how the course applies to or benefits currently assigned duties. Reimbursement will be made for required general college courses or prerequisites such as English or general math if the course is part of a future development plan or declared major.

2. An employee approved for educational assistance shall agree in writing to:

    a. Complete the course.
    b. Achieve a minimum grade of "C" or better, "P" (pass) or better, or "S" (satisfactory) or better for courses under these grading systems.
    c. Remain employed at City's for two years following completion of the course. The employee will reimburse the City for all expenses paid by the City if employment ends sooner than one year. Reimbursement will be waived in the event employment is terminated by the City.
    d. The employee shall sign a statement authorizing the city to withhold payment from the employee's pay in the event the City is due reimbursement.

Reimbursement of eligible tuition and course fees require the presentation of satisfactory grades, tuition/course fees receipts, and an executed continued employment agreement. Grade transcripts must be submitted no later than 45 days following completion of the course taken. An employee must receive a "C" or better, "P" (pass) or better, or "S" (satisfactory) or better for courses under these grading systems to be eligible for tuition reimbursement and to be considered for future tuition assistance. Courses must be completed at an appropriately accredited institution of higher learning.

SUBJECT: WORKERS' COMPENSATION

The City shall provide state-mandated workers' compensation coverage for all individuals to which the North Carolina Workers' Compensation Act applies. Under the advice and consent of approved legal counsel, the City Manager (or designee) shall be responsible for compliance with all provisions of the North Carolina Workers' Compensation Act. The City shall follow those laws, court decisions, and other binding rulings that apply to the administration of workers' compensation for covered employees.

This coverage provides medical care and partial income payments in case you suffer from a work-related injury or illness. There is no cost to you for this protection. **If you suffer a work-related injury or illness (no matter how minor it may appear), you must report it to your supervisor as soon as reasonably possible, but in no event, later than leaving the facility, or within 8 hours of the illness or injury, whichever is earlier.** This will enable you to obtain any necessary medical attention and qualify for coverage as quickly as possible.

Except where such laws, decisions, or rulings conflict, the City will abide by the following:

1. On the day of a compensable injury, the City will pay the injured employee for the balance of the scheduled workday if the employee is seeking medical treatment for the injury or if the employee is relieved of duty by a physician or the Department Head (or designee) for recuperation.

2. If an employee is unable to return to work due to a compensable injury, the employee may elect to use accumulated sick leave or annual leave to receive remuneration for those workdays which the employee would normally have worked but-for the compensable injury during the first seven days immediately following the compensable injury.

3. An employee on workers' compensation leave without pay shall continue to be eligible for health benefits, but the employee will be responsible for making payment of premiums. Employee deductions from regular paychecks or supplemental insurance payments will need to be addressed to the vendor's satisfaction by the employee. The City will not advance any payments to these vendors. Employees may use accrued time to offset premium payments. Under no circumstance can the employee be paid more than his/her regular weekly wages (i.e., accruals + WC weekly payments cannot be more than regular weekly wages). An employee will not accrue annual or sick leave while on workers' compensation leave without pay.

4. Employees who are on workers' compensation leave without pay may be asked to return to work in a light-duty or modified-duty job. Employees who refuse a light-duty or modified-duty job may lose his/her workers' compensation disability payments; however, the employee may still be eligible for approved leave in accordance with City policy or other applicable law (e.g., under the Family and Medical Leave Act or the Americans with Disabilities Act). Employees refusing light-duty or modified duty that are not eligible for approved leave under City policy or other applicable law can be disciplined up to and including termination.

5. Workers' compensation leave without pay and/or any other approved leave will run concurrent with FMLA.

<u>Coordination with the National Smallpox Vaccination Program</u>

On June 12, 2003, the State of North Carolina passed Session Law 2003-169, "Adverse Reactions to smallpox vaccination" amending the North Carolina Workers' Compensation act to include smallpox related conditions as occupational diseases within the meaning of the Workers Compensation Act. Specifically included is infection with smallpox, infection with vaccinia (the virus in smallpox), or any adverse medical reaction when the infection or adverse reaction is due to the employee or volunteer receiving in employment vaccination against smallpox incident to the Administration of Smallpox Countermeasures by Health Professionals, section 304 of the Homeland Security Act.

Covered employees shall be informed of the potential risks and side effects of receiving the smallpox vaccine prior to receipt of this voluntary vaccination. Covered employees under the

Homeland Security Act include police officers, fire personnel, and other first responders. Acceptance of the vaccine is strictly voluntary and subject to medical contraindication. Absences as a bona-fide result of illness or adverse reaction arising from in employment vaccination against smallpox as provided by the Homeland Security Act shall be addressed in the same manner as all other covered occupational injuries or illnesses under the Workers' Compensation Act as provided in sections (b), (c), and (d) of this policy, except that the first seven days absence resulting from receipt of the vaccine shall be paid as "other leave pay" . Absences as a result of illness arising from non-employment related exposure to smallpox are not covered by the City's workers' Compensation program.

SUBJECT: RELOCATION EXPENSES

Assistant Director (or above) positions are eligible for a one-time relocation reimbursement to assist with moving expenses and is available up to one year from the start date of employment. Other positions eligible for relocation expenses will be at the discretion of the City Manager when the position is likely to be difficult to fill in the absence of an incentive. If employment ends for any reason other than medical or military reasons within twenty-four (24) months of date of hire, the employee is responsible for and invoiced for repayment of all relocation fees incurred. This repayment (or a portion of it) may be deducted from any available annual leave at time of separation.

The City will pay for expenses incurred for one house hunting trip for employee and one guest. The City will pay for up to a maximum of two (2) nights lodging.

Storage charges for household effects for up to sixty (60) days are allowable at the point of origin or destination, but not both.

Once the employee secures a minimum of two (2) quotes, the City will pay for the actual moving expenses incurred for packing, loading and unloading clothes, linen, kitchenware, furniture and other similar household effects necessary for residence. Special charges for transporting personal effects such as boats, campers, weapons, jewelry, sporting equipment, collectibles, etc. are not reimbursable.

If the relocation residence is inside City limits, reimbursement is 100% or a maximum of $7,000 whichever is less. If the relocation residence is outside City limits, the amount of reimbursement is based on radius for emergency response times (within15 miles to City Hall is 75% and within 25 miles to City Hall is 50% or a maximum of $7,000 whichever is less).

The City must pre-approve all quotes and contracts prior to execution. Provide all quotes and company information to the City. The City will coordinate direct payment to the vendors on the employee's behalf. The City follows IRS guidelines on taxable fringe benefits.

SUBJECT: LEAVES POLICY ADMINISTRATION RULES

Accrued time requested in a workweek or work period cannot result in paid hours that exceed the scheduled hours for the week or period. Leave hours requested but not needed to complete a scheduled workweek or work period will remain in the employee's accrued leave balance.

All paid leave shall be taken, recorded, and rounded off to the nearest quarter hour (15-minute increments).

An employee continues to accrue vacation and sick leave while on an authorized paid leave (i.e. annual leave, paid caregiver leave, paid military leave, short-term disability benefit during FMLA protected leave period). For purposes of vacation and sick leave accrual, authorized paid leave status is defined as being in paid status 50% of a biweekly pay. An employee will not accrue annual or sick leave while on workers' compensation leave without pay.

The City maintains a general policy and practice of shutting off City network access to any employee that is approved or placed on any type or combination of leaves for thirty (30) continuous days or more. The employee should work with their supervisor to ensure that an out-of-office message is communicated, so that external contacts and co-workers know whom to contact during the employee's absence.

The City Manager may authorize and implement leave administrative policies and procedures in response to extenuating circumstances such as an infectious disease outbreak, a pandemic, safety and security, a state or federal mandated emergency leave directive or law.

SUBJECT: HOLIDAYS

For City holidays also designated as a State of North Carolina holiday, the City shall follow the holiday schedule set by the State of North Carolina for holidays to be observed and the dates for each holiday to be observed.

The following holidays have been designated for observance:

Holiday	Number of Days
New Year's Day	1
Martin Luther King, Jr. Day	1
Good Friday	1
Memorial Day	1
Independence Day	1
Labor Day	1
Veterans Day	1
Thanksgiving	2
Christmas	3
Floating Holidays	2

Floating Holidays Use: The two annual floating holidays are paid holidays that employees may choose as a day of personal significance to them (examples include and are not limited to religious or cultural holidays, employee birthdays, or other state or federal holidays). Floating holidays are available at the beginning of each calendar year for all current employees or at time of hire for new employees. These days do not roll over calendar years and are not paid out

upon departure from the City. The request must be scheduled and approved in advance by the employee's immediate supervisor. These days *must* be used in full holiday pay increments as defined below (i.e., 8, 8.4, or 10.6 hours); no partial days are allowed as defined by these stated hours.

Paid holiday time is provided for full-time employees (2A) only. All other staff (2B, 2C, and service-limited) are not afforded paid holiday accrued time but may be scheduled off in accordance with their business unit practice.

Holiday pay is defined as follows for full-time employees:
2,080 FLSA hour-a-year employees (40-hour workweek) = 8 hours
2,184 FLSA hour-a-year employees (non-exempt 7(k) sworn law enforcement) = 8.4 hours
2,756 FLSA hour-a-year employees (non-exempt 7(k) fire protection) = 10.6 hours

When the paid holiday observation falls on an employee's regular day off, such an employee will be paid holiday pay at their regular hourly rate.

Employees who are required to perform work on regularly scheduled holidays shall record the actual hours worked. They will be paid for the actual hours worked on the holiday and the holiday pay as defined in this policy section.

An employee who is on leave without pay on the day immediately preceding or following a holiday shall lose the holiday as well as pay for that day.

Employees may wish to be away from work on a certain day for religious observances. Department heads should attempt to arrange the work schedule so that an employee may be granted use of a floating holiday or vacation leave if requested for a religious observance. Time off for religious observances may be denied only when granting leave would create an undue hardship for the City.

SUBJECT: VACATION LEAVE

All full-time employees shall accrue and utilize annual leave in accordance with the schedule and procedures established within this policy.

The primary purpose of paid vacation is to allow employees to renew their physical and mental capabilities and to remain a fully productive employee. Employees are encouraged to request leave during each year in order to achieve this purpose.

Examples of uses of vacation leave include vacation, rest and relaxation, other periods of absence for personal reasons, absences due to adverse weather conditions, cultural or religious observances or celebrations, and personal or immediate family illness (in lieu of sick leave). Vacation leave may be used for sickness if the employee chooses. Vacation leave may be used for time lost for late reporting only upon supervisory approval. Unapproved leave without pay deductions should be made from employee's pay where excessive or a pattern of tardiness or absenteeism occurs.

Eligibility and Accrual. Annual leave shall, on the last day of the pay period, accrue for each pay period of continuous employment from the last date of hire in accordance with City policies and limitations. For each pay period thereafter, annual leave shall accrue on the last day of the pay period according to the established rate schedule in accordance with City policies and limitations. The employee's full-time creditable service date (including any required waiting period) shall be used for determining the rate of vacation leave accrual.

