



**WORK SESSION
ACTION AGENDA
CITY COUNCIL
KANNAPOLIS CITY HALL,
401 LAUREATE WAY, KANNAPOLIS, NC
OCTOBER 14, 2024
4:30 PM**

Please Turn off Cell Phones or Place on Silent Mode.

CALL TO ORDER AND WELCOME

MOMENT OF SILENT PRAYER AND PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA - Motion to Adopt Agenda or make revisions

COMMUNITY ORGANIZATION AND CITY DEPARTMENT SPOTLIGHT

- A. **City Department Spotlight:** Customer Service (Jenny Johnson, Director of Customer Service)

PROCLAMATIONS

- A. Breast Cancer Awareness Month (Darrell Hinnant, Mayor)

CONSENT AGENDA - Motion to Adopt Consent Agenda or make revisions

- A. **RESOLUTION.** Authorizing an Installment Financing Contract for Vehicles and Equipment and corresponding budget amendment. **APPROVED UNANIMOUS** (Brian Roberts, Finance Director, Kristin Jones, Assistant to the City Manager)
- B. **VOLUNTARY ANNEXATION: A-2024-02.** Resolution Directing the Clerk to Investigate and Certify the Petition; adopt a Resolution of Intent to Annex; and Fix the Date of a Public Hearing on 99.6 +/- acres of combined unaddressed properties located on Cannon Farm Road. (Rowan County Parcel #'s 244 046, 244 047, and 244 012) **PUBLIC HEARING 10-28-2024 APPROVED UNANIMOUS** (Richard Smith, Planning Director)
- C. **BUDGET AMENDMENT #25-16.** Appropriating Donations Received by the Kannapolis Police Department. **APPROVED UNANIMOUS** (Kristin Jones, Assistant to the City Manager)
- D. **BUDGET ORDINANCE.** Appropriating Program Income for HOME Program. **APPROVED UNANIMOUS** (Kristin Jones, Assistant to the City Manager)
- E. **BUDGET ORDINANCES.** FY 25 CDBG and Home Funding. **APPROVED**

UNANIMOUS (Kristin Jones, Assistant to the City Manager)

F. September 23, 2024 Regular Meeting Minutes **APPROVED UNANIMOUS**
(Bridgette Bell, City Clerk)

G. September 23, 2024 Closed Session Minutes **APPROVED UNANIMOUS** (Bridgette Bell, City Clerk)

BUSINESS AGENDA

A. **PRESENTATION.** City Activity Update. **NO ACTION REQUIRED** (Mike Legg, City Manager)

CLOSED SESSION -G.S. 143.318.11 (a) (4) for discussing matters relating to the location or expansion of industries or businesses in the area, and G.S. 143.318.11 (a) (5) for discussing the negotiating position regarding the acquisition of real property, and NCGS 143-318.11 (a) (6) for the purpose of discussing personnel matters. (Mayor Pro tem Wilson)

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.



Kannapolis

Agenda Staff Report
October 14, 2024

To: Mayor and City Council
From: Jenny Johnson, Director of Customer Service
Subject: **City Department Spotlight:** Customer Service

Action Requested by City Council

None

Required Votes to Pass Required Action

Background

The City of Kannapolis Customer Service Department operates as 2-unit entity: the Customer Service Call Center Unit and the Utility Billing and Collections Unit. The Call Center was established as part of the 2020 Customer Service Initiative and is characterized by the new 704-920-4444 phone number. This number reaches all the city's automated systems as well as the City of Kannapolis Customer Service Advocates. The Customer Service Unit of the department facilitates the Customer Call Center, customer accounts and records, as well as facilitating our CARTology notifications and requests, Customer Connect and Invoice Cloudsystems. This team of Advocates is also the Customer Service Cashiering team, which collects, credits and posts customer utility payments from all 5 the acceptable methods of payment. The Customer Service Call Center unit is dedicated to providing a high level of cooperative, knowledgeable, and personal service both at the city offices and at the customer sites. The City of Kannapolis offers water/sewer, stormwater and environmental, (garbage/recycling) as billable services to its residents and businesses. The Utility Billing and Collections team works directly with Public Works team of Meter Technicians, our hardware and technology providers, surrounding towns, environmental services providers as well as residents and businesses to provide the highest level of customer service, accurate billing, and ease of collections.

Fiscal Implications

Policy Issues

Legal Issues

Recommendations and Alternate Courses of Action

Attachments

None



Office of the Mayor
KANNAPOLIS, NORTH CAROLINA
P R O C L A M A T I O N
Breast Cancer Awareness Month October 2024

WHEREAS, October is National Breast Cancer Awareness Month; and

WHEREAS, National Breast Cancer Awareness Month is an annual campaign to increase awareness of this disease and increase public knowledge about the importance of early detection of breast cancer diagnosis and treatment; and

WHEREAS, the American Cancer Society recommends annual breast cancer screening with mammograms starting at age 40. Early detection saves lives, so schedule your mammogram today – 15 minutes could save your life; and

WHEREAS, many organizations continue to search for a cure through vital research, and physicians, public health professionals, and advocates continue to educate our community about awareness and innovative advancements in early detection and treatment; and

WHEREAS, the Kannapolis City Council supports breast cancer research and recognizes the trauma breast cancer brings and understands that this horrible disease strikes women and men within the Cabarrus and Rowan workforce and community.

NOW, THEREFORE, I MILTON D. HINNANT, Mayor of the City of Kannapolis, by virtue of the authority vested in me as Mayor, along with the Kannapolis City Council do proclaim the month of October as:

“BREAST CANCER AWARENESS MONTH”

And recognize and acknowledge all City of Kannapolis employees, citizens, and the strength of the survivors and ask all to join in this worthwhile cause, which aims to offer support for those courageously battling this disease, to recognize the many survivors, and to honor those lives lost to this disease.



IN WITNESS WHEREOF, I have set my hand and caused the great seal of the City of Kannapolis to be affixed this the 14th day of October 2024.

Milton D. Hinnant



Kannapolis

Agenda Staff Report
October 14, 2024

To: Mayor and City Council

From: Brian Roberts, Finance Director, Kristin Jones, Assistant to the City Manager

Subject: **RESOLUTION.** Authorizing an Installment Financing Contract for Vehicles and Equipment and corresponding budget amendment. **APPROVED UNANIMOUS**

Action Requested by City Council

Approve the Resolution authorizing an Installment Financing Contract for Vehicles and Equipment and corresponding budget amendment.

Required Votes to Pass Required Action

Majority Present at Meeting

Background

As part of the FY 25 budget, it was approved via a short-term borrowing to finance the following vehicles and equipment needed city-wide. Capital outlay replacement for vehicles and equipment has been identified in the City's Five-Year Plan to be financed every year over the next five years so we can keep current with our fleet due to high mileage and maintenance issues. The total amount to borrow is \$2,166,000 which consists of \$2,115,100 in project costs (vehicle and equipment needs) and \$50,000 in debt issuance costs. The City worked with our financial advisors and bond counsel on this debt issuance. The RFP was distributed via direct bank loan to local, regional, and national lending institutions the week of August 26th. RFP's were due back by September 19th. The City's financial advisors, Davenport, compiled a summary of bids and reached out to bidders to discuss any questions. City staff, bond counsel and Davenport discussed bids and determined a recommended winning bidder on September 23rd. Through the process, the City received eleven proposals and recommended financing with Banc of America Public Capital Corp who had the lowest rate at 3.2595% for a 55-month term.

Annual debt service payments in FY 25 will be: \$485,633, \$478,997 in FY 26, \$486,307 in FY 27, \$493,933 in FY 28 and \$501,841 in FY 29.

The list of vehicles and equipment to be purchased is below:

Parks	Club car carryall/JD gator electric for	\$21,000
	Village Park	
Parks	Ford Escape for programming staff	\$35,000
	needs	
Parks	60" Ex-mark mower	\$15,000
Parks	New Ford F-250	\$59,000
Parks	Toro Workman utility vehicle for	\$14,000
	Bakers Creek Park	
Parks	Ride-on aerator with seed spreader	\$15,500

Parks	Kubota tractor with backhoe attachment	\$55,000
Parks	Tow behind Chipper for cleanup projects	\$65,000
Parks	Mini excavator	\$90,000
Parks	Chipper attachment for tool cat	\$10,500
Parks	Tilt-deck heavy equipment trailer	\$11,000
Fire	Replacement of Training Manager's 2009 Ford Explorer with a Ford F150 pick-up (includes emergency and communications equipment)	\$75,000
Fire	Replacement of Fleet Services Vehicle for fleet services mechanic, includes a fleet body with an equipment crane.	\$200,000
Fire	Replacement of 2008 staff vehicle (includes emergency and communications equipment)	\$75,000
Fire	Thermal Imaging Drone.	\$12,000
Fire	Replace 15-year-old Kawasaki UTV with motor and transmission issues.	\$35,000
Fire	Replacement of a 19-year-old dual axle trailer. The existing trailer is used to transport bulk rescue, hazmat and decon equipment as well as logistical supplies.	\$15,000
Fire	Vehicle for Inspector position*	\$48,000
Police	(14) Patrol vehicles selected for replacement that meet or exceed established threshold amounts relating to vehicle age and/or mileage	\$848,000
Police	Vehicle for Police Officer Position*	\$55,000
Police	Police Surveillance Camera	\$13,100
Planning	Replacement vehicle for Code Enforcement (maintenance issues).	\$30,000
Streets	Graco Line Lazer Paint striper	\$13,000
Streets	Bobcat asphalt spreader skid steer attachment	\$15,000
Streets	Tandem Dump Truck with snow equipment	\$250,000

Fiscal Implications

The City has budgeted for the debt service payments for the projects listed above.

Policy Issues

None.

Legal Issues

Bond counsel and the City's attorney were consulted with this debt issuance.

Recommendations and Alternate Courses of Action

1. **Motion to approve a resolution authorizing an installment financing contract for vehicles and equipment as well as corresponding budget amendment (Recommended).**
2. Take no action.
3. Table to a future meeting.

Attachments

1. Approving Resolution - Kannapolis, NC Installment Financing (Equipment Vehicles - BAPCC) - 2024
2. Bank of America Proposal - Kannapolis IPC
3. City of Kannapolis, NC Bid Summary 9.23.24
4. City of Kannapolis, NC - 2024 Installment Purchase Contract Proposed Final Numbers (Bank of America Public Capital Corp) 9.26.24
5. Budget Amendment for capital outlay financing

**RESOLUTION OF THE CITY OF KANNAPOLIS, NORTH CAROLINA APPROVING AN
INSTALLMENT FINANCING CONTRACT TO FINANCE VEHICLES AND EQUIPMENT AND
DELIVERY THEREOF AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS**

WHEREAS, the City of Kannapolis, North Carolina (the “City”) is a municipal corporation validly existing under the constitution, statutes and laws of the State of North Carolina (the “State”);

WHEREAS, the City has the power, pursuant to Section 160A-20 of the General Statutes of North Carolina to (1) enter into installment contracts in order to purchase, or finance or refinance the purchase of, real or personal property and to finance or refinance the construction or repair of fixtures or improvements on real property and (2) create a security interest in some or all of the property financed or refinanced to secure repayment of the purchase price;

WHEREAS, the City Council of the City (the “City Council”) has determined that it is in the best interest of the City to enter into an installment financing contract (the “Contract”) with Banc of America Public Capital Corp (the “Lender”) in accordance with its proposal dated September 19, 2024 in order to obtain funds to pay the costs of the acquisition and installation of vehicles and equipment (collectively, the “Projects”), and to put a security interest in all or a portion of the Projects in favor of the Lender in order to provide security for the City’s obligations under the Contract;

WHEREAS, the City will enter into the Contract in an aggregate principal amount not to exceed \$2,250,000;

WHEREAS, there has been made available to the City Council in the office of the City’s Finance Director the form of the Contract which the City proposes to approve, enter into and deliver, as applicable, to effectuate the proposed financing at an interest rate as specified in the Contract and in the bid summary provided to the City Council; and

WHEREAS, it appears that the Contract is in appropriate form and is an appropriate instrument for the purposes intended;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KANNAPOLIS, NORTH CAROLINA, AS FOLLOWS:

Section 1. ***Ratification of Prior Actions.*** All actions of the City Manager, the Assistant to the City Manager, the City Attorney, the Finance Director and the City Clerk and their respective designees in effectuating the proposed financing are approved, ratified and authorized pursuant to and in accordance with the transactions contemplated by the Contract.

Section 2. ***Approval, Authorization and Execution of Contract.*** The City Council approves the Projects in accordance with the terms of the Contract, which will be a valid, legal and binding obligation of the City in accordance with its terms. The City Council approves the amount advanced by the Lender to the City pursuant to the Contract in an aggregate principal amount not to exceed \$2,250,000 at an annual interest rate (in the absence of default or change in tax status) shall not exceed 3.2595%, and the financing term shall not exceed five (5) years from closing. The form, terms and content of the Contract are in all respects authorized, approved and confirmed. The City Manager, the Assistant to the City Manager, the City Attorney, the Finance Director and the City Clerk, or their respective designees (the “Authorized Officers”), are authorized, empowered and directed to execute and deliver the Contract for and on behalf of the City, including necessary counterparts, in substantially the form made available to the City Council, but with such changes, modifications, additions or deletions therein as they may deem necessary, desirable or appropriate, their execution thereof to constitute

conclusive evidence of the approval of the City Council of any and all such changes, modifications, additions or deletions. From and after the execution and delivery of the Contract, each Authorized Officer is authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Contract as executed.