40 Hour Workweek Employees (2080 hour-a-year employees)

Years of Creditable Service	Hours Earned Each Pay Period
Less than 5	4.32 hours
5 but less than 10	5.24 hours
10 but less than 15	6.16 hours
15 but less than 20	7.09 hours
20 years or more	8.00 hours

Non-Exempt 7(k) Sworn Law Enforcement Employees (2184 hour-a-year employees)

Years of Creditable Service	Hours Earned Each Pay Period
Less than 5	4.54 hours
5 but less than 10	5.50 hours
10 but less than 15	6.47 hours
15 but less than 20	7.44 hours
20 years or more	8.4 hours

Non-Exempt 7(k) Fire Protection Employees (2756 hour-a-year employees)

Years of Creditable Service	Hours Earned Each Pay Period
Less than 5	5.52 hours
5 but less than 10	6.74 hours
10 but less than 15	7.96 hours
15 but less than 20	9.18 hours
20 years or more	10.42 hours

Vacation leave shall not accrue during authorized extended leaves of absence without pay.

Maximum Accrual of Vacation Leave. Vacation leave may accumulate unlimited until the last day of the pay period for the 2nd pay date of January each year. Vacation time accrued in excess of 240 hours (252 hours for non-exempt 7(k) sworn law enforcement officers and 318 for non-exempt 7(k) fire protection employees) shall be transferred to sick leave on the last day of the pay period for the 2nd pay date of January each year.

An employee will accrue vacation for the pay period in which he/she separates employment only after working through the last day of the last pay period.

Use of Vacation Leave. *Vacation leave shall be taken, recorded, and rounded off to the nearest quarter hour.* Vacation leave pay is payment in lieu of time worked when an employee is absent from work on approved leave. Except for terminal pay, vacation leave shall only apply to periods of absence from an employee's scheduled workday. Vacation leave hours shall not be

paid for time missed from work when an employee has worked sufficient hours within the work period to cover the requested time off.

It is the responsibility of each department head or designated supervisor and the employee to ensure the provisions of this policy are observed. Department heads will ensure any vacation leave used will be requested and accurately reflected with the submission of time sheets. Corrective action should be taken in instances of abuses or misrepresentation of the use of vacation leave on time sheets.

Notification of the desire to use vacation leave shall be submitted to the employee's supervisor or department head in advance. Vacation leave requests must be approved by the employee's supervisor or department head and will be taken at such times as the supervisor or department head finds most suitable after considering the leave request and the operational needs of the department. Failure to attain prior approval may result in denial of such leave. Due to the necessity of keeping all City functions in operations, a large number of employees cannot be granted vacation leave at any one time. Paid holidays occurring during vacation are not charged to vacation.

Vacation leave requests for two or more weeks (14 consecutive calendar days of no work hours) must be requested a minimum of 60 days in advance (excluding FMLA protected leave and life/family emergency type situations where advance planning is not possible). Employees are obliged to plan and arrange proper coverage of responsibilities during the leave period; effective communication is vital to make such leave requests work for everyone.

Terminal Pay. For employees separating from employment, the payment for accumulated vacation leave shall not exceed 240 hours (252 hours for non-exempt 7(k) sworn law enforcement officers and 318 for non-exempt 7(k) fire protection employees), less any debts outstanding to the City. Vacation leave balance in excess of 240 (252 hours for non-exempt 7(k) sworn law enforcement officers and 318 for non-exempt 7(k) fire protection employees) hours will be converted into sick leave balance upon employment departure. This provision also applies to employees terminated due to reduction in force.

Employees that do not give a mandatory three (3) week notice will receive accumulated vacation leave. The notice requirement may be waived by the City Manager when deemed to be in the best interest of the City. Employees who are involuntarily separated shall receive payment for accumulated vacation leave not to exceed the maximum established in this policy. At the discretion of the City Manager, an employee dismissed for serious violations of personal or criminal conduct may be determined ineligible to receive vacation pay.

Vacation leave may not be used in lieu of working a notice. Terminating employees may decline payment of unused accumulated vacation leave hours upon written request with written documentation the employee's new employer will accept the leave balance.

SUBJECT: SICK LEAVE

Sick leave with pay is not a right that an employee may demand but a privilege for the benefit of an eligible employee when sick and for other authorized purposes.

All full-time employees shall, upon approval of the supervisor or department head, be granted the use of accrued sick leave when absent from work for any of the following reasons:

Any of the following that prevents the employee from performing his/her regular duties: physical or mental sickness/illness/injury/health condition; medical (physical or mental), behavioral health, or dental appointments to receive preventative care and to diagnose, care for, or treat a physical, mental, or behavioral illness, injury, or health condition; temporary disability; quarantine; or exposure to a contagious disease when continuing work might jeopardize the health of others.

To care for a member of immediate family as defined by this policy or for an unmarried partner due to illness, injury, or medical/dental appointments. Sick leave may *not* be used to care for a healthy infant or child (i.e. daycare or school is closed, childcare arrangement issues, inclement weather closures).

For approved FMLA leave.

After bereavement leave is exhausted, sick leave may also be used for death (as outlined in the bereavement leave policy) in the employee's immediate family but may not exceed 40 hours (42 hours for 7k sworn law enforcement and 53 hours for 7k fire protection) for any one occurrence.

An employee who is collecting Worker's Compensation Benefits as a result of an on-the-job injury may use accrued sick leave during the first seven (7) calendar days following the injury/illness or prorated amount for premium payments if being compensated at 2/3 rate by Workers Compensation.

The City Manager may authorize the use of accrued sick leave for additional extenuating circumstances.

For purposes of this sick leave section and policies, the definition of immediate family includes spouse, child, parent, brother, sister, grandparents, grandchildren, or guardian plus the various combinations of half, step, in-law and adopted relations derived from those named. Foster children under the care of an employee shall be deemed immediate family for these purposes.

Notification of the desire to take sick leave should be submitted to the employee's supervisor or department head prior to the leave or not later than 30 minutes after the beginning of the scheduled workday. Failure to do so may result in denial of such leave pay and require leave without pay for the absence.

The supervisor or department head may ask basic questions regarding the nature of the illness and the expected duration. The supervisor should consult with human resources to determine if the sickness falls under the provisions FMLA. Please refer to the City's FMLA policy for additional guidance.

If a question arises concerning the legitimacy of the use of sick leave, a certifying statement from a practicing physician or other acceptable verification may be required. Failure of an employee to provide a physician's statement, or other acceptable verification, or claiming sick leave under false pretenses to obtain a day off, or failure to follow the above guidelines, shall constitute a reason for non-payment of the days taken and is grounds for disciplinary action up to and including dismissal.

An employee who is on sick leave shall keep his/her supervisor or department head advised in a timely manner as to condition and expected date of return to duty. Medical documentation concerning an employee's capacity to resume duties may be required.

Eligibility and Accrual. Full-time employees shall be entitled to accrue sick leave bi-weekly at the rate of 3.70 hours (3.89 hours for 7k sworn law enforcement and 4.90 hours for 7k fire protection). Sick leave shall accrue on the last day of the pay period. Sick leave shall not accrue during authorized extended leaves of absence without pay. Unused sick leave will be cumulative for an indefinite period.

No employee who separates employment from the City of Kannapolis shall be paid for unused sick leave.

Retirement Credit for Accumulated Sick Leave. Those employees retiring from the City under provisions of the Local Governmental Employees' Retirement System will have unused sick leave applied toward creditable service at retirement as regulated by the North Carolina Local Governmental Employees' Retirement System or Law Enforcement Officers' Benefit and Retirement Fund.

SUBJECT: ANNUAL VACATION AND SICK LEAVE – TRANSFER OF NC GOVERNMENT AGENCY BENEFIT

New hire employees who were previously employed (without retiring, including retirement disability) by a participating governmental entity in one of the following retirement systems that is administered by the NC Department of State Treasurer Retirement System Division:

- North Carolina Local Government Employee's Retirement System (LGERS)
- Teachers' and State Employees' Retirement System (TSERS)
- Legislative Retirement System (LRS)
- Consolidated Judicial Retirement System (CJS)

may be eligible to receive the following leave credits, transfers, or accrual rates as outlined in this policy.

In all circumstances obtaining and submitting any and all written verifications from previous employers by the policy designated deadline is the responsibility of the employee.

Determining and Verification of the Years of Creditable Service for Rate of Annual Leave Accrual.

New hires who transfer to the City of Kannapolis from one of the following systems identified directly above in this policy will receive years of service credit in determining eligibility for vacation leave accrual.). Previously withdrawn service time is not included in the calculation of years of creditable service.

The new employee will provide a written statement proving creditable service from any eligible retirement system listed above. The accrual rate adjustment based on years of creditable service will be effective on the first pay period following receipt of the required documentation and will not be retroactive. All documentation will be submitted to the Human Resource Director (or designee) who will verify active years of creditable service. **Written acceptable verification is the responsibility of the employee and Human Resources must receive within six (6) months of employment.**

Credit for Accumulation from Previous Employment – Vacation Leave.

New hires who were previously employed by a participating governmental entity in one of the following retirement systems that is administered by the NC Department of State Treasurer Retirement System Division immediately prior to being employed with the City of Kannapolis may receive credit with the City of Kannapolis for up to 80 hours **unused/unpaid** accumulated vacation leave earned at the immediate preceding NCLGERS, TSERS, LRS, or CJS employer, provided:

- the entity participating in the retirement system was the employee's most recent full-time employer immediately preceding the employee's employment with the City of Kannapolis;

- the employee presents to the Human Resource Director (or designee) a written statement on agency letterhead confirming the employee's ending vacation leave balance within **60 days of employment**; and

- the employee was not paid out for the unused hours.

Credit for Accumulation from Previous Employment – Sick Leave.

Option A: New hires who were previously employed by a participating governmental entity in one of the following retirement systems that is administered by the NC Department of State Treasurer Retirement System Division immediately prior (defined as no break in employment with a NC governmental entity – 31 days or less) to being employed with the City of Kannapolis may receive credit with the City of Kannapolis for unused accumulated sick leave earned each pay period or monthly from one of the following systems identified directly above in this policy, provided the employee presents a statement from the entity confirming the employee's ending sick leave balance and that the employee was not reimbursed for these days nor was the balance transferred to another entity. This only applies to governmental entities that were the employee's most recent place of employment immediately preceding their employment with the City of Kannapolis (this includes part-time employment where the employee was earning sick leave).

Option B: New hires who were previously employed by a one of the following systems identified directly above in this policy and had a break in employment (more than 31 days) but less than five (5) years may receive credit with the City of Kannapolis for unused accumulated sick leave earned each pay period or monthly from one of the following systems identified directly above in this policy *only from employers where the last date of employment is within the last five (5) years*, provided the employee presents a statement from the entity confirming the employee's ending sick leave balance and that the employee was not reimbursed for these days nor was the balance transferred to another entity. This includes part-time employment where the employee was earning sick leave.

Written acceptable verification is the responsibility of the employee and Human Resources must receive within 60 days of employment.

SUBJECT: HEALTH AND WELL-BEING LEAVE

City employees will receive up to 12 hours of paid health and well-being leave per calendar year for qualifying activities. Time must be during the employee's regularly scheduled workweek.

The purpose of this leave is to support employee's physical, mental and/or emotional well-being. While advance notice is always preferred, this time could include more spontaneous needs that are not addressed by other accrual banks of time including employee health clinic visits, EAP visits, preventative wellness, mental health/recovery time, accessing crisis support services, and/or immediate family concerns. Time may be taken as either a full day or less. These paid leave hours will be established on an annual basis and will not carry over or be paid out if not used during the calendar year.

Employee Health Clinic Visits and Leave Time
Health and Well-Being leave may be used for time spent at the employee health clinic during the employee's regularly scheduled work hours (if the visit is for the employee or a dependent minor child). If the employee has exhausted his/her health and well-being leave for the calendar year, sick leave will be used. If the employee is advised to go home, sick leave must be used from the time the employee is released from the clinic.

SUBJECT: BEREAVEMENT LEAVE

The City understands that the loss of a loved one is a significant and distressing event. Our bereavement policy is designed to provide support and time off for employees to grieve, plan/attend/travel funeral services/visitation/burials/celebration of life events, and manage affairs related to the bereavement.

The following guidelines provide a framework for bereavement leave:

- Full-time employees are eligible for paid bereavement leave.
- Bereavement leave taken during an employee's probationary period will result in an extension of probation equal to the amount of bereavement leave used.

- Up to forty (40) hours (60 hours for 12-hour sworn law enforcement and 120 hours for sworn fire suppression personnel) in the event of the death of an immediate family member. This time will be placed in the employee's paid bereavement leave bank each calendar year from which employees can draw if needed. Immediate Family includes spouse, child, domestic partner, parent, sibling, grandparents, grandchildren, or guardian plus the various combinations of half, step, in-law and adopted relations derived from those named. Recognizing the emotional impact of a miscarriage, the City allows for available paid bereavement leave to be used for such circumstances should the employee choose.

Spousal/Child/Parental bereavement leave extension:

- Up to an additional eighty (80) hours (120 hours for sworn law enforcement and 240 hours for sworn fire suppression personnel), in addition to the initial bereavement allocation of paid bereavement leave in the event of the death of an employee's child or spouse for any one occurrence with no calendar year limitations.
- Up to an additional forty (40) hours (60 hours for 12-hour personnel and 120 hours for sworn fire suppression personnel), in addition to the initial bereavement allocation of paid bereavement leave in the event of the death of a parent for any one occurrence with no calendar year limitations. If the employee has available paid bereavement leave in their calendar year bank, that leave is included in this paid bereavement leave allowance. This leave includes a stillborn child.
- In the event of the death of other family members (i.e. aunt, uncle, niece, nephew, cousins, or an adult who stood in loco parentis to the employee during childhood; plus the various combinations of half, step, in-law and adopted relations derived from those named) as well as close friends or family friends employees may utilize up to five days of sick leave.
- In the event of the death of a fellow employee, City retiree, elected official, or appointed board members, the City Manager in consultation with the Human Resources Director will determine and approve the appropriate use of City time or leave to allow employee attendance of visitation/funeral for those that desire.
- Bereavement leave is frequently taken close to the death of the loved one. The City recognizes that each bereavement and its surrounding circumstances and responsibilities are unique; therefore, necessary leave (as defined in this policy) may be taken during the first year following the loss and need not be taken in full days.

Additional leave options: Employees may utilize their accrued sick and/or vacation leave or available health and well-being leave. Leave without pay is a last resort and should not be used unless extenuating circumstances exist.

If additional time is necessary, it must be approved with advance authorization by the appropriate Department Head and/or the City Manager.

Notification process: Employees must notify their direct supervisor about their need for bereavement leave as soon as possible. The City recognizes and respects the diverse cultural practices and beliefs surrounding death and bereavement. Employees are encouraged to communicate any specific needs or observances required during their time of bereavement.

We trust our employees to use bereavement leave appropriately and do not typically require proof of death; if a question arises concerning the legitimacy of the use of bereavement leave acceptable verification may be required. Claiming leave under false pretenses to obtain a day

off, or failure to follow the above guidelines, shall constitute a reason for non-payment of the days taken and is grounds for disciplinary action up to and including dismissal.

Transition back to work: The City supports a phased return to work for employees after bereavement, considering the circumstances surrounding the loss and each individual's readiness and capacity to resume work. The City provides access to counseling services and other support mechanisms through our Employee Assistance Program. The impact of bereavement on an employee's concentration and wellbeing will be considered in health and safety assessments, especially for roles requiring high levels of attention or operating machinery.

SUBJECT: VOLUNTEERISM LEAVE

The City encourages employees to:

- become involved in their communities, lending their voluntary support to programs that positively impact the quality of life within these communities; and/or
- Become involved in their children's education and school functions/meetings.

City employees will receive up to 12 hours of paid volunteerism leave per calendar year for qualifying volunteer activities. Time must be during the employee's regularly scheduled workweek. An employee's job responsibilities take precedence over volunteer activities. Volunteer time should not conflict with the peak work schedule and other work-related responsibilities, create the need for overtime or cause conflicts with other employees' schedules. Prior approval by the employee's supervisor is required for time away from work. Unused employee volunteerism leave will not carry over into a new calendar year or be paid out.

Examples of qualifying events include school events such as tutoring, guest lecturer, EOG and exam proctoring, mentoring unrelated to the employee's child/ren, Special Olympics, Habitat for Humanity, Boys and Girls Club, NC DOT Litter Sweep events, Adopt-A-Highway, federal, state, or local government sponsored volunteer opportunities in the state of North Carolina (non-City of Kannapolis sponsored event), non-City sponsored volunteer events such as a non-city sponsored blood drive, and other 501(c)(3) non-profit community programs in the state of North Carolina.

The City may require written verification from the organization that the employee was involved with during the leave time.

Volunteer leave with pay may not be used for volunteering with agencies that discriminate based on race, color, age, gender, religious creed, veteran status, marital status, sexual orientation, pregnancy, childbirth, national origin, or ancestry, mental or physical disability, medical condition or genetic information, or political affiliation.

Policy Note:
Employees participating in City-sponsored community volunteer events such as blood drives may remain clocked-in and participate in the event with prior supervisor approval.

SUBJECT: MILITARY LEAVE

An employee entering active military duty shall have his/her job status protected in full compliance with federal and state requirements.

The City commends the dedication and self-sacrifice of the employees serving in the uniformed services. It recognizes the hardship experienced by these employees and their families for the public good.

The City is committed to protecting the job rights of employees covered by the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA). USERRA protects employees that serve in the Uniformed Services of the United States, which includes the Army, Navy, Marine Corps, Air Force, Coast Guard, Space Force, Public Health Service Commissioned Corps, and National Oceanic and Atmospheric Administration Commissioned Corp, as well as the reserve components of each of these services. USERRA also protects employees who serve as members of the National Urban Search and Rescue Response System, reservists for the Federal Emergency Management Agency (FEMA), and members of the National Disaster Medical System.

In accordance with federal and state law, it is the City's policy that no employee will be subjected to any form of discrimination on the basis of his or her membership in or duty to perform service for any of the Uniformed Services of the United States or covered federal disaster services. No employee will be denied reemployment, promotion or other benefits or employment on the basis of such membership. Furthermore, no employee will be subjected to retaliation or adverse employment action because of his or her rights exercised under this policy.

Employees who are protected by USERRA will be allowed 120 hours of Military or Federal Disaster Service Leave per calendar year for training or activation. The employee shall receive his or her base salary during this leave. The employee must provide a copy of their duty orders. If military or federal disaster service duty is required beyond the available Military or Federal Disaster Service Leave, the employee may take accrued vacation leave or leave without pay. Military or Federal Disaster Service Leave must be exhausted before Leave Without Pay (LWOP) will be granted.

If an employee meeting the above condition is deployed beyond the 120 hours of fully paid time AND is paid more with the City than in their military role, the employee may receive a pay differential (difference between city pay and military pay) for up to 6 months. The employee must provide proof of military pay in addition to military orders required above within 30 calendar days of of the end of the 120 hours of fully paid time and any changes/updates in the military pay during this period within 14 calendar days of the military pay date change. This supplemental pay will be processed through the normal payroll cycle timing.
While taking military leave with partial pay or without pay, the employee's leave credits and other non-monetary benefits shall continue to accrue as if the employee physically remained with the City during this period. For those choosing LWOP status, the credits will be added when the employee returns or begins receiving city pay.

Resources: https://www.esgr.mil/ https://www.dol.gov/agencies/vets/programs/userra

SUBJECT: PARENTAL SCHOOL INVOVEMENT LEAVE

Employees are granted four (4) hours per year (interpreted as a calendar year for tracking purposes) of unpaid leave, in accordance with applicable law, to any employee who is a parent, guardian, or person standing in loco parentis of a school-aged child so that the employee may attend or otherwise be involved in that child's school. You are required to schedule this time off in advance with your supervisor and provide a written request to take the leave at least 48 hours before the time of the leave. Reference: NCGS 95-28.3

Full-time employees may choose to use available paid volunteerism or vacation leave in lieu of unpaid leave.

SUBJECT: CIVIL LEAVE

Jury/Court: Any employee called for service for jury duty, or as court witness for the federal or state governments or quasi-judicial body or a subdivision thereof, may be granted leave with full pay for the duration of the period for which called, without charge against leave.

The employee may keep fees and travel allowances received for jury or witness duty in addition to regular compensation except that employees must turn over to the City any witness fees or travel allowance awarded by the court for court appearances in connection with official duties. The employee must provide documentation to the City confirming jury duty or court witness and attendance for all days of jury duty or court witness. While on civil leave, benefits and leave shall accrue as though on regular duty.

Time spent in work related legal proceedings by employees acting within the official scope and capacity of their employment is considered time worked.

Employees may use accrued leave for non-work related legal proceedings that do not qualify for paid civil leave including non-government subpoenas for testimony.

Employees are to return to work after jury duty although no more than the regularly scheduled number of hours for both jury duty and work shall be required. If excused as a juror on any given day, the employee is expected to contact his/her supervisor and to report to work as instructed.

Civic Duty: Civil leave with pay may be granted when an employee serves as a Cabarrus or Rowan County election worker, a census worker in Cabarrus or Rowan County, or similar type of governmental activity that does not create a conflict of interest with a maximum of two (2) days per calendar year if the required times are during the employee's normal work schedule and no other alternative arrangements are possible. To request civil leave an employee must present written evidence of an appointment to serve and the dates/times scheduled to serve/train a minimum of ten days in advance of their need for time off in order to accommodate the necessary rescheduling of work periods. Such requests should be discussed in advance with the employee's supervisor to determine if the request for leave may be accommodated. The employee's City of Kannapolis duties will take precedence. The employee may keep

stipends, allowances, and pay received for such volunteer duty in addition to regular City leave compensation. While fulfilling such volunteer civic duty, the individual is not serving in a City of Kannapolis employee capacity and should not present their selves in any such manner.

SUBJECT: DISASTER RESPONSE LEAVE

Employees who are members of volunteer fire departments, rescue squads, the North Carolina National Guard, or emergency medical services agencies called into service after the Governor or the General Assembly has proclaimed a state of disaster may take leave without pay to provide emergency services. Employees may, but are not required to, use vacation or other accrued leave. An employee should provide the City with a letter requesting the services of the employee from the director of the Division of Emergency Management or by the head of a local emergency management agency. If the City needs the services of the employee to address the City's on-going emergency or disaster relief activities, the employee may be exempted from the leave. Reference: NCGS 166A-19.76

Employees directed to participate as part of their required job duties will be considered on-the-job and will be paid the same salary as working for the City. Pay from other sources must be turned over to the City.