Section 3. ***Further Actions.*** Each Authorized Officer is designated as the City's representative to act on behalf of the City in connection with the transactions contemplated by the Contract. The Authorized Officers are authorized and directed to proceed with the Projects in accordance with the terms of the Contract, and to seek opinions on matters of law from the City Attorney, which the City Attorney is authorized to furnish on behalf of the City, and opinions of law from such other attorneys for all documents contemplated under this Resolution as required by law. The Authorized Officers are authorized to designate one or more employees of the City to take all actions which they are authorized to perform under this Resolution, and each is in all respects authorized on behalf of the City to supply all information pertaining to the transactions contemplated by the Contract. The Authorized Officers are authorized to execute and deliver for and on behalf of the City any and all additional certificates, documents, opinions or other papers and perform all other acts as may be required by the Contract or as they may deem necessary or appropriate to implement and carry out the intent and purposes of this Resolution. Any and all acts of the Authorized Officers may be done individually or collectively.

Section 4. ***Reimbursement.*** The City intends that the adoption of this resolution will be a declaration of the City's official intent to reimburse expenditures for the Projects that are to be financed from the proceeds of the financing described above. The City intends that funds that have been advanced, or that may be advanced, from the City's general fund or any other City fund related to the Projects, for project costs may be reimbursed from the financing proceeds.

Section 5. ***Severability.*** If any section, phrase or provision of this Resolution is for any reason declared invalid, such declaration will not affect the validity of the remainder of the sections, phrases or provisions of this Resolution.

Section 6. ***Repealer.*** All motions, orders, resolutions, ordinances and parts thereof in conflict herewith are repealed.

Section 7. ***Effective Date.*** This Resolution is effective on the date of its adoption.

PASSED, ADOPTED AND APPROVED this 14th day of October, 2024.

STATE OF NORTH CAROLINA)
)
CITY OF KANNAPOLIS) ss:

I, BRIDGETTE BELL, the City Clerk of the City of Kannapolis, North Carolina, ***DO HEREBY CERTIFY*** that the foregoing is a true and exact copy of a resolution entitled “**RESOLUTION OF THE CITY OF KANNAPOLIS, NORTH CAROLINA APPROVING AN INSTALLMENT FINANCING CONTRACT TO FINANCE VEHICLES AND EQUIPMENT AND DELIVERY THEREOF AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS**” adopted by the City Council of the City of Kannapolis, North Carolina at a meeting held on the 14th day of October, 2024.

WITNESS my hand and the corporate seal of the City of Kannapolis, North Carolina, this the ____ day of _____, 2024.

Bridgette Bell
City Clerk
City of Kannapolis, North Carolina

Charles T. Maguire
Senior Vice President

Government Finance Group
1111 E. Main Street, 18th FL. VA2-300-18-02
Richmond, VA 23219
T 804.489.5044 F 804.262.8344 M 804.432.9572
Charles.maguire@BofA.com

September 19, 2024

City of Kannapolis, NC
c/o Mitch Brigulio, Davenport & Company LLC

Banc of America Public Capital Corp (“BAPCC”) on behalf of Bank of America, is pleased to submit to you (“Borrower”) the lease financing proposal (the “Proposed Transaction”) described in the attached Summary of Terms and Conditions (the “Term Sheet”).

This letter and the Term Sheet (collectively, the “Proposal” or “Proposal Letter”) include only a brief description of the principal terms of the Proposed Transaction and are intended for discussion purposes only. This Proposal Letter is not intended to and does not create any binding legal obligation on the part of either party. BAPCC will not be obligated to provide any financing until the satisfactory completion of its credit, legal and investment approval process. The terms and conditions of this Proposal Letter shall be superseded by and shall no longer be effective upon the execution and delivery of final legal documentation with respect to this Proposed Transaction.

This Proposal must be accepted on or before **September 26, 2024**, for BAPCC to proceed with its consideration of the Proposed Transaction. To accept this proposal, please sign the enclosed copy of this letter and return it, by no later than September 26th to:

**Banc of America Public Capital Corp
1111 E. Main Street, 10th Floor
Richmond, VA 23832**

We appreciate this opportunity to present Bank of America.

Very truly yours,
BANC OF AMERICA PUBLIC CAPITAL CORP

Charles T. Maguire

Charles T. Maguire
Senior Vice President

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The undersigned, by its authorized representative below, accepts the above proposal, agrees to furnish Lessor, its successors and assigns, any information relating to the business or financial condition of Lessee or its affiliates, and authorizes Lessor, Bank of America, National Association, and their affiliates to disclose to, discuss with and distribute such information (and any information they may already have) to any other affiliates or proposed assignees or successors of Lessor.

City of Kannapolis, NC

By: _____

Title: _____

Date: _____

This proposal is submitted in response to your Request for Proposal for financing. The contents of this proposal and any subsequent discussions between us, including any and all information, recommendations, opinions, indicative pricing, quotations and analysis with respect to any municipal financial product or issuance of municipal securities, are provided to you in reliance upon the exemption provided for responses to requests for proposals or qualifications under the municipal advisor rules (the "Rules") of the Securities and Exchange Commission (240 CFR 15Ba1-1 et seq.).

The Staff of the SEC's Office of Municipal Securities has issued guidance which provides that, in order for a request for proposals to be consistent with this exemption, it must (a) identify a particular objective, (b) be open for not more than a reasonable period of time (up to six months being generally considered as reasonable), and (c) involve a competitive process (such as by being provided to at least three reasonably competitive market participants) or by being publicly posted to your official website. In submitting this proposal, we have relied upon your compliance with this guidance.

In submitting this proposal, we are not undertaking to act as a "municipal advisor" to you or any other person within the meaning of the Rules. In connection with this proposal and the transactions described herein, we are not subject to, and we hereby disclaim, any fiduciary duty to you or to any other person. We understand that you will consult with and rely on the advice of your own municipal, financial, tax, legal and other advisors as and to the extent you deem necessary in connection with your evaluation of this proposal and the transactions described herein.

The transaction described in this document is an arm's length, commercial transaction between you and Banc of America Public Capital Corp, or one of its affiliates, ("BAPCC") in which: (i) BAPCC is acting solely as a principal (i.e., as a lender or lessor) and for its own interest; (ii) BAPCC is not acting as a municipal advisor or financial advisor to you; (iii) BAPCC has no fiduciary duty pursuant to Section 15B of the Securities Exchange Act of 1934 to you with respect to this transaction and the discussions, undertakings and procedures leading thereto (irrespective of whether BAPCC or any of its affiliates has provided other services or is currently providing other services to you on other matters); (iv) the only obligations BAPCC has to you with respect to this transaction are set forth in the definitive transaction agreements between us; and (v) BAPCC is not recommending that you take an action with respect to the transaction described in this document, and before taking any action with respect to the this transaction, you should discuss the information contained herein with your own legal, accounting, tax, financial and other advisors, as you deem appropriate. If you would like a municipal advisor in this transaction that has legal fiduciary duties to you, you are free to engage a municipal advisor to serve in that capacity

SUMMARY OF TERMS AND CONDITIONS

Date: September 19, 2024

Borrower: City of Kannapolis, NC.

Lender: Banc of America Public Capital Corp ("BAPCC") or its assignee or designee ("Lessor")

Equipment: Vehicles and Equipment per RFP

Security: BAPCC will have a security interest in the Equipment.

Structure: The Agreement is intended as a **NON-BANK QUALIFIED** secured transaction; all tax benefits will remain with Lessee; all expenses, including (but not limited to) insurance, maintenance, and taxes, will be for the account of Lessee.

Term: 55 months

Funding: \$2,250,000

Rate: 3.2595%

The current rates are locked from the date of this Term Sheet until October 17, 2024, and will be honored so long as the transaction is funded before such date. October 17, 2024, Lender may adjust the rate upward depending on changes in interest rates between October 17, 2024, and the date the final pricing is determined.

To lock the rate, the Borrower must notify (email is fine) BAPCC of acceptance of the rates within 5 business days from the issuance of this proposal.

Payments: Payments will be in accordance with the attached amortization schedule. Please note if alternative payment frequencies (i.e. quarterly, semiannual or annual) or changes to the principal amounts due on each payment date are requested, this may be accommodated but any changes to the average life may also impact the rate quoted herein.

Insurance: Lessee may be required to provide, at its expense, casualty insurance (with such deductibles as Lessor may approve) Lessor has the ability, if necessary, to obtain and provide any insurance certificate required.

Prepayment: Pre-payable in whole on any payment date at par, after the first half term has expired.

Governmental

Entity Lease: The Base Rent installments are calculated on the assumptions, and Lessee will represent, that Lessee is a state or political subdivision of a state within the meaning of Section 103(c) of the Internal Revenue Code (the "Code"), that this transaction will constitute an obligation of Lessee within the meaning of Section 103(a) of the Code, notwithstanding Section 103(b) of the Code. Lessee shall provide Lessor with such evidence as Lessor may request to substantiate and maintain such tax status.

Non-Appropriation

Termination: Lessee affirms that funds are available for the current fiscal year and reasonably believes that sufficient funds can be obtained to make all rental payments during each subsequent fiscal year. Lessee will regularly budget for and otherwise use its best efforts to obtain funds for the continuation of the rentals in this transaction.

Expenses: Each party will be responsible for their own closing costs.

The transaction described in this document is an arm's length, commercial transaction between you and Banc of America Public Capital Corp, or one of its affiliates, ("BAPCC") in which: (i) BAPCC is acting solely as a principal (i.e., as a lender or lessor) and for its own interest; (ii) BAPCC is not acting as a municipal advisor or financial advisor to you; (iii) BAPCC has no fiduciary duty pursuant to Section 15B of the Securities Exchange Act of 1934 to you with respect to this transaction and the discussions, undertakings and procedures leading thereto (irrespective of whether BAPCC or any of its affiliates has provided other services or is currently providing other services to you on other matters); (iv) the only obligations BAPCC has to you with respect to this transaction are set forth in the definitive transaction agreements between us; and (v) BAPCC is not recommending that you take an action with respect to the transaction described in this document, and before taking any action with respect to the this transaction, you should discuss the information contained herein with your own legal, accounting, tax, financial and other advisors, as you deem appropriate. If you would like a municipal advisor in this transaction that has legal fiduciary duties to you, you are free to engage a municipal advisor to serve in that capacity

Escrow

Account: *Lessee may deposit*, subject to compliance with applicable regulations under the Internal Revenue Code, including, but not limited to arbitrage regulations, the proceeds of the Lease in an escrow acceptable to Lessor, and disbursements made therefrom to pay for the Project upon the execution and delivery of an acceptance certificate (and related documents) by Lessee and approved by Lessor.

Documents: Lease documents in form and substance satisfactory to Lessor and its local counsel must be executed and delivered. If Lessor requests, Lessee will also furnish duly executed landlord and mortgage waivers and supporting information. Lessee will also provide board resolutions, incumbency certificates and other documentation required by Lessor.

Conditions

Precedent: If the vendor is receiving advance payments from the lease proceeds prior to delivery, then BAPCC will receive a payment and performance bond; also, BAPCC will take assignment of the vendor contract which is to be reviewed by our legal department.

SEC

Disclosure: Lessee acknowledges and agrees that, if, in connection with its efforts to comply with the requirements of SEC Rule 15c2-12(b)(5) of the Securities and Exchange Act of 1934, Lessee decides to file any documentation related to the proposed transaction to EMMA (the "Disclosed Documents"), such Disclosed Documents shall be filed with redactions that will be mutually agreed upon by the parties to ensure that there is no confidential information of Lessor included in the posted documents (i.e. account information, names of signatories).

Private

Placement: The proposed transaction is a private placement that will not require (i) any additional public ongoing disclosure requirements, (ii) any additional public offering document generation requirements, or (iii) any underwriting or related fees.

Market

Disruption: Notwithstanding anything contained herein to the contrary, in the event any material change shall occur in the financial markets after the date of this Proposal Letter, including but not limited to any governmental action or other event which materially adversely affects the extension of credit by banks, leasing companies or other lending institutions, the Lessor may modify the indicative pricing described above.

USA Patriot Act

Compliance: The Lessee acknowledges that pursuant to the requirements of the USA Patriot Act, as amended from time to time (including as amended by the USA Freedom Act of 2015) (the "Patriot Act"), the Lessor is required to obtain, verify and record information that identifies the Lessee, which information includes the name and address of the Lessee and other information that will allow the Lessor to identify the Lessee in accordance with the Patriot Act.