SUBJECT: DOMESTIC VIOLENCE VICTIM LEAVE

Employees are permitted a reasonable time off from work to obtain or attempt to obtain assistance as a victim of domestic violence. An employee must follow the City's usual procedures and policies regarding time off except in cases of an emergency. The City may request documentation regarding such an emergency. The employee may choose to use accrued annual leave or unpaid leave. Reference: NCGS 50B-55

SUBJECT: JUVENILE ORDER LEAVE

All employees who are parents, guardians or custodians of juveniles will be given leave to comply with juvenile court orders issued by a court of competent jurisdiction. Employees subject to such orders must notify their supervisor immediately upon being served with an order and provide a copy of the order. Leave under this policy is unpaid; however, exempt employees will be paid as required by law. Employees may opt to use paid time benefit in place of unpaid leave. Reference: NCGS 7B-2705

SUBJECT: SHARED LEAVE

The City recognizes that employees may have a family medical emergency resulting in a need for additional time off in excess of their available leave. To address this need, all eligible employees will be allowed to donate accrued paid annual or sick leave hours from their unused balance to their co-workers in need of additional paid leave through the establishment of a **"shared leave bank**,**"** in accordance with the policy outlined below. This policy is strictly voluntary. It is not the intent of this policy to apply to incidental, normal, short-term medical conditions.

Definitions and Guidelines

Employees must be employed with the City for a minimum of one year to be eligible to donate and/or receive donated leave to/from the shared leave bank.

Leave donations to the shared leave bank are accepted at any time during the year. Human Resources may conduct share leave bank donation campaigns periodically, including when there is a specific need for leave in excess of the shared leave bank balance. Donations of vacation or sick leave at the time of separation from employment cannot be accepted.

Every effort is made to keep donor names confidential; however, due to the nature of the process, confidentiality cannot be guaranteed.

Employees who would like to make a request to receive donated shared leave must have a medical emergency situation. For the purposes of this shared leave policy, ***medical emergency*** is defined as a documented medical condition of the employee or his/her spouse, child, or parent (family members as defined by the Family Medical Leave Act) that will require the prolonged/extended absence of the employee from work for a period of three weeks or more and will result in a substantial loss of income to the employee due to the exhaustion of all available paid leave. The employee must have exhausted all forms of paid leave which would have otherwise covered the requested leave time. This definition also includes extended time off following the loss of a spouse or child (including pregnancy loss, miscarriages, stillbirths, or death of an infant).

An employee receiving employer provided short-term disability (STD) is eligible to apply for shared leave in accordance with the policy to supplement the STD paid benefit in accordance with the STD plan document and City leave policies, with the intent support the employee in covering continuation of benefit payroll deductions.

Illustrative examples of non-qualifying situations include, but not limited to:

- Sporadic, short-term recurrences of chronic conditions;
- Short-term absences due to contagious diseases;
- Accidents/illnesses for which Workers' Compensation benefits are payable;
- Cosmetic treatment as defined by the City's health plan; or
- Pregnancy. Note: Severe or extraordinary complications related to pregnancy of an extreme or life-threatening nature that are expected to extend beyond the typical post-partum recovery period *may* be considered.

These examples are illustrative, not all inclusive; each application is reviewed and a decision rendered based on its conformity to policy intent and is handled consistently and equitably.

In reviewing requests the City considers multiple factors including, but are not limited to:

- The request must meet the policy standards and definitions;
- Length of employment with the City, overall attendance, and use of leave;
- Employee's intent/ability to return to work;
- Information provided concerning the overall medical emergency situation;

- Expected length of leave period and leave without pay period;
- Requesting employee has ever donated leave; and
- Prior amount of leave share requests granted to employee (if any).

Once a leave recipient has had time to rebuild leave balances, donations to the leave bank are encouraged and appreciated for future leave share applicants in need.

Receipt of shared leave is not job protected leave and in no way creates any job protection beyond those provided by the Family Medical Leave Act (FMLA). Nothing in this policy will be construed to limit or extend the maximum allowable absence under the Family and Medical Leave Act. Nothing in this policy will be construed to be a guarantee or expectation that the employee's request will be approved for any specific amount of shared leave or to cover the entire period of leave without pay. If an application is not approved, an employee may submit a second request for the same situation with additional information to be considered or reapply if the situation changes.

Under no circumstances shall an employee receive any form of compensation, monetary or otherwise, for donated leave. The use of vacation or sick leave on a shared basis for any purpose other than specified by this policy is prohibited. An employee may not directly or indirectly (or attempt to) intimidate, threaten, or coerce any other employee for the purpose of interfering with any right which such employee may have with respect to donating, receiving or using leave under this program. Such action by an employee shall be grounds for disciplinary action up to and including dismissal in accordance with City policies.

Share Leave Bank Administration

Requesting Shared Leave. Employees requesting donated leave are required to complete the application and release form. If the employee is not able to complete the request, a Department Head or supervisor may submit the request on behalf of the employee. The Department Head reviews the merits of the request and forwards it to the Human Resources Director with a recommendation to approve or disapprove. The employee must provide Human Resources with a physician's statement of the medical emergency including the date it began and its probable duration. If an employee is on FMLA, the FMLA medical certification form will normally meet this requirement. Human Resources will contact the employee to obtain additional/missing pertinent information needed to make an approval/denial decision. The City Manager (or designee), with the recommendations of Human Resources Director and the Department Head, makes the final decision.

If the recipient employee has available leave in his/her balance, this leave must be exhausted prior to receiving any shared leave. Employees may receive no more than 480 hours of shared leave within a rolling 12-month period. Total lifetime shared leave should not exceed 2,080 hours.

Donation of Annual or Sick Leave. The donation of leave is strictly voluntary. Donated leave is surrendered to the City and in turn distributed to eligible recipient employees through the Shared Leave Bank. Employees voluntarily donating leave completes the form and submits to Human Resources. The donation of leave is on an hourly basis, without

regard to the dollar value of the donated or used leave; as is with all other paid leave the dollar value of the leave is not realized until utilization. **The minimum number of hours that an eligible employee may donate is two (2) hours per fiscal year; the maximum donations are 80 hours of vacation leave and eight (8) hours of sick leave per fiscal year.** The donation cannot reduce the employee's annual leave or sick leave balance below 40 hours for either leave balances. Employees who are currently on an approved leave of absence cannot donate leave.

Accounting and Usage Procedures

Human Resources maintains a system of leave accountability which accurately records leave donations and recipients use. Such accounts should provide a clear and accurate record for financial and management audit and reporting purposes. Donations are accepted and applied in a first-in, first-out accounting method. The approved amount(s) of shared leave will only be added to the recipient's sick leave balance after all paid leave is exhausted. Shared leave will be applied to the recipient employee's payroll as needed. If a recipient employee separates from the City, participation in the shared leave program will end immediately and any unused shared leave will be deducted from the sick leave balance and returned to the Shared Leave Bank. Donated leave will remain in the Shared Leave bank for future needs of eligible employees with qualifying medical conditions.

SUBJECT: LEAVE WITHOUT PAY

When an employee is absent from work and does not have sufficient accrued paid leave to cover the hours in their work period, Leave Without Pay (LWOP) must be utilized to close out the pay period. The employee must have exhausted all forms of accrued paid leave which would have otherwise covered the requested leave time. LWOP is not to be used on a regular basis; if a pattern occurs, disciplinary action may be taken.

Approval of Leave Without Pay is an administrative decision and may be granted only in extraordinary situations. Requests are reviewed on a case-by-case basis. Illustrative reasons for the leave without pay may include, but are not limited to:

- Suspensions (including investigatory or disciplinary);
- Military service (The employee does not have to exhaust other available leave.);
- Educational;
- The employee is not able to return at the end of FMLA due to a serious medical condition, but is certified by his/her medical provider as being able to return after some limited additional leave;
- The employee is not able to return at the end of FMLA, and needs more time for the physician to provide additional medical information to determine if the employee can return;
- An employee with workers' compensation injury is unable to return at the end of FMLA;
- A qualified individual with a disability as defined under the ADA has exhausted FMLA leave or not eligible for FMLA and is certified by his/her medical provider as being able to return after some limited additional leave;

- An employee has a serious health condition and is not eligible for FMLA and is certified by his/her medical provider as being able to return after some limited leave; and
- Personal leave of absence. Job performance, absenteeism and departmental requirements will all be taken into consideration before a personal leave request is approved.

The employee shall apply in writing to the Department Head and supervisor. The Department Head reviews and renders a decision to:

- Approve or deny the request if 3 workdays or less.
- If the request is more than 3 workdays, forward the request with his/her recommendation to the City Manager through Human Resources.

The employee is obligated to return to work within or at the end of the time approved. Employees are required to respond to communications from the City during the absence and notify Human Resources of any changes in situations during the absence within two (2) business days. If the employee decides not to return to work, the supervisor or Human Resources should be notified immediately. Failure to report at the end of the expiration of a leave of absence will be considered a voluntary resignation. Except for mandated benefits extensions associated with FMLA, military leave laws, or other laws, an employee in Leave Without Pay status will not accrue benefits (such as annual leave and sick leave).

Any employee on an approved leave of absence without pay may continue his or her medical, dental, and life insurance coverage by submitting to the City the full cost (amount paid by the City) of such benefits by the fifth day of each month he/she is absent, subject to limitations set by the insurance carrier. When in a paid status, employees do not typically pay for employee only coverage; when the employee is on LWOP for a full pay period or more, he/she must pay the employer portion of the insurance cost.

SUBJECT: ADMINISTRATIVE LEAVE

In some circumstances it may be necessary to place an employee on paid or unpaid administrative leave not otherwise outlined in this policy. Unless specifically authorized in this policy, the administrative leave must be authorized by the City Manager or Human Resources Director. This does not limit or restrain the Department Head or supervisor's authority to send an employee home with pay for the remainder of a day for workplace safety and investigation initiation situations.

Examples of when administrative leave may be authorized by the City include and are not limited to workplace investigations, safety, policy/compliance situations, emergencies, funeral/visitation attendance for a co-worker, elected official or appointed board members, early closure of City offices before a holiday or after an All-City staff development event, and Employee Assistance Program manager's referral.

Department Heads with Human Resources Director consultation may place employees on investigatory suspension. Each situation will be reviewed to determine if it is a paid or unpaid status.

SUBJECT: PAID SABBATICAL LEAVE

It is the policy of the City to allow eligible employees to take paid sabbatical leave to focus on self-development, professional development, or a specific work project for a specified period of time. A paid sabbatical leave is a break from the normal day-to-day work schedule to allow space for reflection and "reset." The purpose is for longer-employed, high-performing employees to refresh themselves and to enhance their leadership, productivity, creativity, and passion for the work of the City. In addition, the program allows staff members, who cover the work of the individual on sabbatical, to learn and grow as they take on those responsibilities. A sabbatical is not just a longer vacation; there are expectations of the "sabbatical." Employees eligible for sabbatical leave will be held accountable for the activities or materials they choose to conduct or create during this leave. All intellectual property created during an employee's sabbatical leave will be deemed property of the City.

Eligibility: Assistant Department Heads and above employees may apply for sabbatical leave after 5 years of continuous full-time service with the City of Kannapolis and not have had other extended leave in the preceding 12 months. These employees may apply to take sabbatical leave for two weeks at full pay every three years.

After an employee has completed sabbatical leave, he/she is obligated to return to the City for a full year of work at the conclusion of a sabbatical.

Employees on approved sabbatical leave will receive pay and continued benefits during the period of leave. Employees on sabbatical leave are not eligible for tuition reimbursement or any sabbatical activity reimbursement.