Credit Due

Diligence: In order to complete its credit due diligence, Banc of America Public Capital Corp Credit Administration will need you to provide:

- Three years of most recent audited financial statements;
- Most recent fiscal year's Budget
- Insurance Certificate
- W-9

The transaction described in this document is an arm's length, commercial transaction between you and Banc of America Public Capital Corp, or one of its affiliates, ("BAPCC") in which: (i) BAPCC is acting solely as a principal (i.e., as a lender or lessor) and for its own interest; (ii) BAPCC is not acting as a municipal advisor or financial advisor to you; (iii) BAPCC has no fiduciary duty pursuant to Section 15B of the Securities Exchange Act of 1934 to you with respect to this transaction and the discussions, undertakings and procedures leading thereto (irrespective of whether BAPCC or any of its affiliates has provided other services or is currently providing other services to you on other matters); (iv) the only obligations BAPCC has to you with respect to this transaction are set forth in the definitive transaction agreements between us; and (v) BAPCC is not recommending that you take an action with respect to the transaction described in this document, and before taking any action with respect to this transaction, you should discuss the information contained herein with your own legal, accounting, tax, financial and other advisors, as you deem appropriate. If you would like a municipal advisor in this transaction that has legal fiduciary duties to you, you are free to engage a municipal advisor to serve in that capacity

Lease Amortization:

Date	Funding	Payment	Interest @ 3.2595	Principal	Balance
-----	-----	-----	-----	-----	-----
10/17/2024	\$ 2,250,000.00				\$ 2,250,000.00
6/1/2025		\$ 485,633.00	\$ 45,633.00	\$ 440,000.00	\$ 1,810,000.00
6/1/2026		\$ 478,996.95	\$ 58,996.95	\$ 420,000.00	\$ 1,390,000.00
6/1/2027		\$ 486,307.05	\$ 45,307.05	\$ 441,000.00	\$ 949,000.00
6/1/2028		\$ 493,932.66	\$ 30,932.66	\$ 463,000.00	\$ 486,000.00
6/1/2029		\$ 501,841.17	\$ 15,841.17	\$ 486,000.00	\$ -
	-----	-----	-----	-----	
	\$ 2,250,000.00	\$ 2,446,710.83	\$ 196,710.83	\$ 2,250,000.00	

The transaction described in this document is an arm's length, commercial transaction between you and Banc of America Public Capital Corp, or one of its affiliates, ("BAPCC") in which: (i) BAPCC is acting solely as a principal (i.e., as a lender or lessor) and for its own interest; (ii) BAPCC is not acting as a municipal advisor or financial advisor to you; (iii) BAPCC has no fiduciary duty pursuant to Section 15B of the Securities Exchange Act of 1934 to you with respect to this transaction and the discussions, undertakings and procedures leading thereto (irrespective of whether BAPCC or any of its affiliates has provided other services or is currently providing other services to you on other matters); (iv) the only obligations BAPCC has to you with respect to this transaction are set forth in the definitive transaction agreements between us; and (v) BAPCC is not recommending that you take an action with respect to the transaction described in this document, and before taking any action with respect to the this transaction, you should discuss the information contained herein with your own legal, accounting, tax, financial and other advisors, as you deem appropriate. If you would like a municipal advisor in this transaction that has legal fiduciary duties to you, you are free to engage a municipal advisor to serve in that capacity

2024 Vehicle Financing– Summary of Bids

City of Kannapolis, North Carolina



September 23, 2024

Bank Loan RFP Overview

- An RFP for a Direct Bank Loan financing was distributed on August 26, 2024 to over 50 National, Regional and Local lending institutions to fund the vehicles, related equipment, and any associated costs of issuance, as shown in the table to the right.
- Responding institutions were asked to provide proposals for an Installment Purchase Contract with a security interest in the vehicles being financed in an amount of approximately \$2,250,000 with a ~55-month term.
- Through the process, the County received eleven proposals from the following banks:
 - Banc of America Public Capital Corp (“BAPCC”)
 - First Bank
 - First Citizens Bank
 - Flagstar Bank
 - Huntington Public Capital Corporation (“Huntington”)
 - JP Morgan Chase Bank, N.A. (“JPMorgan”)
 - Lease One Magnolia (“Magnolia Bank”)
 - Truist Bank
 - US Bank
 - Uwharrie Bank
 - Webster Bank
- A summary of the proposals received along with a more in depth analysis of the lowest interest rate proposal is included on the following pages. Based on the proposals received, BAPCC and Webster Bank provided the lowest interest rate options with prepayment flexibility.

FY 2025 Budget Vehicle List - General Fund

Item	Cost
14 Replacement Patrol Vehicles	848,000
Tandem Dump Truck with snow equipment	250,000
Replacement of Fleet Services Vehicles	200,000
Mini Excavator	90,000
Replacement Ford F150 pick-up	75,000
Replacement of Staff Vehicle	75,000
Tow behind Chipper	65,000
New Ford F-250	59,000
Kubota Tractor	55,000
New Vehicle for Police Officer Position	55,000
New Vehicle for Inspector Position	48,000
New Vehicle Fleet Manager	40,000
Ford Escape for Programming Staff	35,000
Replacement Kawasaki UTV	35,000
Replacement vehicle for Code Enforcement	30,000
Club car carryall/JD gator	21,000
Ride-on aerator with Seed Spreader	15,500
60" Ex-mark Mower	15,000
Bobcat asphalt spreader skid steer	15,000
Replacement Trailer	15,000
Toro Workman Utility Vehicle	14,000
Police Surveillance Camera	13,100
Graco LineLazer Paint striper	13,000
Thermal Imaging Drone	12,000
Tilt-deck heavy equipment trailer	11,000
Chipper attachment	10,500
Total	\$ 2,115,100

Summary of Bids Received



A	B	C	D	E	F	G
Lender	Prepayment Provisions	Interest Rate	Bank Closing Costs	Rate Lock	Estimated Average Annual Payment ¹	Estimated Total Debt Service ¹
1 BAPCC	Pre-payable in whole on any payment date at par after the first half term has expired (6/1/2027).	NBQ: 3.2595%	\$0	Rate locked through 10/17/2024, if proposal is accepted by 9/25/2024.	\$509,258	\$2,353,902
2 Webster Bank *	Pre-payable in whole on any payment date at par on or after 6/1/2026.	3.45%	\$0	Rate locked through 10/25/2024 if proposal is accepted by 9/27/2024.	\$511,663	\$2,365,021
3 Huntington *	Pre-payable in whole at 101% anytime before 6/1/2026, 100% anytime on or after 6/1/2026.	3.58%	\$500	Rate locked through 10/17/2024, if proposal is accepted by 9/23/2024.	\$513,309	\$2,372,628
4 First Citizens Bank	Pre-payable in whole anytime at par.	BQ: 3.74% NBQ: 3.98%	\$0	Rate locked through 10/17/2024.	BQ: \$515,355 NBQ: \$518,398	BQ: \$2,382,087 NBQ: \$2,396,153
5 JPMorgan	Make Whole Call (other prepayment options available upon request)	BQ: 3.82% NBQ: 3.77%	\$0	Rate locked through 10/17/2024 if proposal is accepted by 9/20/2024.	BQ: \$516,372 NBQ: \$515,730	BQ: \$2,386,786 NBQ: \$2,383,821
6 US Bank **	Pre-payable after 13 months at 103% of remaining principal.	3.833%	\$0	Rate locked through 11/18/2024.	\$516,534	\$2,387,537
7 Truist Bank ² **	Make Whole Call	3.92%	\$0	Rate locked through 10/18/2024 if proposal is accepted by 9/27/2024 ² .	\$517,648	\$2,392,683
8 Flagstar Bank **	Pre-payable in whole on any payment date at 101% of par.	4.097%	\$0	Rate locked through 10/19/2024.	\$519,915	\$2,403,164
9 Magnolia Bank ³	Pre-Payable in whole on any date at par.	BQ: 4.49% NBQ: 5.59%	\$1,500	N/A	BQ: \$525,166 NBQ: \$539,285	BQ: \$2,427,436 NBQ: \$2,492,693
10 Uwharrie Bank	N/A	Option 1: 5.25% (BQ) Option 2: 5.40% (BQ)	Option 1: \$7,500 Option 2: \$0	N/A	Option 1: \$536,385 Option 2: \$536,596	Option 1: \$2,479,290 Option 2: \$2,480,266
11 First Bank *	Pre-payable in whole on any date at par.	5.42%	\$5,000	Rate locked through 10/18/2024.	\$538,083	\$2,487,140

¹Preliminary and Subject to Change: Annual Payments and Total Debt Service assume a Project Fund of \$2,115,100 and a Cost of Issuance Budget of \$50,000 plus bank fees. Principal and Interest will be paid annually starting on 6/1/2025 with a final maturity of 6/1/2029 and a level debt service amortization structure. Closing is expected to take place by 10/17/2024.

² Truist provided an indicative proposal with a preliminary rate and general conditions. If the City elects to move forward with Truist by 9/27, the Bank will provide a formal term sheet.

³ Magnolia Bank would require the financing to be structured as a Lease Purchase Agreement utilizing the Banks documents.

*Note: Either BQ or NBQ is accepted at given rate.

**Note: Did not specify between BQ or NBQ in Proposal.

Summary of Proposals

BAPCC & Webster Bank



A	B	C
Lender	Bank of America ("BAPCC")	Webster Bank
	BANK OF AMERICA 	 WebsterBank®
1 Interest Rate	3.2595% (NBQ)	3.45% (BQ or NBQ)
2 Estimated Debt Service	Average Annual Payment: \$509,258 Total Payment: \$2,353,902	Average Annual Payment: \$511,663 Total Payment: \$2,365,021
3 Prepayment Language	Pre-payable in whole on any payment date at par after the first half term has expired (6/1/2027). Prepayments on any date (as apposed to any payment date) are approved on a case-by-case basis, and normally BAPCC would allow this. Partial prepayments due to insurance claims would be allowed.	Pre-payable in whole on any date at par on or after 6/1/2026. Partial prepayments would be allowed under extraordinary circumstances (e.g. vehicle totaled), applied in inverse order.
4 Acceptance / Rate Expiration	- September 25th / October 17th (to be confirmed) (an email accepting the banks proposal to lock in the rate will suffice) - No breakage fees would be applied if proposal is accepted and does not close.	-September 27th / October 25th (an email accepting the banks proposal to lock in the rate will suffice) -No breakage fees would be applied if proposal is accepted and does not close.
5 Credit Approval	Subject to Final Credit Approval	Prescreened; Subject to Final Credit Approval
6 Escrow Requirements	- The City may deposit the proceeds in an escrow acceptable to BAPCC (e.g. NCCMT) and disbursements made therefrom to pay for the Project upon the execution and delivery of an acceptable certificate and proof of title showing the bank as lienholder.	- The IPC proceeds may be funded into an escrow account of the City's choosing with disbursements made as needed. The Bank would require a brief requisition form that includes a summary of items/amounts being reimbursed and proof of title showing the bank as lienholder.
7 Documentation	- BAPCC will allow the City's Bond Counsel to draft documents. If the City prefers, BAPCC would draft loan documents at no additional charge. - BAPCC will not require a Tax Opinion.	- Webster will allow the City's Bond Counsel to draft documents. If the City prefers, Webster would draft loan documents at no additional charge. -Webster will require a Tax Opinion.
8 Lender's Counsel	McGuireWoods (Mary Nash Rusher)	Gilmore & Bell (Janelle Jackson & Jason Schurke)
9 Bank Fees	\$0 - BAPCC's interest rate will be subject to change if the City desires to amortize the Loan on a Level Principal Basis (rates provided are sensitive to Average Life). Subject to further discussion.	\$0 - Webster would allow the loan to be amortized on a Level Principal basis, if the City desires, with no change in interest rate.
10 Other Considerations	-BAPCC will require UCCs, and the City will be responsible for filing them. A downgrade in the City's credit rating of two or more notches by any agency may trigger a Material Adverse Change review of the Banks proposal/interest rate.	-Webster will require UCCs, but will be responsible for filing them.

Note: Additional clarifying has been requested and the items shown in red are to be confirmed.

Recommendation and Next Steps



Recommendation

- To Be Discussed

Next Steps

Date	Task
September 23 rd (10:30 AM)	■ Review Bids received with Davenport and Bond Counsel
Late September / Early October	■ Draft Financing Documents Prepared
October 4 th	■ Agenda deadline for October 14th Council Meeting.
October 14 th at 4:30pm	■ City Council Meeting — City Council considers selecting a winning bidder — City Council considers approving the Financing
Mid/Late October	■ Close on Financing
October 17 th (to be confirmed)	■ BAPCC Closing Deadline
October 25 th	■ Webster Bank Closing Deadline

Municipal Advisor Disclosure



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2024 Installment Purchase Contract
Proposed Final Numbers
Banc of America Public Capital Corp

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SOURCES AND USES OF FUNDS

City of Kannapolis, NC
2024 Installment Purchase Contract
Proposed Final Numbers
Banc of America Public Capital Corp

Dated Date10/17/2024
Delivery Date10/17/2024

Sources:

Bond Proceeds:	
Par Amount	2,166,000.00
	2,166,000.00

Uses:

Project Fund Deposits:	
Project Fund	2,115,100.00
Cost of Issuance:	
Other Cost of Issuance	50,000.00
Other Uses of Funds:	
Additional Proceeds	900.00
	2,166,000.00

BOND SUMMARY STATISTICS

City of Kannapolis, NC
2024 Installment Purchase Contract
Proposed Final Numbers
Banc of America Public Capital Corp

Dated Date	10/17/2024
Delivery Date	10/17/2024
Last Maturity	06/01/2029
Arbitrage Yield	3.238155%
True Interest Cost (TIC)	3.238155%
Net Interest Cost (NIC)	3.259500%
All-In TIC	4.171496%
Average Coupon	3.259500%
Average Life (years)	2.661
Duration of Issue (years)	2.558
Par Amount	2,166,000.00
Bond Proceeds	2,166,000.00
Total Interest	187,901.50
Net Interest	187,901.50
Total Debt Service	2,353,901.50
Maximum Annual Debt Service	471,188.38
Average Annual Debt Service	509,257.54
Underwriter's Fees (per \$1000)	
Average Takedown	
Other Fee	
Total Underwriter's Discount	
Bid Price	100.000000

Bond Component	Par Value	Price	Average Coupon	Average Life
Bond Component	2,166,000.00	100.000	3.260%	2.661
	2,166,000.00			2.661

	TIC	All-In TIC	Arbitrage Yield
Par Value	2,166,000.00	2,166,000.00	2,166,000.00
+ Accrued Interest			
+ Premium (Discount)			
- Underwriter's Discount			
- Cost of Issuance Expense		(50,000.00)	
- Other Amounts			
Target Value	2,166,000.00	2,116,000.00	2,166,000.00
Target Date	10/17/2024	10/17/2024	10/17/2024
Yield	3.238155%	4.171496%	3.238155%

BOND PRICING

City of Kannapolis, NC
2024 Installment Purchase Contract
Proposed Final Numbers
Banc of America Public Capital Corp

Bond Component	Maturity Date	Amount	Rate	Yield	Price
Bond Component:					
	06/01/2025	427,000	3.2595%	3.2595%	100.000
	06/01/2026	414,000	3.2595%	3.2595%	100.000
	06/01/2027	428,000	3.2595%	3.2595%	100.000
	06/01/2028	441,000	3.2595%	3.2595%	100.000
	06/01/2029	456,000	3.2595%	3.2595%	100.000
		2,166,000			

Dated Date	10/17/2024	
Delivery Date	10/17/2024	
First Coupon	06/01/2025	
Par Amount	2,166,000.00	
Original Issue Discount		
Production	2,166,000.00	100.000000%
Underwriter's Discount		
Purchase Price	2,166,000.00	100.000000%
Accrued Interest		
Net Proceeds	2,166,000.00	

NET DEBT SERVICE

City of Kannapolis, NC
 2024 Installment Purchase Contract
 Proposed Final Numbers
 Banc of America Public Capital Corp

Date	Principal	Coupon	Interest	Total Debt Service	Net Debt Service
06/01/2025	427,000	3.2595%	43,929.37	470,929.37	470,929.37
06/01/2026	414,000	3.2595%	56,682.71	470,682.71	470,682.71
06/01/2027	428,000	3.2595%	43,188.38	471,188.38	471,188.38
06/01/2028	441,000	3.2595%	29,237.72	470,237.72	470,237.72
06/01/2029	456,000	3.2595%	14,863.32	470,863.32	470,863.32
	2,166,000		187,901.50	2,353,901.50	2,353,901.50

NET DEBT SERVICE

City of Kannapolis, NC
 2024 Installment Purchase Contract
 Proposed Final Numbers
 Banc of America Public Capital Corp

Period Ending	Principal	Coupon	Interest	Total Debt Service	Net Debt Service
06/30/2025	427,000	3.2595%	43,929.37	470,929.37	470,929.37
06/30/2026	414,000	3.2595%	56,682.71	470,682.71	470,682.71
06/30/2027	428,000	3.2595%	43,188.38	471,188.38	471,188.38
06/30/2028	441,000	3.2595%	29,237.72	470,237.72	470,237.72
06/30/2029	456,000	3.2595%	14,863.32	470,863.32	470,863.32
	2,166,000		187,901.50	2,353,901.50	2,353,901.50

PROOF OF ARBITRAGE YIELD

City of Kannapolis, NC
2024 Installment Purchase Contract
Proposed Final Numbers
Banc of America Public Capital Corp

Date	Debt Service	Present Value
		to 10/17/2024 @ 3.2381548178%
06/01/2025	470,929.37	461,610.28
06/01/2026	470,682.71	446,783.82
06/01/2027	471,188.38	433,125.02
06/01/2028	470,237.72	418,586.93
06/01/2029	470,863.32	405,893.94
2,353,901.50		2,166,000.00

Proceeds Summary

Delivery date	10/17/2024
Par Value	2,166,000.00
Target for yield calculation	2,166,000.00

FORM 8038 STATISTICS

City of Kannapolis, NC
2024 Installment Purchase Contract
Proposed Final Numbers
Banc of America Public Capital Corp

Dated Date 10/17/2024
Delivery Date 10/17/2024

Bond Component	Date	Principal	Coupon	Price	Issue Price	Redemption at Maturity
Bond Component:						
	06/01/2025	427,000.00	3.260%	100.000	427,000.00	427,000.00
	06/01/2026	414,000.00	3.260%	100.000	414,000.00	414,000.00
	06/01/2027	428,000.00	3.260%	100.000	428,000.00	428,000.00
	06/01/2028	441,000.00	3.260%	100.000	441,000.00	441,000.00
	06/01/2029	456,000.00	3.260%	100.000	456,000.00	456,000.00
		2,166,000.00			2,166,000.00	2,166,000.00

	Maturity Date	Interest Rate	Issue Price	Stated Redemption at Maturity	Weighted Average Maturity	Yield
Final Maturity	06/01/2029	3.260%	456,000.00	456,000.00		
Entire Issue			2,166,000.00	2,166,000.00	2.6615	3.2382%

Proceeds used for accrued interest	0.00
Proceeds used for bond issuance costs (including underwriters' discount)	50,000.00
Proceeds used for credit enhancement	0.00
Proceeds allocated to reasonably required reserve or replacement fund	0.00

DISCLAIMER

City of Kannapolis, NC
2024 Installment Purchase Contract
Proposed Final Numbers
Banc of America Public Capital Corp

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The value of and income from investments and the cost of borrowing may vary because of changes in interest rates, foreign exchange rates, default rates, prepayment rates, securities/instruments prices, market indexes, operational or financial conditions or companies or other factors. There may be time limitations on the exercise of options or other rights in securities/instruments transactions. Past performance is not necessarily a guide to future performance and estimates of future performance are based on assumptions that may not be realized. Actual events may differ from those assumed and changes to any assumptions may have a material impact on any projections or estimates. Other events not taken into account may occur and may significantly affect the projections or estimates. Certain assumptions may have been made for modeling purposes or to simplify the presentation and/or calculation of any projections or estimates, and Davenport does not represent that any such assumptions will reflect actual future events. Accordingly, there can be no assurance that estimated returns or projections will be realized or that actual returns or performance results will not materially differ from those estimated herein. This material may not be sold or redistributed without the prior written consent of Davenport

**ORDINANCE AMENDING BUDGET FOR THE
CITY OF KANNAPOLIS, NORTH CAROLINA
FOR THE FISCAL YEAR BEGINNING JULY 1, 2024, AND ENDING JUNE 30, 2025
Amendment # 25-15**

BE IT ORDAINED by the City Council of the City of Kannapolis, North Carolina meeting in open session this 14th day of October 2024, that the following amendment to the Budget Ordinance for the City of Kannapolis, North Carolina for the Fiscal Year beginning July 1, 2024, and ending June 30, 2025, is hereby adopted:

Description: This budget amendment budgets the debt proceeds and corresponding debt issuance costs and capital costs associated with the short-term borrowing for the purchase of capital outlay city-wide.

SECTION I – General Fund

Revenue:	Increase: Proceeds from Debt Financing Revenue: 10000-39000	\$2,166,000
Expenditure:	Increase: Debt Issuance Costs: Expenditure: 18000-58300	\$50,000
Expenditure:	Increase: Parks: Capital Expenditure: 15010-59500	\$391,000
Expenditure:	Increase: Fire: Technical Services - Capital Expenditure: 12545-59500	\$123,000
Expenditure:	Increase: Fire: Admin Services - Capital Expenditure: 12510-59500	\$275,000
Expenditure:	Increase: Fire: Emergency Services - Capital Expenditure: 12540-59500	\$62,000
Expenditure:	Increase: Police: Field Ops - Capital Expenditure: 12035-59500	\$916,100
Expenditure:	Increase: Streets: Capital Machinery Expenditure: 13500-59500	\$278,000

Expenditure:	Increase: Planning- Capital Expenditure: 14000-59500	\$30,000
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Expenditure:	Increase: Non-Dept-Capital Expenditure: 10000-59500	\$40,900
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This ordinance is approved and adopted on this 14th day of October 2024.

Milton D. Hinnant, Mayor

ATTEST:

Bridgette Bell, MMC, NCCMC
City Clerk



Kannapolis
Agenda Staff Report
October 14, 2024

To: Mayor and City Council
From: Richard Smith, Planning Director
Subject: **VOLUNTARY ANNEXATION: A-2024-02.** Resolution Directing the Clerk to Investigate and Certify the Petition; adopt a Resolution of Intent to Annex; and Fix the Date of a Public Hearing on 99.6 +/- acres of combined unaddressed properties located on Cannon Farm Road. (Rowan County Parcel #'s 244 046, 244 047, and 244 012)
PUBLIC HEARING 10-28-2024 APPROVED UNANIMOUS

Action Requested by City Council

1. Motion to adopt a Resolution Directing the Clerk to Investigate an Intent to Annex and to Certify the Sufficiency of the Petition to Annex; and
2. Motion to adopt a Resolution of Intent to Annex and Fix Date of Public Hearing for October 28, 2024.

Required Votes to Pass Required Action

Majority Present at Meeting

Background

The applicant and property owner, Laurel Gardens Development, LLC (Jason Gaddis), has submitted an application for voluntary annexation of approximately 99.6 +/- combined acres of unaddressed contiguous property located on Cannon Farm Road. The property is further identified as Rowan County Parcel Identification Numbers 244 046, 244 047, and 244 012 and is currently located in an unincorporated area of Rowan County in the Extra Territorial Jurisdiction (ETJ) of the City of Kannapolis. These properties are the previously intended next phases of the Laurel Crest subdivision developed by Jon Finger. The new developer is requesting annexation in order to receive select city services.

Fiscal Implications

None

Policy Issues

The subject unaddressed parcels are located on Cannon Farm Road in an unincorporated area of Rowan County and are currently zoned Residential 4 (R4). While the property is located outside the City's corporate limits, it is within the City's ETJ and already has a City of Kannapolis Zoning Designation.

Legal Issues

Prior to considering the Annexation Ordinance, pursuant to NCGS Chapter 160A-31 *et seq.*, City Council must first direct the Clerk to Investigate the Intent to Annex and to Certify the Sufficiency of the Petition. City Council must also fix a Public Hearing date for consideration of the petition. It is requested that City Council set the Public Hearing date for October 28, 2024.

Recommendations and Alternate Courses of Action

1. **Motion to approve the Resolution Directing the Clerk to Investigate the Intent to Annex under Chapter 160A-31 *et seq.*, and to Certify the Sufficiency of the Petition (Recommended); and**
2. **Motion to approve the Resolution of Intent to Annex and Fix Date of Public Hearing for October 28, 2024, on the question of annexation (Recommended).**
3. Take no action..
4. Table actions to a future meeting.

Attachments

1. Laurel Gardens Annexation Application
2. Laurel Gardens Annexation Survey map
3. Resolution Directing the Clerk to investigate an intent to annex
4. Certificate of Sufficiency A-2024-02
5. Resolution of Intent to Annex and to set a public hearing
6. Laurel Gardens Metes and Bounds



Planning Department
401 Laureate Way
Kannapolis, NC 28081
704.920.4350

Petition for Contiguous Annexation

So that we may efficiently review your request in a timely manner, it is important that all required documents are submitted with your application. Submit digitals and 1 hard copy of applications and accompanying documents to the Planning Department at the address above.

ANNEXATION REQUEST

Approval authority – City Council.

Property Address: 1845 CANNON FARM ROAD (AND ADJOINING PARCELS)

Applicant: LAUREL GARDENS DEVELOPMENT, LLC

Address: P O BOX 651 City: HARRISBURG State: NC Zip: 28075

Contact number: 7044387090 Email: jason@keblg.com

SUBMITTAL CHECKLIST

- ☒ Pre-Application Meeting – send an email to planreviewappointment@kannapolisnc.gov
- ☒ Annexation Checklist and Application – Complete with all required property owner signatures
- ☒ Stamped, signed black and white 18 x 24" survey of subject property prepared by a registered engineer or surveyor (not preliminary)
- ☒ Metes and Bounds description of subject property

PROCESS INFORMATION

Annexation involves two (2) separate City Council meetings:

First meeting: The City Clerk will certify the sufficiency of the annexation and City Council will set a date for the public meeting.

Second meeting: City Council will review the petition and either approve or decline the annexation request:

1. Newspaper notification at least ten (10) days prior to the second Council meeting
2. Notification to the County or municipality from which the subject property is being annexed
3. Public Hearing
4. State recordation of the Resolution to Extend the Corporate City Limits, the signed/stamped 18X24" survey (can not be stamped as preliminary) and the Metes and Bounds Description.

By signing below, I acknowledge that I have reviewed the Submittal Checklist and have included the required submittal items and reviewed them for completeness and accuracy. I also acknowledge that my application will be rejected if incomplete.

Applicant's Signature:  Date: 09 / 08 / 2024



Planning Department
401 Laureate Way
Kannapolis, NC 28081
704.920.4350

PETITION REQUESTING A CONTIGUOUS ANNEXATION

Approval authority – City of Kannapolis City Council

DATE: SEP 09 2024

To the City Council of the City of Kannapolis, North Carolina:

1. We, the undersigned owners of real property respectfully request that the area described in paragraph 2 below be annexed to the City of Kannapolis.
2. The area to be annexed, located at 1845 CANNON FARM ROAD (A), further identified as MB. 9995, PG. 11005 County Parcel Identification Number 244 046, 244 047, 244 012, is contiguous to the primary limits of the City of Kannapolis, is approximately 99.6 acres, and the boundaries of such territory are as follows:

See Attached Signed, Stamped Survey Map and Metes and Bounds Description

3. This petition is signed by all property owners of the area to be annexed.
4. ☒ The undersigned owners acknowledge that the following City service(s) is (are) not presently available for immediate taps upon annexation: water ☒ sewer ☒; and, subsequently agree that the City shall not provide water and sewer service to the area to be annexed except in accordance with the City's standard water and sewer policy.
5. Please check ONE box below:
☐ The undersigned owners declare that zoning vested rights have been established on the area to be annexed under G.S. 160D-108 or G.S. 160D-108.1 and provide proof of such rights by attachment hereto.
☒ The undersigned owners hereby declare that no such vested rights have been established and that any vested rights previously acquired are hereby terminated.

	<u>Name</u> (print or type)	<u>Address</u>	<u>Signature*</u>
1.	JASON GADDIS	P O BOX 651, HARRISBURG, NC, 28075	
2.			
3.			
4.			