Procedures: Eligible employees who wish to apply for sabbatical leave are required to submit a letter to the City Manager describing the reason for the sabbatical and the specific project during sabbatical. Some examples of projects during sabbatical include continuing education, conducting research for a City project, developing, writing, or revising major City documents/workflows, or other similar work. The requesting employee is responsible for identifying and communicating a plan to cover essential functions during their sabbatical. Sabbatical proposals may be approved based on the City's business needs, staffing needs, and other factors identified by the City Manager.

After an employee's return from sabbatical leave, the employee will be required to produce evidence of the activities conducted during this time. In some instances, this may include a class syllabus with a reported grade for the class. In other instances, it may mean the submission of completed work. Upon return, the employee will also share lessons learned from the experience. The report may be presented in various ways. Failure to produce evidence of work during this period will result in the employee becoming ineligible to participate in future sabbaticals. The City also reserves the right to take disciplinary action against employees who fail to conduct any meaningful work or activities during this period.

Time off taken for approved Family and Medical Leave Act (FMLA) leave will not be counted against the employee when determining eligibility or "continuous service."

Employees on sabbatical leave will not be required to use any accrued leave during this period. Employees on sabbatical who are enrolled in benefits will continue to have deductions made from their pay during the sabbatical period.

SUBJECT: FAMILY MEDICAL LEAVE ACT (FMLA)

This policy provides basic information concerning FMLA entitlements and obligations. For questions concerning FMLA leave, employees should contact Human Resources. The City posts the DOL publication 1420 FMLA Notice in compliance with U.S. Department of Labor (DOL) on Employee Rights and Responsibilities under the Family and Medical Leave Act on City employee bulletin boards.

Employees Eligible for FMLA Leave

FMLA leave is available to "eligible employees."

To be eligible, an employee must:

(1) have been employed by the City for at least 12 months (which need not be consecutive); and

(2) have worked for the City for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave; and

(3) be employed at a worksite where 50 or more employees are located within 75 miles of the worksite.

All periods of absence from work due to or necessitated by service in the uniformed services are counted as hours worked in determining eligibility.

Employee Rights for FMLA Leave

As described below, the FMLA provides eligible employees with a right to leave, health insurance benefits and, with some limited exceptions, job restoration for certain family and medical reasons.

Amount of and Reasons for Leave

The FMLA provides eligible employees up to 12 workweeks of paid/unpaid leave for certain family and medical reasons during a 12-month period. The 12-month period for determining leave entitlement will be a rolling 12-month period. The 12 months immediately preceding the current leave request will determine the entitlement. Eligible employees are entitled to up to 12 weeks of FMLA leave less any leave used for a qualifying FMLA purpose during the preceding 12 months. Employees may not take more than 12 weeks paid/unpaid FMLA leave for a qualifying FMLA purpose in any 12-month period.

Leave may be taken for anyone, or for a combination, of the following reasons:

- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son, daughter, or parent (but not in-law) who has a serious health condition;
- For the employee's own serious health condition (including any period of incapacity due to pregnancy, prenatal medical care, or childbirth) that makes the employee unable to perform one or more of the essential functions of the employee's job; and/or
- Because of any qualifying exigency arising out of the fact that an employee's spouse, son, daughter or parent is a military member on covered active duty or call to covered active duty status (or has been notified of an impending call or order to covered active duty) in the Reserve component of the Armed Forces for deployment to a foreign country in support of a contingency operation, or the Regular Armed Forces for deployment to a foreign country.

FMLA leave eligibility for birth, adoption or foster care of a child must be taken within one year of the birth or placement of the child.

When spouses are both employed by the City and eligible for FMLA leave, **they will be limited to a combined total of 12 weeks** of leave during any 12-month period if the leave is taken for the birth of the employee's child or to care for the child after birth, for the placement of a child with the employee for adoption of foster care or to care for the child after placement, or to care for the employee's parent with a serious health condition.

A "serious health condition" is an illness, injury, impairment, or physical or mental condition that involves:

- An overnight inpatient stay in a medical care facility, or
- Continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen (i.e. a prescription) of continuing treatment, or
- Incapacity due to pregnancy, or
- Incapacity due to a chronic condition (examples: asthma, diabetes, epilepsy), or
- Permanent or long-term conditions (examples: cancer, Alzheimer’s disease), or
- Conditions requiring multiple treatments and recovery from treatments (examples: dialysis, physical therapy, chemotherapy treatment and recovery), or
- Other conditions may meet the definition of continuing treatment.

Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, caring for the parents of the military member on covered

active duty and attending post-deployment reintegration briefings.

1. Military Caregiver Leave Entitlement (Injured Servicemember Leave)

In addition to the basic FMLA leave entitlement discussed above, an eligible employee who is the spouse, son, daughter, parent or next of kin of a covered servicemember is entitled to take up to 26 weeks of leave during a single 12-month period to care for the servicemember with a serious injury or illness. Leave to care for a servicemember is available only during a single-12-month period and, when combined with other FMLA-qualifying leave, may not exceed 26 weeks during the single 12-month period. The single 12-month period begins on the first day an eligible employee takes leave to care for the injured servicemember. If a husband and wife both work for the City and each wish to take leave to care for a covered injured or ill servicemember, the husband and wife may only take a combined total of 26 weeks of leave.

A "covered servicemember" is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is on the temporary retired list, for a serious injury or illness. These individuals are referred to in this policy as "current members of the Armed Forces." A covered servicemember also includes a veteran who was discharged or released from military service under conditions other than dishonorable at any time during the five (5) year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation or therapy for a serious injury or illness. These individuals are referred to in this policy as "covered veterans."

Note: The FMLA definitions of "serious injury or illness" applicable to current members of the Armed Forces and covered veterans are distinct from the FMLA definition of "serious health condition" applicable to FMLA leave to care for a covered family member.

2. Intermittent Leave or a Reduced Leave Schedule

FMLA leave is usually taken for a period of consecutive days, weeks, or months. However, employees also are entitled to take FMLA leave intermittently or on a reduced leave schedule when medically necessary due to a serious health condition of the employee or covered family member or the serious injury or illness of a covered servicemember. Qualifying exigency leave also may be taken on an intermittent basis.

The City may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, in instances when leave for the employee or employee's family member is foreseeable and for planned medical treatment, including recovery from a serious health condition, to care for a covered service member, or to care for a child after birth or placement for adoption or foster care.

3. Protection of Group Health Insurance Benefits

During FMLA leave, eligible employees are entitled to maintain group health plan coverage on the same terms and conditions as if they had continued to work.

4. Restoration of Employment and Benefits

At the end of FMLA leave, subject to some exceptions, including situations where job restoration of "key employees" will cause the City substantial and grievous economic injury, employees have a right to return to the same or equivalent position with equivalent pay, benefits, and other employment terms. The City will notify employees if they qualify as "key employees" and advise them of their rights if it intends to deny reinstatement.

Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of an eligible employee's FMLA leave.

5. Notice of Eligibility and Designation of FMLA Leave

Employees requesting FMLA leave are entitled to receive written notice from the City telling them whether they are eligible for FMLA leave and, if not eligible, the reasons why they are not eligible. When eligible, employees are entitled to receive written notice of:

a. Their rights and responsibilities in connection with such leave;
b. The City's designation of leave as FMLA- qualifying or non-qualifying and, if not FMLA-qualifying, the reasons why; and
c. The amount of leave, if known, that will be counted against the employee's leave entitlement.

When the City learns that the employee’s reason for leave/absence (even if the employee has not requested FMLA leave) qualifies as a FMLA leave reason, the City initiates the required FLMA written notices.

If the City lacks sufficient information on the reason for the leave, the City may inquire further of the employee or representative to determine if the leave qualifies for FMLA protection. The City is responsible for initiating the process for FMLA leave even if the employee has not asked for it; the employee does not have to expressly request FMLA leave. **Employees cannot decline FMLA job protection designation for qualifying events**.

For leave that has not previously been designated as Family Medical Leave, the City may **retroactively** designate leave as FMLA leave with appropriate written notice to employees provided the City's failure to designate leave as FMLA-qualifying at an earlier date did not cause harm or injury to the employee. In all cases where leaves qualify for FMLA protection, the City and employee can mutually agree that leave be retroactively designated as FMLA leave.

Employee FMLA Leave Obligations

1. **Provide Notice of the Need for Leave**

Employees must timely notify the City of their need for FMLA leave, as described below.

Content of Employee Notice: To initiate FMLA leave protections, employees must inform the City by notifying Human Resources of the need for leave and the anticipated timing and duration of the leave, if known. Employees may do this by either requesting FMLA leave specifically, or explaining the reasons for leave to allow the City to determine that the leave is FMLA-qualifying.

For example, employees might explain that:

- A medical condition renders them unable to perform the functions of their job;
- They are pregnant;
- They or a covered family member have been hospitalized overnight;
- They or a covered family member are under the continuing care of a health care provider;
- The leave is due to a qualifying exigency caused by a military member being on covered active duty or called to covered active-duty status to a foreign country; or
- If the leave is for a family member, that the condition renders the family member unable to perform daily activities or that the family member is a covered servicemember with a serious injury or illness.

Calling in "sick," without providing the reasons for the needed leave is not sufficient notice under this policy. Employees must respond to the City's questions to determine if absences are potentially FMLA-qualifying.

If employees fail to explain the reasons for FMLA leave or to provide necessary paperwork in a timely fashion, the leave may be denied. When employees seek leave due to FMLA qualifying reasons for which the City has previously provided FMLA protected leave, they must specifically reference the qualifying reason for the leave or the need for FMLA leave.

The City prohibits subjecting you to interference, restraint, discriminating, retaliation, discipline, or harassment for the good faith usage of your benefits, including FMLA leave. However, employees engaging in fraud, misrepresentation or providing false information will be subject to loss of benefits, denial or termination of leave, and corrective action, up to and including termination of employment.

Timing of Employee Notice: Employees must provide 30 days' advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, or the approximate timing of the need for leave is not foreseeable, employees must provide the City notice of the need for leave as soon as practicable under the circumstances. Employees who fail to give 30 days' notice for foreseeable leave without a reasonable excuse for the delay, or otherwise fail to satisfy FMLA notice obligations, may have FMLA leave delayed or denied.

3. Cooperate in the Scheduling of Planned Medical Treatment and Intermittent Leave or Reduced Leave Schedules

When planning medical treatment, employees must consult with the City and make a reasonable effort to schedule treatment so as not to unduly disrupt the City's operations. Employees must consult with the City prior to the scheduling of treatment to work out a treatment schedule which best suits the needs of both the City and the employees. If the employee providing notice of the need to take FMLA leave on an intermittent basis for planned medical treatment neglect to fulfill this obligation, the City may require the employee to attempt to make such arrangements. All such treatment schedules and arrangements are subject to the approval of the employee's health care provider.

When employees seek intermittent leave or a reduced leave schedule for reasons unrelated to the planning of medical treatment, upon request, employees must advise the City of the reason why such leave is medically necessary. In such instances, the City and employee shall attempt to work out a leave schedule that meets the employee's needs without unduly disrupting the City's operations, subject to the approval of the employee's health care provider.

For the birth, adoption or foster care of a child, the City and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced-hour schedule.

3. **Submit Medical Certifications Supporting Need for FMLA Leave (Unrelated to Requests for Military Family Leave)**

Depending on the nature of FMLA leave sought, employees may be required to submit medical certifications supporting their need for FMLA-qualifying leave.