**Family members (e.g., husbands and wives) need to sign separately. Signatures for corporations, institutions, etc., are by those with the authority to sign legal documents.*

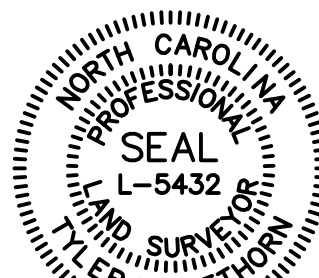
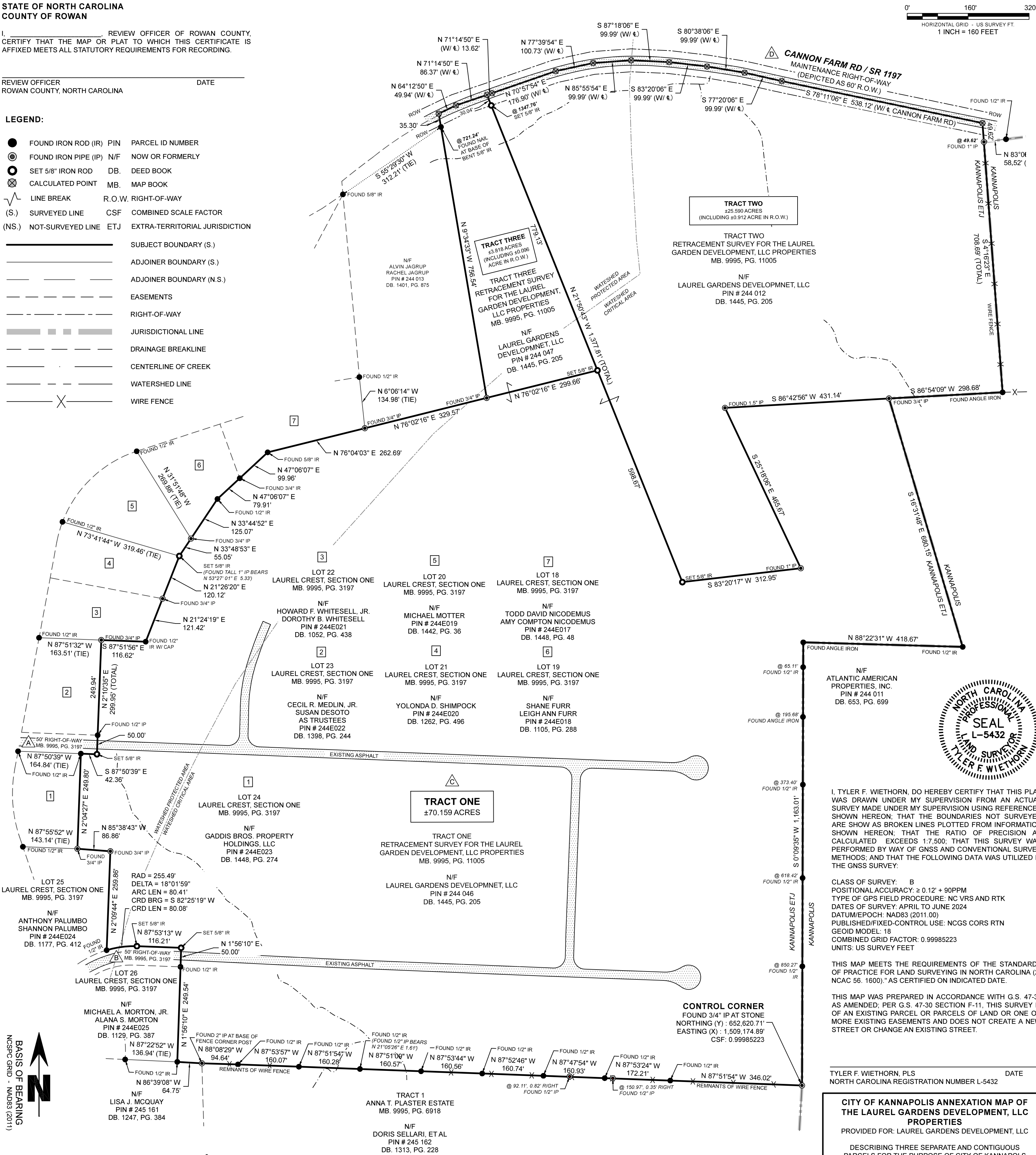
STATE OF NORTH CAROLINA
COUNTY OF ROWAN

I, _____ REVIEW OFFICER OF ROWAN COUNTY,
CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATE IS
AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER _____ DATE _____
ROWAN COUNTY, NORTH CAROLINA

LEGEND:

- | | | |
|-------|--------------------------|------------------------------------|
| ● | FOUND IRON ROD (IR) PIN | PARCEL ID NUMBER |
| ⊙ | FOUND IRON PIPE (IP) N/F | NOW OR FORMERLY |
| ⊙ | SET 5/8" IRON ROD DB. | DEED BOOK |
| ⊗ | CALCULATED POINT MB. | MAP BOOK |
| — | LINE BREAK | R.O.W. RIGHT-OF-WAY |
| (S.) | SURVEYED LINE | CSF COMBINED SCALE FACTOR |
| (NS.) | NOT-SURVEYED LINE | ETJ EXTRA-TERRITORIAL JURISDICTION |
| — | SUBJECT BOUNDARY (S.) | |
| — | ADJOINER BOUNDARY (S.) | |
| — | ADJOINER BOUNDARY (N.S.) | |
| — | EASEMENTS | |
| — | RIGHT-OF-WAY | |
| — | JURISDICTIONAL LINE | |
| — | DRAINAGE BREAKLINE | |
| — | CENTERLINE OF CREEK | |
| — | WATERSHED LINE | |
| — | WIRE FENCE | |



I, TYLER F. WIETHORN, DO HEREBY CERTIFY THAT THIS PLAT
WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL
SURVEY MADE UNDER MY SUPERVISION USING REFERENCES
SHOWN HEREON; THAT THE BOUNDARIES NOT SURVEYED
ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION
SHOWN HEREON; THAT THE RATIO OF PRECISION AS
CALCULATED EXCEEDS 1:7,500; THAT THIS SURVEY WAS
PERFORMED BY WAY OF GNSS AND CONVENTIONAL SURVEY
METHODS; AND THAT THE FOLLOWING DATA WAS UTILIZED IN
THE GNSS SURVEY:

CLASS OF SURVEY: B
POSITIONAL ACCURACY: $\geq 0.12'' + 90\text{PPM}$
TYPE OF GPS FIELD PROCEDURE: NC VRS AND RTK
DATES OF SURVEY: APRIL TO JUNE 2024
DATUM/EPOCH: NAD83 (2011.00)
PUBLISHED/FIXED-CONTROL USE: NCGS CORS RTN
GEOID MODEL: 18
COMBINED GRID FACTOR: 0.99985223
UNITS: US SURVEY FEET

THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS
OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21
NCAC 56. 1600)." AS CERTIFIED ON INDICATED DATE.

THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30
AS AMENDED; PER G.S. 47-30 SECTION F-11, THIS SURVEY IS
OF AN EXISTING PARCEL OR PARCELS OF LAND OR ONE OR
MORE EXISTING EASEMENTS AND DOES NOT CREATE A NEW
STREET OR CHANGE AN EXISTING STREET.

TYLER F. WIETHORN, PLS
NORTH CAROLINA REGISTRATION NUMBER L-5432

CITY OF KANNAPOLIS ANNEXATION MAP OF
THE LAUREL GARDENS DEVELOPMENT, LLC
PROPERTIES
PROVIDED FOR: LAUREL GARDENS DEVELOPMENT, LLC

DESCRIBING THREE SEPARATE AND CONTIGUOUS
PARCELS FOR THE PURPOSE OF CITY OF KANNAPOLIS
ANNEXATION

DEED BOOK 1445, PAGE 205
TRACT ONE, TRACT TWO, TRACT THREE
RETRACEMENT SURVEY OF THE LAUREL GARDEN
DEVELOPMENT, LLC PROPERTIES
MB. 9995, PG. 11005
ATWELL TOWNSHIP
ROWAN COUNTY, NORTH CAROLINA

WHITEHALL
LAND SURVEY
1110 S Main St, Unit B | China Grove, NC 28023-1164
704-245-4135 | info@whitehallsurvey.com | whitehallsurvey.com
White Hall Land Survey, PLLC | NCBELS Registered Firm P-2474

SURVEY NOTES:

- THIS SURVEY WAS CONDUCTED WITHOUT THE BENEFIT OF A TITLE REPORT. THIS MAP REFLECTS ONLY THE DOCUMENTS EXPRESSLY REFERENCED, WHICH WERE LOCATED BY THE SURVEYOR IN THE NORMAL COURSE OF WORK. PROPERTY IS SUBJECT TO ANY ITEMS OF RECORD, INCLUDING ADDITIONAL CONVEYANCES, EASEMENTS, AGREEMENTS, RIGHTS-OF-WAY, OR RESTRICTIONS THAT MAY HAVE BEEN DISCLOSED BY A COMPLETE AND ACCURATE TITLE EXAMINATION. LAND SURVEYS DO NOT DETERMINE LAND OWNERSHIP, CONVEY TITLE, OR GRANT RIGHTS. NO DEDICATION OF ANY AREA IS INTENDED.
- THIS SURVEY IS A RETRACEMENT OF AN EXISTING BOUNDARY, IS BASED ON THE BEST AVAILABLE EVIDENCE AND REFERENCED DOCUMENTS, AND REPRESENTS THE PROFESSIONAL OPINION OF THE SURVEYOR.
- REPORTED DISTANCES ARE HORIZONTAL GRID US SURVEY FOOT. REPORTED BEARINGS ARE BASED ON GRID NORTH, NC SPCS NAD83 (2011).
- AREA COMPUTED BY THE COORDINATE METHOD, BASED ON STATED GRID DISTANCES. US SURVEY FOOT.
- ANY FURTHER DEVELOPMENT OR SUBDIVISION OF THIS PROPERTY IS SUBJECT TO THE REQUIREMENTS AND RESTRICTIONS OF THE PRESIDING JURISDICTION.
- ANY TIE TO A MONUMENT BEING "LEFT" OR "RIGHT" IS PERPENDICULAR RELATIVE TO THE DIRECTION OF THE REFERENCED LINE. ANY CALL TO A FEATURE BEING "IN" OR "OUT" IS RELATIVE TO THE SUBJECT PROPERTY BOUNDARY LINE MEASURED PERPENDICULAR.
- DEPICTED CREEKS AND DRAINAGE FEATURES ARE SHOWN FOR INFORMATIONAL PURPOSES ONLY. LOCATIONS WERE ACQUIRED BY OTHERS. THIS SURVEY SHOULD NOT BE RELIED ON AS A TOPOGRAPHIC SURVEY.

ZONING AND SETBACKS:

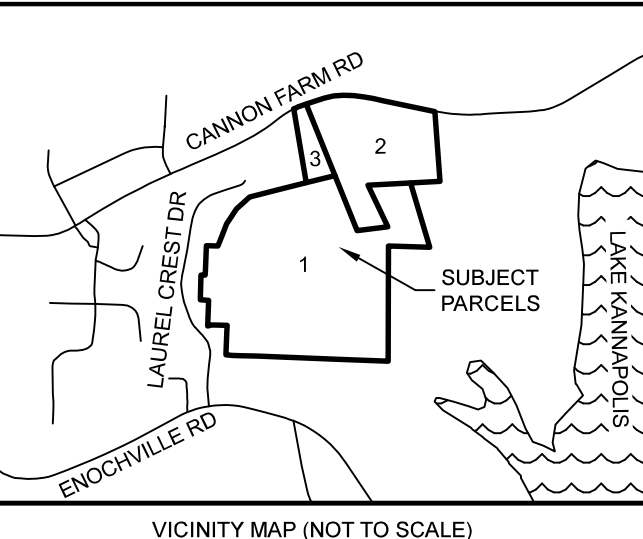
- PER ROWAN COUNTY GIS, SUBJECT PARCEL IS CLASSIFIED AS KANNAPOLIS ETJ, ZONE R4 (RESIDENTIAL).
- PROPERTY IS SUBJECT TO MINIMUM BUILDING SETBACKS: FRONT: 25', SIDE: 10', REAR: 25'.
- ALWAYS CONTACT THE PRESIDING JURISDICTIONS PLANNING OFFICE PRIOR TO ANY FURTHER IMPROVEMENTS OR DEVELOPMENT.

FLOOD AND WATERSHED NOTES:

- PER NC FLOOD RISK INFORMATION SYSTEM, THIS PARCEL IS LOCATED WITHIN ZONE "X", (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN), AS SHOWN ON FEMA FIRM, PANEL NO. 3710560500K WITH AN EFFECTIVE DATE OF 6/16/2009.
- PORTIONS OF THIS PARCEL ARE LOCATED WITHIN A WATERSHED PROTECTED AREA, AND A WATERSHED CRITICAL AREA (LAKE KANNAPOLIS), A PUBLIC WATER SUPPLY WATERSHED. ADDITIONAL DEVELOPMENT RESTRICTIONS MAY APPLY. DEPICTED WATERSHED BOUNDARY IS AS CALCULATED FROM AVAILABLE GIS DATA.

ADDITIONAL NOTES:

- MB. 9995, PG. 3197 DEDICATES A 50' PUBLIC RIGHT-OF-WAY ORIGINATING FROM LAUREL CREST DRIVE AND TERMINATING AT TRACT 1 OF THIS SURVEY, AS DEPICTED. SAID 50' RIGHT-OF-WAY PROVIDES ACCESS TO LAUREL CREST DRIVE FOR TRACT 1. SAID 50' RIGHT-OF-WAY WAS OBSERVED TO BE IMPROVED, OPEN, ACCESSIBLE, AND IN USE BY THE PUBLIC. STREET SIGNAGE INDICATES SAID 50' RIGHT OF WAY TO BE "SPRINGBROOK DRIVE".
- MB. 9995, PG. 3197 DEDICATES A 50' PUBLIC RIGHT-OF-WAY ORIGINATING FROM LAUREL CREST DRIVE AND TERMINATING AT TRACT 1 OF THIS SURVEY, AS DEPICTED. SAID 50' RIGHT-OF-WAY PROVIDES ACCESS TO LAUREL CREST DRIVE FOR TRACT 1. SAID 50' RIGHT-OF-WAY WAS OBSERVED TO BE IMPROVED, OPEN, ACCESSIBLE, AND IN USE BY THE PUBLIC. STREET SIGNAGE INDICATES SAID 50' RIGHT OF WAY TO BE "HARWICK DRIVE".
- TRACT ONE MAY BE SUBJECT TO UTILITY EASEMENTS FOUND IN DB. 1105, PG. 593, AND DB. 1151, PG. 116 (NOT SHOWN ON THIS SURVEY).
- SURVEYOR LOCATED NO RECORDS DESCRIBING A RIGHT-OF-WAY FOR CANNON FARM RD (SR 1197). FOR THE PURPOSE OF CALCULATING SETBACKS AND AREAS, THIS SURVEY DEPICTS A 60' RIGHT OF WAY ON CENTERLINE OF PAVED SURFACE. ACTUAL RIGHT OF WAY IS EQUAL TO THE AREA MAINTAINED BY NCDOT. NO DEDICATION OF SHOWN 60' RIGHT-OF-WAY IS IMPLIED. THIS SURVEY DOES NOT CONVEY ANY RIGHTS TO NCDOT OR THE PUBLIC.