There are three general types of FMLA medical certifications:

(1) an initial certification
(2) a recertification
(3) a return to work/fitness for duty certification.

The employee is responsible for any fee charged by the health care provider for completion of the forms.

It is the employee's responsibility to provide the City with timely, complete, and sufficient medical certifications. Employees must provide medical certifications within **15 calendar days** after the City requests certification, unless it is not practicable to do so despite an employee's diligent, good-faith efforts. The City will inform employees if submitted medical certifications are incomplete or insufficient and provide employees at least seven calendar days to cure deficiencies. The City may deny FMLA leave to employees who fail to timely cure deficiencies or otherwise fail to timely submit requested medical certifications.

With the employee's permission, the City (through individuals other than an employee's

direct supervisor) may contact the employee's health care provider to authenticate or clarify completed and sufficient medical certifications. If employees choose not to authorize the City to clarify or authenticate certifications with health care providers, the City may deny FMLA leave if certifications are unclear.

Whenever the City deems it appropriate to do so, it may waive its right to receive timely, complete and/or sufficient FMLA medical certifications.

Initial Medical Certifications: Employees requesting leave because of their own, or a covered family member's, serious health condition, or to care for a covered servicemember, must supply medical certification supporting the need for such leave from their health care provider or, if applicable, the health care provider of the covered family member or servicemember. If employees provide at least 30 days' notice of medical leave, they should submit the medical certification before leave begins. **A new initial medical certification will be required on an annual basis for serious medical conditions lasting beyond a single leave year.**

If the City has reason to doubt an initial medical certification, it may require the employee to obtain a second opinion at the City's expense. If the opinions of the initial and second health care providers differ, the City may, at its expense, require the employee to obtain mutually agreed upon by the City and the employee third, final and binding certification from a health care provider.

Medical Recertifications: Depending on the circumstances and duration of FMLA leave, the City may require employees to provide recertification of medical conditions giving rise to the need for leave. The City will notify employees if recertification is required and will give employees at least 15 calendar days to provide medical recertification.

Return to Work/Fitness for Duty Medical Certifications: Unless notified otherwise, employees returning to work from FMLA leaves taken because their own serious health conditions made them unable to perform their jobs must provide the City medical certification confirming they are able to return to work and to perform the essential functions of their positions, with or without reasonable accommodation. The City may delay and/or deny job restoration until employees provide return to work/fitness for duty certifications.

The City may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

4. **Submit Certifications Supporting Need for Military Family Leave**

Upon request, the first-time employees seeking leave due to qualifying exigencies arising out of the covered active duty or call to covered active-duty status of a military member, the City may require employees to provide:

a) **A copy of the military member's active-duty orders or other documentation issued by the military indicating the military member is on covered active duty or call to active-duty status and the dates of the military member's covered active-duty service; and**

b) **A certification from the employee setting forth information concerning the nature of the qualifying exigency for which leave is requested. The City may also require employees to provide copies of new active-duty orders or other documentation issued by the military for leaves due to qualifying exigencies arising out of a different covered active duty or call to covered active-duty status of the same or a different military member.**

When leave is taken to care for a covered servicemember with a serious injury or illness, the City may require employees to obtain certifications completed by an authorized health care provider of the covered servicemember. In addition, the City may request that employees submit certifications setting forth additional information provided by the employee and/or the covered servicemember confirming entitlement to such leave.

5. **Substituting Paid Leave for Unpaid FMLA Leave**

Employee Own Serious Health Condition

An employee taking FMLA leave because of the employee's own serious health condition must exhaust all available paid sick and vacation time before changing to Leave Without Pay (LWOP) status. If the employee is in paid status (using accrued leave for at least 50% of the bi-weekly pay period) then the employee will continue to accrue sick and vacation leave.

NOTE: An employee taking FMLA leave because of the employee's own serious health condition and receiving employer provided short-term disability (STD) paid benefit may choose (not required) to utilize available paid sick or vacation leave to supplement the STD paid benefit in accordance with the STD plan document and City leave policies.

Illustrative Example:

- Employee uses 80 hours of accrued leave during a bi-weekly pay period; the employee will continue to accrue sick and vacation leave.

- Employee is on intermittent FMLA; the employee works 20 hours, uses 60 hours of accrued leave. The employee will continue to accrue sick and vacation leave.

- Employee is on intermittent FMLA; the employee works 30 hours and has exhausted all accrued leave. The employee will go on LWOP status and will not accrue additional leave time.

Serious Health Condition of Family Member, Birth or Adoption

An employee taking FMLA leave because of the serious health condition of a family member or birth, adoption, or foster care of a child the following options are available:

(1) Paid Caregiver Leave

(2) Sick and/or vacation time

Employees must exhaust all available sick and vacation time before changing to Leave Without Pay (LWOP) status.

Please see the applicable paid leave policy to determine if that paid leave may be used for the leave reason.

City Holidays

If an employee is on FMLA leave and is in paid status (including intermittent leave) the day before and the day after a city recognized holiday falls, the employee is entitled to holiday pay in accordance with the holidays policy.

If the employee is on FMLA leave and in unpaid status the day immediately preceding or following a holiday, the employee is not entitled to holiday pay.

For purposes of determining the amount of FMLA leave used by an employee, holidays that occur during a week taken as FMLA have no effect; the week is counted as a week of FMLA leave. However, if an employee is using FMLA leave in increments of less than one week, the holiday does not count against the employee's FMLA entitlement unless the employee was otherwise scheduled and expected to work during the holiday

The substitution of paid time for unpaid FMLA leave time does not extend the length of FMLA leave. **The paid time runs concurrently with the FMLA protected leave.** Once all unused accrued holiday and leave is exhausted, the remainder of the FMLA leave time will be unpaid. **An FMLA covered absence also runs concurrently with a Workers' Compensation absence or a short-term disability (STD) paid absence. FMLA begins on the 8th day of absence (the waiting period).**

Illustrative Example:

- An employee is injured on the job, and it is a compensable claim under the Workers Compensation Act. The employee has completed the 7-day waiting period. The employee is out of work and is receiving workers compensation benefits. FMLA will run concurrently beginning on day 8 until the employee exhausts the 12 weeks of FMLA or returns to work whichever is sooner.
- An employee is injured outside of work. The employee has completed the 7-day waiting period for short-term disability. FMLA will run concurrently beginning on day 8 until the employee exhausts the 12 weeks of FMLA or returns to work whichever is sooner.
- An employee is injured on the job, and it is a compensable claim under the Workers Compensation Act. The employee is working modified duty for 20 hours per week. FMLA will run concurrently with the remaining hours of the week that the employee is not at work.

6. **Pay Employee's Share of Health Plan Premiums and other Voluntary Benefits**

Paid Leave

During FMLA leave, employees are entitled to continue group health plan coverage under the same conditions as if they had continued to work. The City will continue to make contributions for the employee's group health plan coverage including any dependent coverage, provided that the employee continues to pay his/her portion of the premiums. Unless the City notifies employees of other arrangements, whenever employees are receiving pay from the City during FMLA leave, the City will deduct the employee portion of the group health plan premium from the employee's paycheck in the same manner as if the employee was actively working.

If the employee contributes to a life, disability, or other voluntary benefit plans, the employer will continue making payroll deductions while the employee is on paid leave.

Unpaid Leave

While on unpaid leave, the employee must continue to make this payment, either in person or by mail. The payment must be received in the Finance Department by each pay date or by the 1st day of the month. Payment of premiums can be made by cash or check.

While the employee is on unpaid leave, the employee may request continuation of such benefits and pay his/her portion of the premiums. If the employee does not continue these payments, the employer may discontinue coverage during the leave.

Unpaid Insurance Premium

The City's obligation to maintain health care coverage ceases if an employee's premium payment is more than 30 days late. If the payment is more than 30 days late, the employee's health care coverage will be moved to COBRA for the duration of the leave retroactive to the last period for which premiums were paid (generally the 30th of the month). The City will provide 15 days' notification prior to the employee's loss of coverage.

Employees That Do Not Return After FMLA Ends

If the employee does not return to work within 30 calendar days at the end of the leave period (unless employees cannot return to work because of a serious health condition or other circumstances beyond their control), they will be required to reimburse the City for the total cost of the premiums the City paid for maintaining coverage during their unpaid FMLA leave. Employees will be billed by the Finance Department.

Definitions

Note: To the extent that any provisions of these definitions may conflict with federal FMLA laws, the City will abide by the applicable/current federal FMLA definition.

For additional information:

FMLA Employee Guide

FMLA Fact Sheets

Spouse means a husband or wife as defined or recognized in the state where the individual was married and includes individuals in a common law or same-sex marriage. Spouse also includes a husband or wife in a marriage that was validly entered into outside of the United States if the marriage could have been entered into in at least one state.

Child means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age 18, or age 18 or older and "incapable of self-care because of a mental or physical disability" at the time that FMLA leave is to commence.

Parent means a biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the employee when the employee was a child. This term does not include parents "in law."

In Loco Parentis includes those in the role of a parent with day-to-day responsibilities to care for or financially support a child. Employees who have no biological or legal relationship with a child may stand in loco parentis to the child and be entitled to FMLA leave. Additionally, an eligible employee is entitled to FMLA leave to care for a person who stood in loco parentis to that employee when the employee was a child, even if the person does not have a biological or legal relationship to the employee.

Next of kin for a covered servicemember is the nearest blood relative, other than the current servicemember's spouse, parent, or child. Servicemembers may specifically designate another blood relative as their next of kin for FMLA purposes in writing

Coordination of FMLA Leave with Other Leave Policies

The FMLA does not affect any federal, state, or local law prohibiting discrimination, or supersede any state or local law which provides greater family or medical leave rights. For additional information concerning leave entitlements and obligations that might arise when FMLA leave is either not available or exhausted, please consult the City's other leave policies within this Personnel Policy or contact Human Resources.

The function of this policy is to provide employees with a general description of their FMLA rights. If you have questions, concerns, or disputes regarding this FMLA policy, please contact Human Resources. The City is committed to complying with the FMLA, and whenever necessary, shall interpret and apply this policy in a manner consistent with the FMLA.

The FMLA makes it unlawful for employers to: 1) interfere with, restrain, or deny the exercise of any right provided under FMLA; or 2) discharge or discriminate against any person for opposing any practice made unlawful by FMLA or involvement in any proceeding under or relating to FMLA. If employees believe their FMLA rights have been violated,

they should contact Human Resources immediately. The City will investigate any FMLA complaints and take prompt and appropriate remedial action to address and/or remedy any FMLA violation.

SUBJECT: PAID CAREGIVER LEAVE

A growing segment of the workforce consists of employees with family caregiving responsibilities. For the City of Kannapolis to remain competitive, we must be able to attract and retain talented and productive employees. Such employees are more likely to join and stay with the City and be productive when they can continue to meet their caregiver obligations. For this reason, the City offers the family-friendly option to its employees of Paid Caregiver Leave (PCL) within the parameters outlined in this Policy.

Eligibility and Paid Caregiver Leave (PCL)

Any full-time 2A employee who qualifies for Family and Medical Leave Act (FMLA) coverage under Section 600.05 of the City's Personnel Policies and Procedures is eligible to receive paid caregiver leave within any rolling twelve-month period for the care of an immediate family member, including the birth, adoption, or placement of a foster child. An employee's eligibility for PCL for birth, adoption, or foster care expires at the end of the 12-month period beginning on the date of birth or placement.

Paid Caregiver Leave maximums within any rolling twenty-four-month period will be based on total annual hours worked excluding overtime.

General Full Time Employees	=	240 hours will be paid
Sworn Police / Sworn Telecommunicators	=	252 hours will be paid
Fire Suppression	=	318 hours will be paid

- Paid Caregiver Leave will run concurrently with the employee's Family and Medical Leave.
- A qualifying employee is entitled to paid caregiver leave once within any rolling twenty-four-month period.
- Eligible employees are not required to exhaust other paid leave prior to application/usage of this paid leave. An employee may choose not to access paid caregiver leave and to use other paid leave even if the leave situation qualifies for paid caregiver leave depending on the employee's individual circumstances.

Qualifications

Paid caregiver leave is available to any regular employee who qualifies as a primary caregiver of an immediate family member under the "Family Member's Serious Health Condition" certification definition, which includes care of a family member who is pregnant.

Immediate family member, serious health condition, spouse, child, and parent for purposes of this policy are defined by Family Medical Leave Act (FMLA). See the City's FMLA Policy for more information and definitions.

Married Couples Employed at City

In cases where caregiver leave is used for pregnancy, birth or adoption or foster care placement of a child where a married couple is employed by the city each employee is entitled to 240 hours of paid caregiver leave or the maximum outlined above.

Birth or Placement of More than One Child

The birth or placement of more than one child (i.e., twins or siblings) at the same time does not entitle the employee to additional paid leave above the 240-hour maximum (or another maximum listed above). Adoption of a stepchild or stepchildren does not qualify for paid caregiver leave.

Procedures

Advanced Notice

An employee requesting paid caregiver leave must contact Human Resources in writing at least thirty days in advance of taking such leave, when possible and practicable, and submit both a Caregiver Leave Request form and acceptable supporting documentation that establishes the qualifying event for eligibility.

Unexpected Leave

For unexpected leave, you're required to report your need for leave on the same or next day leave is taken. Submission of both the Caregiver Leave Request form and acceptable supporting documentation that establishes the qualifying event for eligibility are still required.

Birth, Adoption, or Foster Care (including in loco parents)

In birth, adoption, or foster care related leave requests, the City also requires submission of both the Caregiver Leave Request form and acceptable supporting documentation that establishes the qualifying event for eligibility.

Supporting Documentation

In addition to the Caregiver Leave Request form, an employee must also submit supporting documentation that establishes the qualifying event for eligibility. Examples of supporting documents include, but are not limited to:

- Birth of child – A certificate of live birth, hospital birth confirmation, or similar issued document, listing the requesting employee as a legal parent;
- Placement of a child – Documentation from a Court, Agency, Attorney, or similar granting legal custody/guardianship or similar of the child to the requesting employee;
- Non-legal placement/In Loco Parentis – A notarized statement from the employee asserting that the employee is assuming and discharging the obligations of a parent to a child. The statement must include the age of the child, the date when non-legal placement occurred, the degree to which the child is dependent on the employee, the amount of support, if any provided by the employee and the extent to which the employee exercises duties commonly associated with parenthood and a reasonable record/documentation establishing the employee as a named caregiver of the child (e.g. school enrollment, insurance records, medical records, power of attorney, or similar).

- Completion of Certification of Health Care Provider for Family Member's Serious Health Condition (FMLA) form by the attending certified medical provider to confirm the serious health condition of the ill family member and Caregiver status of the employee involved in the care of and necessary attention to the covered family member. Depending upon individual situation circumstances and the information provided by the health care provider on the certification form, an updated/renewed certification form may be required during the leave or rolling eligibility period.

Approval of PCL

Forms are available from the Human Resources Department and should be submitted to that department. Leave must be approved by the employees' Department Director and Human Resources.

Providing the employee has completed the PCL request form and meets all other eligibility and qualification requirements, PCL may be approved pending receipt of documentation with a grace period of 14 calendar days. If the supporting documentation is not received within the grace period, PCL will be denied, and the employee may use other paid or unpaid leave until the event is certified/reapproved. Retroactive edits will not be made past the current pay period.

Failure to provide acceptable documentation in a timely manner will result in the denial or recoupment of the PCL.

In the event of a hardship or extreme emergency a historical edit for leave time and/or acceptance of similar or other documentation may be considered.

Note: Employees will receive separate communications/forms regarding FMLA eligibility, requirements, and approval/denial in accordance with the Family Medical Leave Act and City policies.

How is the pay received?

Employees approved for caregiver leave must ensure that any paid leave requests are submitted for approval by their supervisor in the City's time and attendance system. While on leave, employees will receive approved caregiver leave pay, not to exceed the hours listed above in the same manner and on the same schedule as employees are normally paid while not on leave status. The employee's usual payroll deductions and contributions and the City's usual payroll contributions will continue.

Benefit Continuation

All benefits provided to the employee per City policy prior to paid caregiver leave will continue. Any employee contributions for benefits, 401(k) loans, or other employee obligations normally paid by the employee through payroll deduction shall continue. Employees using paid caregiver time continue to accrue service time as well as sick and vacation leave according to City policy.

Holiday(s)

If a holiday occurs during the paid caregiver leave period, the holiday will be paid and will not count against the paid caregiver leave hours.

Types of Leave

Leave may be taken either consecutively or intermittently in accordance with the FMLA medical certification; however, employees applying for consecutive and/or intermittent leave must communicate in advance with their supervisor(s) to ensure continuity of operations within their department. Standard call-in and requests for time off procedures must be followed.

Scheduling of Leave

To help minimize the disruption to City operations, you're expected to try scheduling foreseeable care needs, like, routine doctor's appointments, medical tests, or non-emergency surgery outside of your regular work schedule or, at a minimum, at the start or end of your scheduled work shift. Caregiver leave may be used when foreseeable care needs can't be done outside of your regular work schedule or when the need for care is unexpected and you need to miss work. An employee is expected to return to work at the end of their approved paid caregiver leave unless the employee has received approval to extend the time away from work with other types of accrued leave. Employees should notify Human Resources and their supervisor or Department Director if there is any anticipated change in their original return-to-work date.

Transition Back to Work

The City desires to support employees in a successful transition back to work after a period of extended consecutive paid caregiver leave (vs. short periods of PCL or intermittent), considering the life adjustments when returning to work after paid caregiver leave. Supervisors and Department Heads are encouraged and expected to:

- Reach out to the returning employee to discuss support in his or her successful transition back to work.
- Be familiar with City employee-friendly policies and programs that support employees in these circumstances including and not limited to Reasonable Accommodations for Pregnant Workers and Lactation, Flexible Work and Telework Schedules, leave policies, and services available through our Employee Assistance Program (EAP) to all employees experiencing life changes and adjustments .
- Provide re-onboarding support to the returning employee ensuring he or she can get up to speed on changes and current work tasks.
- Provide access and breaks as needed to utilize the City's lactation space, if applicable.

Disciplinary Action

The City prohibits subjecting you to discipline, harassment, or retaliation for the good faith usage of your benefits, including paid caregiver leave. However, you may be subject to disciplinary action, up to and including termination of employment, if you're found to have taken absences under this policy fraudulently. Fraudulent leave includes, but is not limited to, working a secondary job or self-employment during the employee's regular work schedule hours and/or in conflict with information in the certification of health care provider form while taking paid caregivers leave. This paid leave benefit is designed to accommodate employees who have family caregiving responsibilities during their regular work schedule.

Caregiver leave is not paid out at employment separation.

Illustrative examples when Paid Caregiver Leave isn't available:

- To stay home with a child whose school or daycare is closed due to a scheduled break, weather emergency, or illness.
- To care for a family member who's not your child, spouse, or parent as defined above.
- To care for an eligible family member while you're on a paid sick day or leave of absence for your own health condition.
- To care for an eligible family member whose health care provider fails to complete a medical certification outlining the family member's health condition and care needs.
- To care for a new or ill pet.

Illustrative examples when Paid Caregiver Leave is available:

- Nelle uses FMLA leave when her eight-year-old daughter has an accident at school, is treated by an emergency room physician, and is admitted to the hospital for observation until being released the following day. Nelle continues to use FMLA leave to care for her daughter as she recovers at home.
- Ghalen intermittently needs FMLA leave to care for his 10-year-old daughter, who has asthma.
- Andrea uses FMLA leave for two to three days every few months to care for her spouse when her spouse has Multiple Sclerosis flare-ups.
- Maurice uses FMLA leave to care for his spouse who is in the terminal stages of cancer.
- Nia takes FMLA leave for three weeks to travel to another state and provide care, including emotional support and comfort, for her father, who has Alzheimer's disease.
- Bryan's mother has severe arthritis in her knees. He uses FMLA leave one day a week to transport her to physical therapy and care for his mother after.
- Naomi uses FMLA leave every Wednesday for dialysis for her father.
- Matt uses FMLA leave for chemotherapy treatment and recovery for his child.

Personnel Policy Update



What Are The Updates?

- Updated language for retiree health insurance for new hires after January 1, 2025
- Updated language for employment of relatives
- Updated language for search of city and employee personal property
- Continuation of 200-hour rule for part-time employees
- Clarification of conflict-of-interest provisions under requesting secondary employment
- Removal of the mandated unpaid (meal) break. This is now department specific
- No updates to the retention bonus and retention bonus extension

Survey Feedback



At the direction of City Council, we created a survey on the specific policies. We received 25% participation rate.

Surveyed Topics:

- **Pre Age 65 Group Health Plan and Group Dental Plan Retiree Benefits**
- **Employment of Relatives and Other Close Relationships**
- **Search of City and Employee Personal Property**
- **Types of Employment and Eligibility for Benefits**
- **Outside (secondary) Employment**
- **Unpaid Break**

Pre Age 65 Group Health Plan and Group Dental Plan Retiree Benefits Hired After January 1, 2026

We heard very clearly in the survey that current employees want to keep retiree insurance for future hires.

We have updated the language for retiree insurance to the following:

(1) Employees hired after January 1, 2026, will receive a retiree health insurance stipend capped at 75% or 50% or 25% of $1,400 ($1,050 /$700/$350).

The stipend is taxable income and can be used for the purchase of individual health insurance, to offset the cost of the premium for spousal insurance, but is not required to be used on retiree insurance.

Retirees on health insurance impacts the entire health insurance pool. If there is not a shift in policy language, rates for insurance for current employees may need to be increased in the future to offset the cost of retirees. The intent of the original proposal of the policy was to avoid cost increases to current employees.

Payment of Premiums

Qualify for retirement with LGERS (reduced or unreduced)

Law Enforcement Employees / Non-Law Enforcement Employees

20 or more years of service:	75% stipend
15 but less than 20 years of service:	50% stipend
10 but less than 15 years of service:	25% stipend
Less than 10 years of service:	0% stipend

Employment of Relatives and Other Close Relationships

The survey indicated that employees want the ability work in the same department as their relatives.



We have removed the language that <u>prohibits working in the same department as relatives</u>. Employees will be able to work in the same department as their relatives.

We have kept the language that employees are not allowed to work

(1) under the influence, supervision, or under the influence in any way over the rate pay of immediate family member

(2) where one relative would be responsible for auditing the work of the other

(3) other circumstances that exist which would place the relatives in a situation of actual or reasonably foreseeable conflict between the City's interest and their own.