VICINITY MAP (NOT TO SCALE)

**RESOLUTION DIRECTING THE CLERK TO
INVESTIGATE AN INTENT TO ANNEX: A-2024-02**

WHEREAS, City Council may initiate annexation of contiguous property owned by the petitioners by adopting a resolution stating its intent to annex the property of the area described herein; and

WHEREAS, N.C.G.S Chapter 160A-31 *et seq*, provide that the sufficiency of the petition shall be investigated by the City Clerk of the City of Kannapolis, North Carolina before further annexation proceedings consistent within the intent to annex can take place; and

WHEREAS, City Council of the City of Kannapolis, North Carolina deems it advisable to direct the City Clerk to investigate the sufficiency of the intent to annex;

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

The City Clerk is hereby directed to investigate the sufficiency of the above-described intent to annex under N.C.G.S. Chapter 160A-31 *et seq* and to certify as soon as possible to the City Council the result of the investigation.

ADOPTED this the 14th day of October 2024.

Milton D. Hinnant, Mayor
City of Kannapolis

ATTEST:

Bridgette Bell, MMC, NCCMC
City Clerk

CERTIFICATE OF SUFFICIENCY
A-2024-02

To City Council of the City of Kannapolis, North Carolina.

I, Bridgette Bell, City Clerk, do hereby certify that pursuant to NCGS Chapter 160A-58 *et seq.*, I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the City of Kannapolis, North Carolina, this the 14th day of October 2024.





Bridgette Bell, MMC, NCCMC
City Clerk

RESOLUTION OF INTENT TO ANNEX AND FIX DATE OF PUBLIC HEARING
ON QUESTION OF ANNEXATION: A-2024-02

WHEREAS, pursuant to N.C.G.S Chapter 160A-31 *et seq.*, the City Council may initiate annexation of real property contiguous to the City's boundary pursuant to a Petition for Annexation by all property owners located therein by adopting a Resolution stating its intent to annex the property described.

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

- Section 1. A public hearing on the question of annexation of the area described herein will be held at the Laureate Center, 401 Laureate Way, Kannapolis, NC at 6:00 PM on the 28th day of October 2024.
- Section 2. The area proposed for annexation is described as follows:
See attached Metes and Bounds Description and Annexation Survey.
- Section 3. Notice of public hearing shall be published in the Independent Tribune on Thursday, October 17th and Thursday, October 24th, 2024

ADOPTED this the 14th day of October 2024.

Milton D. Hinnant, Mayor
City of Kannapolis

ATTEST:

Bridgette Bell, MMC, NCCMC
City Clerk

**DESCRIPTION FOR CITY OF KANNAPOLIS ANNEXATION OF
THE LAUREL GARDENS DEVELOPMENT, LLC PARCELS**

Being a metes and bounds description of the total extents of three separate parcels, described in aggregate for the purpose of describing a proposed area for City of Kannapolis Annexation, situated and lying in the state of North Carolina, Rowan County, Atwell Township, within the Extra Territorial Jurisdiction of the City of Kannapolis, parcels being Tract One, Tract Two, and Tract Three, as shown on Retracement Survey of the Laurel Garden Development, LLC Properties, Map Book 9995, Page 11005, (all references to map and deed books refer to the records of the Rowan County Register of Deeds), to Laurel Gardens Development, LLC, in Deed Book 1445, Page 205, more particularly described by metes and bounds as follows:

BEGINNING at a 3/4" iron pipe at stone found, having North Carolina State Plane Coordinate system position of Northing: 652,620.71', Easting: 1,509,174.89', being the southeast corner of Tract One, same being the northeast corner of Tract 1, Anna T. Plaster Estate, Map Book 9995, Page 6918, to Doris Sellari, Et Al, in Deed Book 1313, Page 228, also being a west corner of the tract to Atlantic American Properties, LLC, in Deed Book 653, Page 699, for the **POINT OF BEGINNING**;

THENCE, with the south line of said Tract One (MB 9995, PG 11005), same being the north line of said Tract 1 (MB 9995, PG 6918), the following nine (9) courses and distances:

- 1) North 87°51'54" West, a distance of 346.02', to a 1/2" iron rod found;
- 2) North 87°53'24" West, a distance of 172.21', to a 1/2" iron rod found;
- 3) North 87°47'54" West, a distance of 160.93', to a 1/2" iron rod found;
- 4) North 87°52'46" West, a distance of 160.74', to a 1/2" iron rod found;
- 5) North 87°53'44" West, a distance of 160.56', to a 1/2" iron rod found;
- 6) North 87°51'09" West, a distance of 160.57', to a 1/2" iron rod found;
- 7) North 87°51'54" West, a distance of 160.28', to a 1/2" iron rod found;
- 8) North 87°53'57" West, a distance of 160.07', to a 1/2" iron rod found;
- 9) North 88°08'29" West, a distance of 94.64', to a 2" iron pipe at base of fence corner post found, being the northwest corner of said Tract 1 (MB 9995, PG 6918), also being the northeast corner of the tract to Lisa J. McQuay, in Deed Book 1247, Page 384, same being a south corner of said Tract One (MB 9995, PG 11005);

THENCE, North 86°39'08" West, a distance of 64.75' to a 1/2" iron rod found, with the north line of said McQuay tract, same being the south line of said Tract One (MB 9995, PG 11005), to the southwest corner of said Tract One (MB 9995, PG 11005), also being the southeast corner of Lot 26, Laurel Crest, Section One, Map Book 9995, Page 3197, to Michael A. Morton, Jr, in Deed Book 1129, Page 387, also being on the north line of said McQuay tract;

THENCE North 1°56'10" East, a distance of 249.54' to a 1/2" iron rod found, with a west line of said Tract One (MB 9995, PG 11005), also being the east line of said Lot 26, to a west corner of said Tract One (MB 9995, PG 11005), the northeast corner of said Lot 26, and the southeast corner of a 50' dedicated public Right-of-Way titled 'Harwick Drive' described in said Laurel Crest, Section One;

THENCE North 1°56'10" East, a distance of 50.00', to a 5/8" iron rod set, with the east line of said 50' Right-of-Way titled 'Harwick Drive', same being a west line of said Tract One (MB 9995, PG 11005), to the northeast corner of said 50' Right-of-Way titled 'Harwick Drive', same being an interior corner of said Tract One (MB 9995, PG 11005);

(Continues on next page)

THENCE North 87°53'13" West, a distance of 116.21', to a 5/8" iron rod set, with the north line of said 50' Right-of-Way titled 'Harwick Drive', same being a south line of said Tract One (MB 9995, PG 11005), to a north corner of said 50' Right-of-Way titled 'Harwick Drive', same being a south corner of said Tract One (MB 9995, PG 11005);

THENCE, to the left, 80.41' along the arc of a curve whose radius is 255.49', with a central angle of 18°01'59", whose chord bears South 82°25'19" West, a distance of 80.08', to a 1/2" iron rod found, with the north line of said 50' Right-of-Way titled 'Harwick Drive', same being a south line of said Tract One (MB 9995, PG 11005), to a north corner of said 50' Right-of-Way titled 'Harwick Drive', same being the southeast corner of Lot 25 of said Laurel Crest, Section 1, to Anthony Palumbo and Shannon Palumbo, in Deed Book 1177, Page 412, also being a southwest corner of said Tract One (MB 9995, PG 11005);

THENCE, North 2°09'44" East, a distance of 259.86', to a 3/4" iron pipe found, with the east line of said Lot 25, same being a east line of said Tract One (MB 9995, PG 11005), to the northeast corner of said Lot 25, same being an interior corner of said Tract One (MB 9995, PG 11005);

THENCE, North 85°38'43" West, a distance of 86.86', to a 3/4" iron pipe found, with the north line of said Lot 25, same being a south line of said Tract One (MB 9995, PG 11005), to a north corner of said Lot 25, same being the southeast corner of Lot 24 of said Laurel Crest, Section One, to Gaddis Bros. Property Holdings, LLC, in Deed Book 1448, Page 274, also being a southwest corner of said Tract One (MB 9995, PG 11005);

THENCE, North 2°04'27" East, a distance of 249.80', to a 1/2" iron rod found, with the east line of said Lot 24, same being a west line of said Tract One (MB 9995, PG 11005), to the northeast corner of said Lot 24, same being a northwest corner of said Tract One (MB 9995, PG 11005), also being on the south line of a 50' Right-of-Way titled 'Springbrook Drive' described in said Laurel Crest, Section One;

THENCE, South 87°50'39" East, a distance of 42.36', to a 5/8" iron rod set, with the south line of said 50' Right-of-Way titled 'Springbrook Drive', same being a north line of said Tract One (MB 9995, PG 11005), to the southeast corner of said 50' Right-of-Way titled 'Springbrook Drive', an interior corner of said Tract One (MB 9995, PG 11005);

THENCE, North 2°10'35" East, a distance of 50.00', to a found 1/2" iron rod, with the east line of said 50' Right-of-Way titled 'Springbrook Drive', same being a west line of said Tract One (MB 9995, PG 11005), to the southeast corner of Lot 23 of said Laurel Crest, Section One, to Cecil R. Medlin Jr. and Susan Desoto as Trustees, in Deed Book 1398, Page 244, same being the northeast corner of said 50' Right-of-Way titled 'Springbrook Drive', on a west line of said Tract One (MB 9995, PG 11005);

THENCE, North 2°10'35" East, a distance of 249.94', to a found 3/4" iron pipe, with the east line of said Lot 23, same being a west line of said Tract One (MB 9995, PG 11005), to the northeast corner of said Lot 23, same being a northwest corner of said Tract One (MB 9995, PG 11005), on the south line of Lot 22 of said Laurel Crest, Section One, to Howard F. Whitesell, Jr. and Dorothy B. Whitesell, in Deed Book 1052, Page 438;

THENCE, South 87°51'56" East, a distance of 116.62', to a found 1/2" iron rod with cap, with the south line of said Lot 22, same being a north line of said Tract One (MB 9995, PG 11005), to the southeast corner of said Lot 22, same being an interior corner of said Tract One (MB 9995, PG 11005),

(Continues on next page)

THENCE, North 21°24'19" East, a distance of 121.42', to a found 3/4" iron pipe, with the east line of said Lot 22, same being a west line of said Tract One (MB 9995, PG 11005), to the northeast corner of said Lot 22, same being a west corner of said Tract One (MB 9995, PG 11005), same being the southeast corner of Lot 21 of said Laurel Crest, Section One, to Yolanda Shimpock, in Deed Book 1262, Page 496;

THENCE, North 21°26'20" East, a distance of 120.12', to a set 5/8" iron rod (tall 1" iron pipe bears North 54°27'01" East, a distance of 5.33'), with the east line of said Lot 21, same being a west line of said Tract One (MB 9995, PG 11005), to the northeast corner of said Lot 21, same being a west corner of said said Tract One (MB 9995, PG 11005), same being the southeast corner of Lot 20 of said Laurel Crest, Section One, to Michael Motter, in Deed Book 1442, Page 36;

THENCE, North 33°48'53" East, a distance of 55.05', to a found 3/4" iron pipe, with the east line of said Lot 20, same being a west line of said Tract One (MB 9995, PG 11005), to the northeast corner of said Lot 20, same being a west corner of said Tract One (MB 9995, PG 11005), also being the south corner of Lot 19 of said Laurel Crest, Section One, to Shane Furr and Leigh Ann Furr, in Deed Book 1105, Page 288;

THENCE, North 33°44'52" East, a distance of 125.07', to a 1/2" iron rod found, with the southeast line of said Lot 19, same being a northwest line of said Tract One (MB 9995, PG 11005), to an interior corner of said Lot 19, same being a north corner of said Tract One (MB 9995, PG 11005);

THENCE, North 47°06'07" East, a distance of 79.91', to a 3/4" iron rod found, with the southeast line of said Lot 19, same being a northwest line of said Tract One (MB 9995, PG 11005), to the east corner of said Lot 19, same being a north corner of said Tract One (MB 9995, PG 11005), also being the southwest corner of Lot 18 of said Laurel Crest, Section One, to Todd David Nicodemus and Amy Compton Nicodemus, in Deed Book 1448, Page 48;

THENCE, North 47°06'07" East, a distance of 99.96', to a 5/8" iron rod found, with the south line of said Lot 18, same being a north line of said Tract One (MB 9995, PG 11005), to an interior corner of said Lot 18, same being a north corner of said Tract One (MB 9995, PG 11005);

THENCE, North 76°04'03" East, a distance of 262.69', to a 3/4" iron pipe found, with the south line of said Lot 18, same being a north line of said Tract One (MB 9995, PG 11005), to the southeast corner of said Lot 18, same being north corner of said Tract One (MB 9995, PG 11005), also being the southwest corner of the tract to Alvin Jagrup and Rachel Jagrup, in Deed Book 1401, Page 875;

THENCE, North 76°02'16" East, a distance of 329.57', to a 3/4" iron pipe found, with the south line of said Jagrup tract, same being a north line of said Tract One (MB 9995, PG 11005), to the southeast corner of said Jagrup tract, same being a north corner of said Tract One (MB 9995, PG 11005), also being the southwest corner of Tract Three of said Retracement Survey of the Laurel Garden Development, LLC Properties (MB 9995, PG 11005);

THENCE, North 9°34'33" West, a distance of 756.54', to a calculated point (at 721.24', passing a found nail at base of bent 5/8" iron rod), with the east line of said Jagrup tract, same being the west line of said Tract Three (MB 9995, PG 11005), to a point in the centerline of Cannon Farm Road, NCDOT SR #1197;

THENCE, North 64°12'50" East, a distance of 49.94', to a calculated point, with the centerline of said Cannon Farm Road, same being the north line of said Tract Three (MB 9995, PG 11005), to a point in the centerline of said Cannon Farm Road, a north corner of said Tract Three (MB 9995, PG 11005);

(Continues on next page)

THENCE, North 71°14'50" East, a distance of 86.37', to a calculated point, with the centerline of said Cannon Farm Road, same being the north line of said Tract Three (MB 9995, PG 11005), to a point in the centerline of said Cannon Farm Road, same being the northeast corner of said Tract Three (MB 9995, PG 11005), also being the northwest corner of Tract Two of said Retracement Survey of the Laurel Garden Development, LLC Properties (MB 9995, PG 11005);

THENCE, with the centerline of said Cannon Farm Road, same being the north line of said Tract Two (MB 9995, PG 11005), the following nine (9) courses and distances:

- 1) North 71°14'50" East, a distance of 13.62', to a calculated point;
- 2) North 70°57'43" East, a distance of 176.90', to a calculated point
- 3) North 77°39'54" East, a distance of 100.73', to a calculated point
- 4) North 85°55'54" East, a distance of 99.99', to a calculated point
- 5) South 87°18'06" East, a distance of 99.99', to a calculated point
- 6) South 83°20'06" East, a distance of 99.99', to a calculated point
- 7) South 80°38'06" East, a distance of 99.99', to a calculated point
- 8) South 77°20'06" East, a distance of 99.99', to a calculated point
- 9) South 78°11'06" East, a distance of 538.12', to a calculated point, being in the centerline of said Cannon Farm Road, same being the northeast corner of said Tract Two (MB 9995, PG 11005), also being a northwest corner of said Atlantic American Properties tract;

THENCE, South 4°16'23" East, a distance of 708.69', (at 49.62', passing a 1" iron pipe found), to a angle iron found, with the west line of said Atlantic American Properties tract, same being the east line of said Tract Two (MB 9995, PG 11005), to a west corner of said Atlantic American Properties tract, same being a southeast corner of said Tract Two (MB 9995, PG 11005);

THENCE, South 86°54'09" West, a distance of 298.68', to a 3/4" iron pipe found, with a north line of said Atlantic American Properties tract, also being a south line of said Tract Two (MB 9995, PG 11005), to a northwest corner of said Atlantic American Properties tract, same being a south corner of said Tract Two (MB 9995, PG 11005), also being the northeast corner of said Tract One (MB 9995, PG 11005);

THENCE, South 16°31'48" East, a distance of 680.15', to 1/2" iron rod found, with a west line of said Atlantic American Properties tract, also being an east line of said Tract One (MB 9995, PG 11005), to a west corner of said Atlantic American Properties tract, an east corner of said Tract One (MB 9995, PG 11005);

THENCE, North 88°22'31" West, a distance of 418.67', to an angle iron found; with a north line of said Atlantic American Properties tract, a south line of said Tract One (MB 9995, PG 11005), to a northwest corner of said Atlantic American Properties tract, an interior corner of said Tract One (MB 9995, PG 11005);

THENCE, South 0°09'35" West, a distance of 1,163.01', with a west line of said Atlantic American Properties tract, same being an east line of said Tract One (MB 9995, PG 11005), to the **POINT OF BEGINNING**, containing ±99.567 acres, as shown on a survey by Whitehall Land Survey, PLLC titled "CITY OF KANNAPOLIS ANNEXATION MAP OF THE LAUREL GARDENS DEVELOPMENT, LLC PROPERTES", said map incorporated by reference and considered an integral part of this description.

The basis of bearings and distances for this description is the North Carolina State Plane Coordinate System, NAD83 (2011). Ground distances may be obtained by multiplying the distances shown hereon by grid-to-ground scale factor of 1.000147792.



Kannapolis
Agenda Staff Report
October 14, 2024

To: Mayor and City Council
From: Kristin Jones, Assistant to the City Manager
Subject: **BUDGET AMENDMENT #25-16.** Appropriating Donations Received by the Kannapolis Police Department. **APPROVED UNANIMOUS**

Action Requested by City Council

Approve budget amendment #25-16 appropriating donations received from KPD for back-to-school supplies.

Required Votes to Pass Required Action

Majority Present at Meeting

Background

This budget amendment appropriates donations received from the Kannapolis Police Department for back-to-school supplies. In order to spend this donation, it needs to be budgeted for.

Fiscal Implications

This budget amendment budgets the donations so the department can spend the funding to purchase supplies.

Policy Issues

None.

Legal Issues

None.

Recommendations and Alternate Courses of Action

1. **Motion to approve budget amendment #25-16 appropriating donations received from KPD for back-to-school supplies (Recommended).**
2. Take no action.
3. Table to a future meeting.

Attachments

1. Budget Amendment for donations

**ORDINANCE AMENDING BUDGET FOR THE
CITY OF KANNAPOLIS, NORTH CAROLINA
FOR THE FISCAL YEAR BEGINNING JULY 1, 2024, AND ENDING JUNE 30, 2025
Amendment # 25-16**

BE IT ORDAINED by the City Council of the City of Kannapolis, North Carolina meeting in open session this 23rd day of September 2024, that the following amendment to the Budget Ordinance for the City of Kannapolis, North Carolina for the Fiscal Year beginning July 1, 2024, and ending June 30, 2025, is hereby adopted:

Description: This budget amendment budgets a donation received for back-to-school supplies.

SECTION I – General Fund

Revenue:	Increase: Miscellaneous Revenue Revenue: 10000-37100	\$1,000
Expenditure:	Increase: Field Operations: PSS Expenditure: 12035-46400	\$1,000

This ordinance is approved and adopted on this 14th day of October 2024.

Milton D. Hinnant, Mayor

ATTEST:

Bridgette Bell, MMC, NCCMC
City Clerk



Kannapolis
Agenda Staff Report
October 14, 2024

To: Mayor and City Council
From: Kristin Jones, Assistant to the City Manager
Subject: **BUDGET ORDINANCE.** Appropriating Program Income for HOME Program. **APPROVED UNANIMOUS**

Action Requested by City Council

Approve the budget ordinance appropriating program income for the HOME program.

Required Votes to Pass Required Action

Majority Present at Meeting

Background

The City has \$19,502 in program income to be recorded in the HOME fund. This budget amendment budgets the revenues as HOME program income which must be spent before regular HOME allocations.

Fiscal Implications

A budget ordinance is needed to record the program income for the HOME program.

Policy Issues

None.

Legal Issues

None.

Recommendations and Alternate Courses of Action

1. **Motion to approve the budget ordinance appropriating program income for the HOME program (Recommended).**
2. Take no action.
3. Table to a future meeting.

Attachments

1. HOM25 - Program Income

**CITY OF KANNAPOLIS, NORTH CAROLINA
HOME CONSORTIUM GRANT PROGRAM PROJECT BUDGET ORDINANCE
FY 2024-2025**

BE IT ORDAINED by the City Council of the City of Kannapolis, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following Grant Project Budget Ordinance is hereby adopted:

Section 1. The project authorized is the Cabarrus/Iredell/Rowan HOME Consortium Program and the U.S. Department of Housing and Urban Development (HUD). This project is more familiarly known as the 2024-2025 Consortium Home Program.

Section 2. The City Manager is hereby directed to proceed with the Project with the North Carolina General Statutes, the terms of the Grant document(s), the rules and regulations of HUD, and the budget contained herein.

Section 3. The following revenues are anticipated to be available to complete this project:

75000-33350-HPR24: HOME Program Income	\$19,502
--	----------

Total Revenues:	\$19,502
------------------------	-----------------

Section 4. The following amount is appropriated for the project:

75000-51950-HPR24: Rehabilitation Expenses	\$19,502
--	----------

Total Expenditures:	\$19,502
----------------------------	-----------------

Section 5. The Finance Officer is hereby directed to maintain within the Grant Project sufficient specific detailed accounting records to provide for accounting to the City Council grantor agency required by the Grant Agreement(s) and federal and state regulations.

Section 6. The Finance Officer is directed to report quarterly on the financial status of each project element in Section 4 and on total grant revenues received or claimed.

Section 7. The Finance Officer is directed to include a detailed analysis of past and future costs and revenues on this project in every budget submission presented to City Council.

Section 8. The City Manager is hereby authorized to transfer funds from one line item to another line item without further approval by the City Council.

Section 9. Copies of this Grant Project Budget Ordinance shall be made available to the Finance Officer for direction in carrying out this project.

This Ordinance is approved and adopted this 14th day of October 2024.

Milton D. Hinnant, Mayor

ATTEST:

Bridgette Bell, MMC, NCCMC
City Clerk



Kannapolis
 Agenda Staff Report
 October 14, 2024

To: Mayor and City Council
From: Kristin Jones, Assistant to the City Manager
Subject: **BUDGET ORDINANCES. FY 25 CDBG and Home Funding. APPROVED UNANIMOUS**

Action Requested by City Council

Approve the budget ordinances that establish the project funds for FY 2025 CDBG program funding allotment and FY 2025 HOME program funding allotment.

Required Votes to Pass Required Action

Majority Present at Meeting

Background

Each year the City must present within its Annual Action Plan submitted to HUD a defined work program for funding. The public hearing was held on May 20, 2024 and the Annual Action Plan was initially approved.

The City expects to receive \$376,394 in CDBG funds in Fiscal Year 2024-2025 (July 1, 2024 - June 30, 2025). It is recommended that the following activities be undertaken with the FY 2024-25 funds.

Proposed Expenditures:

Urgent Repair	\$145,116
Non-profit Partnerships	\$ 56,000
Infrastructure	\$100,000
General Admin/Fair Housing	\$ 75,278
TOTAL	\$376,394

The City expects to receive \$148,118 in HOME Funds in Fiscal Year 2024-2025. It is recommended the following activities be undertaken with the FY 2024-2025 funds.

Proposed Expenditures:

Homeowner Rehab	\$119,734
New construction (Habitat)	\$ 20,000
General Administration	\$ 8,384
TOTAL	\$148,118

Fiscal Implications

The attached budget amendments set up the project ordinances for the FY 25 CDBG funding allotment and FY 25 HOME funding allotment.

Policy Issues

None.

Legal Issues

None.

Recommendations and Alternate Courses of Action

1. Motion to approve the budget ordinances that establish the project funds for FY 2025 CDBG program funding allotment and FY 2025 HOME program funding allotment (Recommended).
2. Take no action.
3. Table to a future meeting.

Attachments

1. CDBG-25
2. HOM 25

**CITY OF KANNAPOLIS, NORTH CAROLINA
COMMUNITY DEVELOPMENT BLOCK GRANT ENTITLEMENT PROGRAM
FY 2024-2025**

BE IT ORDAINED by the City Council of the City of Kannapolis, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following Grant Project Budget Ordinance is hereby adopted:

Section 1. The project authorized is the Community Development Block Grant Entitlement Program described in the work statement contained in the Grant Agreement #B-20-MC-37-0017 between the City and the U.S. Department of Housing and Urban Development (HUD). The project more familiarly known as the 2024-25 Community Development Block Program.

Section 2. The City Manager is hereby directed to proceed with the Project with the North Carolina General Statutes, the terms of the Grant document(s), the rules and regulations of HUD, and the budget contained herein.

Section 3. The following revenues are anticipated to be available to complete this project:

Community Development Block Grant:
75000-33400-CDB24

Total Revenues:	\$376,394
------------------------	------------------

Section 4. The following amount is appropriated for the project:

75000-51965-CDB24: Urgent Repair	\$145,116
75000-51945-CDB24: Non-Profit Partnerships	\$56,000
75000-51935-CDB24: Infrastructure	\$100,000
75000-51910-CDB24: General Admin/Fair Housing	\$75,278

Total Expenditures:	\$376,394
----------------------------	------------------

Section 5. The Finance Officer is hereby directed to maintain within the Grant Project sufficient specific detailed accounting records to provide for accounting to the City Council grantor agency required by the Grant Agreement(s) and federal and state regulations.

Section 6. The Finance Officer is directed to report quarterly on the financial status of each project element in Section 4 and on total grant revenues received or claimed.

Section 7. The Finance Officer is directed to include a detailed analysis of past and future costs and revenues on this project in every budget submission presented to City Council.

Section 8. The City Manager is hereby authorized to transfer funds from one line item to another line item without further approval by the City Council.

Section 9. Copies of this Grant Project Budget Ordinance shall be made available to the Finance Officer for direction in carrying out this project.

This Ordinance is approved and adopted this 14th day of October 2024.

Milton D. Hinnant, Mayor

ATTEST:

Bridgette Bell, MMC, NCCMC
City Clerk

CITY OF KANNAPOLIS, NORTH CAROLINA
HOME CONSORTIUM GRANT PROGRAM PROJECT BUDGET ORDINANCE
FY 2024-2025

BE IT ORDAINED by the City Council of the City of Kannapolis, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following Grant Project Budget Ordinance is hereby adopted:

Section 1. The project authorized is the Cabarrus/Iredell/Rowan HOME Consortium Program and the U.S. Department of Housing and Urban Development (HUD). This project is more familiarly known as the 2024-2025 Consortium Home Program.

Section 2. The City Manager is hereby directed to proceed with the Project with the North Carolina General Statutes, the terms of the Grant document(s), the rules and regulations of HUD, and the budget contained herein.