Search of City and Employee Personal Property

Administrative – Employment

The survey is clear that employees shared that there could be infringement on their Constitutional 4th Amendment Rights based on the policy as written.

We updated the following language:

To protect employees and the City from theft, and to enforce the City's policies including those related to substance abuse, workplace violence, and any other applicable policies, the City reserves the right to search employees and their personal property ***with written permission*** (i.e., vehicles, clothing, packages, purses, brief cases, lunch boxes, or other containers brought onto City premises) when there is reason to believe City policy is being violated. Employees are expected to cooperate in the conduct of such searches ***when written permission is given***.

Civil – Legal

Kannapolis, North Carolina
Code of Ordinances

Section 11-1.1 – Weapons prohibited on city property

- Weapons on city property is defined as any building or property owned, occupied or controlled by the City of Kannapolis. Exceptions for sworn law enforcement
- Penalties include misdemeanor and upon conviction shall be fined five hundred dollars or imprisoned for six months or both.

***Employees are encouraged to file criminal complaints with the police department**

Types of Employment and Eligibility for Benefits

Survey indicated that overall current employees are either indifferent or supportive of the 200-hour requirement.

The following language will remain in the policy:

Employees classified as part-time or limited-service (temporary/seasonal) shall receive no benefits unless specifically enumerated in City policies, procedures, or benefit documents or required by law and part-time employees are required to work a minimum of 200 hours per calendar year to remain employed.

Outside (secondary) Employment

- The survey was split on reporting of secondary employment. Employees wanted more clear guidance about the definition of “conflict of interest.”
- We reached out to the following municipalities: Concord, Albemarle, Cornelius, Mooresville, Harrisburg and Huntersville, Iredell and Cabarrus. All surrounding municipalities require the request of secondary employment.
- Generally speaking, unless there is conflict, vast majority secondary employment will be approved.
- The process will be setup in NEOGOV for quick automation.
- We will require the reporting of secondary employment.

The following clarification will be added to better define “conflict of interest” and the reporting requirement will remain.

(1) Directly or indirectly affect their ability to make unbiased decisions or recommendations in the duties of their job with the City; or,

(2) Create the appearance of favoritism for any person or entity providing goods or services to the City; or,

(3) Compromise their independent judgement regarding recommendations or choice of vendors or services that are provided to the City of Kannapolis; or,

(4) Violate any federal or state statute, City of Kannapolis charter or City of Kannapolis ordinance.

Reporting of secondary employment will be reviewed at the department head level in consultation with HR.

Unpaid Break

In the survey employees needed more clarity about the unpaid break. Those with office jobs preferred to work through lunch and others were already required to take one based on departmental requirements.

- After much discussion with the department heads for all departments, there was a consensus to change “meal break” to “unpaid break.” We recognized that all employees do not take a meal break.
- We will require a minimum of 30 minutes unpaid break for all employees (exception WTP Operators, sworn police officers, telecommunicators and firefighters).
- Employees may not take their break by delaying beginning work or leaving work early.

The current language in the policy has been updated to remove the mandatory requirement. It will now be department specific.

- All employees will receive two 15-minute paid breaks. These are informal breaks typically during the first part of the day/shift and then in the later half of the day/shift.



Separation Allowance Retirees Can Return to Work



- Retirees that are currently receiving separation allowance will **now be able to return to work** in part-time capacity and **continue to receive separation allowance**; prior policy required the employee to wait until age 62 to return part-time with the City of Kannapolis.

Separation Allowance

Hired Prior to December 31, 2025

*LEOs will always have this option

Full-Time Employees Only

- Completed 30 or more years of credible service or
- Attained age 55 years of age with five years of creditable service
- Have not attained 62 years of age, AND
- Have completed at least the last five years with Kannapolis

Options:

Retire and receive separation allowance OR

Move to retention bonus (if you want to continue to work)

Equation Used:

base salary x .0085 x number of years **creditable** service

Separation Allowance
Hired After January 1, 2026

*LEOs are subject to the statute (creditable years will apply)

Full-Time Employees Only

- Completed 30 or more years of credible service or
- Attained age 55 years of age with five years of creditable service
- Have not attained 62 years of age, AND
- Have completed at least the last five years with Kannapolis

Options:

- Retire and receive separation allowance OR
- Move to retention bonus (if you want to continue to work)

Equation Used:

base salary x .0085 x **number of years creditable service with Kannapolis**

Retention Bonus
Hired Prior December 31, 2025, and After December 31, 2026



- This allows employees to receive the same amount previously allowed under the separation allowance benefit into a NC 457b plan and the employee can continue working
  - **We are experiencing employees having to make difficult decision about leaving work to receive separation allowance or forgo the benefit. This allows the City to continue to retain institutional knowledge while giving the employee a financial incentive to stay**
  - Each year the employee continues to work it adds another service year to their pension benefit.
  - Only the last five years of service must be with Kannapolis and age 55 or 30 years at any age
  - **Remember when you are hired matters on the equation of the retention bonus.**

What if the employee wants to stop working and collect separation allowance when he/she becomes eligible?

The employee still has that option (equation will differ on hire date). LEOs always have that option regardless of hire date.

Retention Bonus Extension

- When the original separation allowance policy was adopted, the intention was to help fill the gap between retirement and social security age. The age to receive full social security is now much higher.
- Effective January 1, 2026, employees eligible to retire, age 62+ and continue to work for the City of Kannapolis will be rewarded for long term loyalty to the City.
  - Our goal is that this will also incentivize long-term employees to stay working at the City and allow us to maintain institutional knowledge with our aging workforce
- Employees that are still currently employed will receive regular pay and retention bonus extension into NC 457b plan based on an equation that **only** considers years of service with Kannapolis until age 67
  - If an employee retires, the retention allowance will end.



Retention Bonus Extension
Age 62 – Age 67

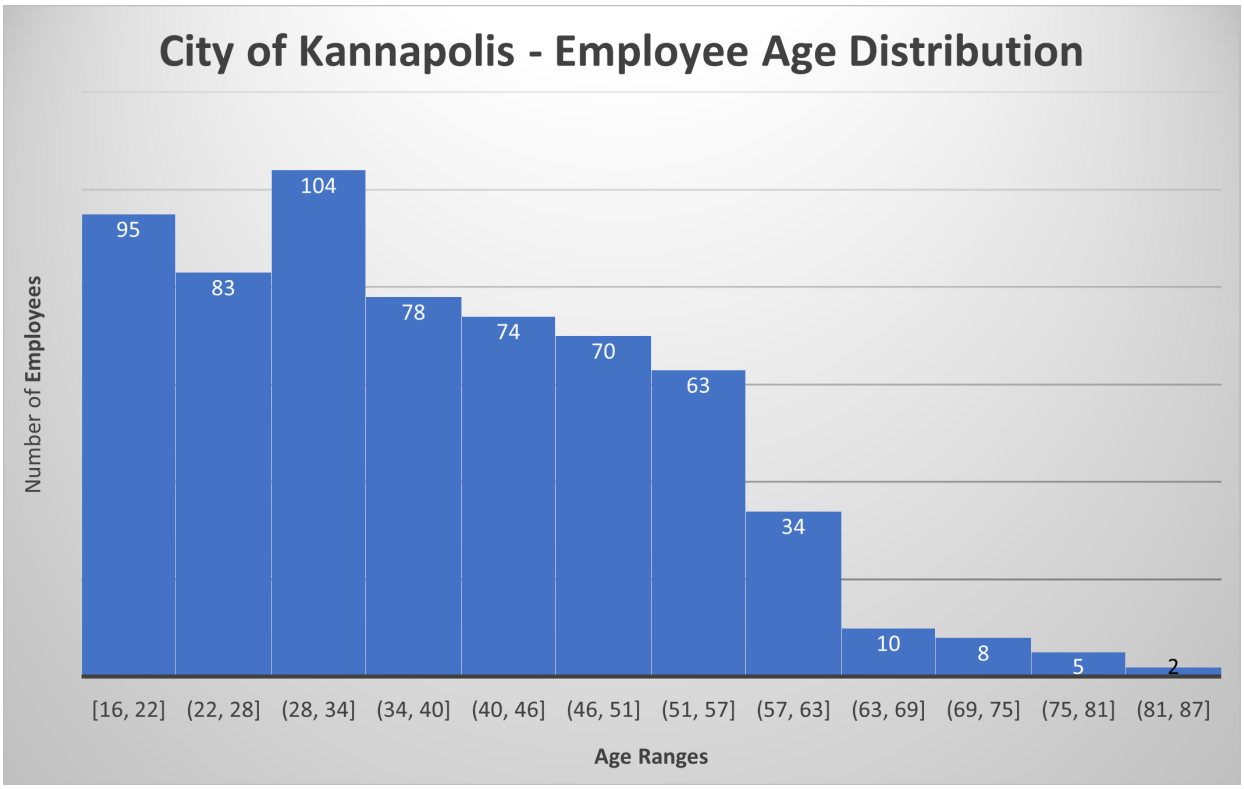
Years of Service	Payment as Percentage of Base Retention Bonus
25 or more years of City of Kannapolis creditable service	50%
20 - 24.99 years of City of Kannapolis creditable service	25%
Less than 19.99 years of City of Kannapolis creditable service	n/a

Illustrative Example:

base salary x .0085 x number of years creditable service with Kannapolis

$**50,000 x .0085 x 21 years = $8,925 x 25% = $2,231.25 / 26 payrolls = $85.82**

Questions?


City of Kannapolis - Employee Age Distribution
Number of Employees
95
83
104
78
74
70
63
34
10
8
5
2
[16, 22]
(22, 28]
(28, 34]
(34, 40]
(40, 46]
(46, 51]
(51, 57]
(57, 63]
(63, 69]
(69, 75]
(75, 81]
(81, 87]
Age Ranges

RESOLUTION #2025-77

RESOLUTION TO ADOPT A NEW PERSONNEL POLICY

WHEREAS, the City of Kannapolis recognizes the importance of maintaining comprehensive, up-to-date personnel policies to guide fair, consistent, and effective management of its workforce; and

WHEREAS, pursuant to N.C.G.S. § 160-164, City Council is authorized to establish policies and procedures governing appointment, promotion, demotion, transfer, suspension, and dismissal of City employees, as well as other conditions of employment; and

WHEREAS, the City has completed a thorough review and update of its existing personnel policy to ensure compliance with applicable laws and regulations, alignment with best practices, and responsiveness to the needs of both the organization and its employees; and

WHEREAS, the updated Personnel Policy reflects the City's commitment to a professional, inclusive, and accountable workplace, and supports the effective administration of human resources; and

WHEREAS, City Council has reviewed and discussed the proposed policy and fins that its adoption serves the best interest of the City and its workforce.

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

1. The City of Kannapolis Personnel Policy, as presented and reviewed, is hereby adopted and shall take effect on January 1, 2026.

2. All previous personnel policies, manuals, and procedures that conflict with this updated policy are hereby repealed or superseded as of the effective date.

3. The City Manager, or their designee, is authorized to implement and administer the provisions of the Personnel Policy and to make updates as necessary in compliance with applicable law and subject to City Council approval where required.

Adopted this the 10th day of November 2025

_____
M. Darrell Hinnant, Mayor
City of Kannapolis

ATTEST:

_____
Pam Scaggs, CMC, NCCMC
City Clerk