Section 3. The following revenues are anticipated to be available to complete this project:

75000-33300-HOM24: HOME Program Grant	\$148,118
---------------------------------------	-----------

Total Revenues:	\$148,118
------------------------	------------------

Section 4. The following amount is appropriated for the project:

75000-51950-HOM24: Homeowner Rehab	\$119,734
75000-51910-HOM24: General Administration	\$8,384
75000-51915-HOM24: Construction	\$20,000

Total Expenditures:	\$148,118
----------------------------	------------------

Section 5. The Finance Officer is hereby directed to maintain within the Grant Project sufficient specific detailed accounting records to provide for accounting to the City Council grantor agency required by the Grant Agreement(s) and federal and state regulations.

Section 6. The Finance Officer is directed to report quarterly on the financial status of each project element in Section 4 and on total grant revenues received or claimed.

Section 7. The Finance Officer is directed to include a detailed analysis of past and future costs and revenues on this project in every budget submission presented to City Council.

Section 8. The City Manager is hereby authorized to transfer funds from one line item to another line item without further approval by the City Council.

Section 9. Copies of this Grant Project Budget Ordinance shall be made available to the Finance Officer for direction in carrying out this project.

This Ordinance is approved and adopted this 14th day of October 2024.

Milton D. Hinnant, Mayor

ATTEST:

Bridgette Bell, MMC, NCCMC
City Clerk

**CITY OF KANNAPOLIS
CITY COUNCIL MEETING
BUSINESS MEETING MINUTES
September 23, 2024**

A regular business meeting of the City Council of the City of Kannapolis was held on Monday, September 23, 2024, at 6:00 PM at the Kannapolis City Hall located at 401 Laureate Way, Kannapolis, NC.

CITY COUNCIL MEMBERS PRESENT:

Mayor: Milton D. Hinnant

Council Members: Dianne Berry
Darrell Jackson
Doug Wilson
Ryan Dayvault
Tom Kincaid
Jeanne Dixon

Council Members Absent: None

City Manager: Mike Legg

Deputy City Manager: Eddie Smith

Assistant to the City Manager: Kristin Jones

Assistant to the City Manager: Tina Cline

Assistant City Manager: Wilmer Melton

City Clerk: Bridgette Bell

City Attorney: Walter M. Safrit

Staff Present:	David Jordan	Sherry Gordon
	Tony Eury	Terry Spry
	Alex Anderson	Annette Privette Keller
	Brian Roberts	Richard Smith
	Beth Hassenfritz	Gerald Faulkner
	Kirk Beard	Irene Wong
	Daniel Wallace	Alberto Reyes-Martinez
	Tracy Winecoff	Michael Rattler

Others Present:	Phil Goodman	Elaine Violet Mitchell
	Joe Hatley	Jimmy Wilson
	Linda Wilson	Melinda Richardson

Robert Richardson Joyce Williams
Pam Smith James Livengood
Sophia Wilkerson Sandra Showard
Pamela Ford Justin Lewter
Verna Witherspoon Naomi Hutchell
Robert Neal Debra Mathis
Joan Hambric Robert Mack
Ronnie Long Amos McClory
Hope Dean

CALL TO ORDER AND WELCOME:

Mayor Hinnant called the meeting to order and welcomed all in attendance.

MOMENT OF SILENT PRAYER AND PLEDGE OF ALLIGIANCE.

Mayor Hinnant led a moment of silent prayer and Council Member Dixon offered the Pledge of Allegiance.

ADOPTION OF THE AGENDA- Motion to adopt agenda or make revisions

Council Member Dixon requested that Consent Agenda Item F- August 26, 2024 meeting minutes be moved to the Business Agenda as Item F.

Mayor Pro tem Wilson made a motion to approve the revised agenda. Motion was seconded by Council Member Berry and approved by unanimous vote.

COMMUNITY ORGANIZATION AND CITY DEPARTMENT SPOTLIGHT

Community Organization Spotlight - Centralina Regional Council (Geraldine Gardner, Executive Director) (Copy included as Exhibit A)

Mrs. Gardner gave a power point presentation providing background information about the organization. The City of Kannapolis is a member of the Centralina Council of Governments (CCOG) which was established in 1968 and was created to serve the regional needs of local governments. The nine- county region includes Anson, Cabarrus, Gaston, Lincoln, Iredell, Mecklenburg, Rowan, Stanly and Union and provides assistance & technical expertise in many areas including Planning, Community & Economic Development, Workforce Development, and is an advocate for aging services. In August 2020, Centralina decided to begin a re-branding to create a new mission statement, establish core values and set seven strategic goals for the region along with its new name, Centralina Regional Council.

1 There being no questions or comments, Mayor Hinnant thanked Mrs. Garnder for the presentation

2
3 City Department Spotlight - Engineering (Beth Hassenfritz, Director of Engineering) (Copy
4 included as Exhibit B)

5 Mrs. Hassenfritz provided a power point presentation with information regarding the City's
6 Engineering Department. The Engineering Department is comprised of two Engineering Technicians
7 and two Civil Engineering along with a Senior Engineering Technician. On October 2, Ms. Mallory
8 Hodgson will start as Assistant Director of Engineering. The Engineering Division coordinates
9 infrastructure projects in the City of Kannapolis. Responsibilities include funding, planning,
10 development, construction, and maintenance of these complex projects. Engineering also reviews
11 plan development, project management, Right-of-Way permitting, water quality permitting and
12 inspections, construction inspection and administration, and in-house design services for municipal
13 projects. Additionally, Staff collaborates with all other City departments as well as local, state and
14 federal agencies to ensure quality projects are built in the City.

15
16 A summary of the work performed during the 2024 Fiscal Year was provided in the power point.
17 Review, approval, and inspection of all construction related activity within the City of Kannapolis
18 input and coordination on many of the Imagine Kannapolis Capital Projects. Mrs. Hassenfritz
19 pointed out there are here are approximately 250 grease interceptors or water separators in
20 Kannapolis. Places like food service establishments, oil change services, churches and day cares.
21 The Department ensures that fat, oils and greases (FOG) is captured before clogging our sewer
22 system or reaching our wastewater treatment plant. Over 144 sites have been inspected this year
23 with 92 requiring some form of follow-up. Six new grease interceptors have been installed due to
24 site development.

25
26 There being no questions or comments, Mayor Hinnant thanked Mrs. Hassenfritz for the
27 presentation.

28
29 **RECOGNITIONS:**

30 Retirement of Deputy Chief of Police Daniel M. Wallace (Terry Spry)

31 Kannapolis Deputy Police Chief Daniel Wallace is retiring after serving the community for 24 years.
32 Daniel was honored by Kannapolis Police Chief Terry Spry at the Kannapolis City Council Meeting.
33 Deputy Chief Wallace was presented with the Chief's Award, his service weapon and badge during
34 the occasion.

35 Deputy Chief Wallace began his career with the Kannapolis Police Department on November 29,
36 2000, and in that time, he has worked, supervised, or commanded every component within the
37 department.

1 Additionally, he served many years as a member of the department's Special Response Team and
2 Honor Guard Unit. He was promoted to Sergeant in 2010, Lieutenant in 2014, Captain in 2019 and
3 to his current position, Deputy Chief of Police in 2020. He holds an Advanced Law Enforcement
4 Certificate from the N.C. Criminal Justice Education and Training Standards Commission and has
5 completed 4082 hours of professional training. He is a 1993 graduate of R-S Central High School.
6 After high school, he enlisted in the United States Army and proudly served his country until being
7 honorably discharged in 1999. Daniel is always willing to help others and is gracious with his time
8 and money, which exemplifies his commitment to the success of our community. Anyone who
9 knows him knows he loves kids and celebrates their success, whether it's in the classroom, the
10 athletic field or in a career as an adult. Chief Spry also awarded Deputy Chief Wallace with the
11 Chief's Award.

12
13 **PROCLAMATIONS**
14 Mayor Hinnant read a proclamation for National Hispanic Heritage Month.

15
16 **CONSENT AGENDA:**
17 Council Member Jackson made a motion to approve the Consent Agenda. Motion was seconded by
18 Council Member Dayvault and approved by unanimous vote.

19
20 Resolution - Acceptance of Public Facilities on Approved Plats (Walter Safrit, City Attorney) (Copy
21 included as Exhibit C)

22
23 Resolution - Reimbursement for Capital Expenses related to City Hall Renovations and Block 10
24 Park. (Brian Roberts, Finance Director, Kristin Jones, Assistant to the City Manager) (Copy
25 included as Exhibit D)

26
27 Resolution - Reimbursement for Capital Expenses related to Downtown Sewer Outfall and
28 Kannapolis Spillway. (Brian Roberts, Finance Director, Kristin Jones, Assistant to the City
29 Manager) (Copy included as Exhibit E)

30
31 Budget Amendment #25-13 - Appropriate \$44,686 in Insurance proceeds for a Police Department
32 Patrol Vehicle (Kristin Jones, Assistant to the City Manager) (Copy included as Exhibit F)

33
34 Resolution - Intent to withdrawal from dedication a portion of right-of-way known as Small Street
35 (Richard Smith, Planning Director) (Copy included as Exhibit G)

36 September 09, 2024 Work Session Meeting Minutes (Bridgette Bell, City Clerk)

1 Closed Session of August 26, 2024 Business Meeting Minutes (Bridgette Bell, City Clerk

2 Closed Session Minutes of the September 09, 2024 Work Session Meeting (Bridgette Bell, City
3 Clerk)

4
5 **BUSINESS AGENDA:**

6 **PUBLIC HEARING and APPROVAL - FY 2023-24 Consolidated Annual Performance and**
7 **Evaluation Report (CAPER). (Sherry Gordon, Community Development Program**
8 **Administrator) (Copy included as Exhibit H)**

9 Mrs. Gordon stated that each year, the City must prepare a written summary of the previous year's
10 activities and accomplishments for the CDBG Entitlement program. This report provides details on
11 how the programs funded met HUD's national objectives of serving the needs of low to moderate
12 income residents, as well as how the activities helped meet the goals as detailed in the City's
13 Consolidated Plan. Citizen input is required.

14
15 During FY 2023-2024, the City was awarded \$397,437 in CDBG funds and expended \$142,255 in
16 urgent repair funds; \$332,707 for infrastructure/sidewalks; \$50,066 in public services and \$79,487
17 in program administration. The expenditures include a portion of prior years' unexpended funds as
18 well. The City generated \$81,400 in program income.

19
20 The City was awarded \$178,486 in HOME funds for FY 2023-2024. Funds were allocated to rehab
21 two single-family dwellings for homeowners and construction began in late March with final
22 inspections and approvals completed after June 30, 2024. The amount expended on these two
23 projects was \$126,975. The City generated \$19,500 in program income.

24
25 Council Member Dayvault thanked Sherry for her hard work and giving back to the community. He
26 asked if the area between Little Texas and Lane Street, are we anticipating using any funds or
27 continuing to use general funds.

28
29 Sherry did have some funds but would ask Mrs. Hassenfritz to address.

30
31 Mrs. Hassenfritz asked Mr. Dayvault if the question is whether the funds can be used for street
32 repairs or widening sidewalk. Mr. Dayvault responded the widening of Ruth Avenue and adding
33 sidewalks. He noted that once the Little Texas Road project was completed there needs to be a
34 connection between the other side of Lane Street. Mrs. Hassenfritz explained that the issue will be
35 addressed. There will be some lane and curb and guttering added to the Little Texas Road sidewalk
36 project. The project starts at Dale Earnhardt Blvd to Little Texas Road and continues along Ruth
37 Avenue. Because federal money is being used, we can't add CDGB funds.

1 Council Member Dixon asked if Kannapolis would have an opportunity to be awarded more funds
2 as a result of the CAPER report. Mrs. Gordon responded as she understands, funding has been
3 reduced, therefore, no additional funding will be awarded.

4
5 Mayor Hinnant opened the public hearing to those in attendance for an opportunity to speak. There
6 being no speakers from the floor, Mayor Hinnant closed the public hearing.

7
8 Council Member Dayvault made a motion to approve the FY 2023-24 Consolidated Annual
9 Performance and Evaluation Report (CAPER). Motion was seconded by Council Member Dixon
10 and approved by unanimous vote.

11
12 **PUBLIC HEARING and GRANT OF ENCROACHMENT - Stadium Lofts Apartments**
13 **(Walter Safrit, City Attorney) (Copy included as Exhibit I)**

14 City Attorney Safrit explained that any property the city owns, including street and sidewalks, the
15 City has the right to use that space to develop the property. It has been brought to the attention of
16 the property owner regarding a permanent canopy on the West Avenue side of the building which
17 encroaches into the airspace over the City sidewalk. The property owner asked if the City would
18 grant an encroachment into that right of way. A document has been prepared that would allow the
19 property owner that right. For the City to grant the encroachment agreement requires a public
20 hearing and action taken on the Grant of Encroachment. Owner will pay \$1,000.00 for the easements

21
22 Council Member Jackson asked if that was a one-time payment. Mr. Safrit responded yes.

23 Mayor Hinnant opened the public hearing to those in attendance for an opportunity to speak. There
24 being no speakers from the floor, Mayor Hinnant closed the public hearing.

25 Mayor Pro tem Wilson made a motion to approve the grant of encroachment for Stadium Lofts
26 Apartments. Motion was seconded by Council Member Kincaid and approved by unanimous vote.

27
28 **PUBLIC HEARING and ORDER - Withdrawal from dedication a portion of right-of- way**
29 **and close a portion of Goble Avenue between East 12th Street and East 13th Street. (Richard**
30 **Smith, Planning Director) (Copy included as Exhibit J).**

31 Mr. Smith explained that the Planning Staff received a request from Nathaniel Jordan to close the
32 portion of Goble Avenue ROW that directly abuts his property located at 601 E 12th Street, as shown
33 on the submitted survey map as being located between East 12th Street and East 13th Street. Mr.
34 Jordan has indicated that he has used and maintained this portion of the ROW for the past thirty (30)
35 years. Generally, when these ROW areas are closed, the properties are equally divided between
36 adjacent property owners. The other adjacent property owner in this case, however, has indicated

1 that they do not want the additional property and have deferred their right to this property to Mr.
2 Jordan.

3
4 Mayor Hinnant opened the public hearing to those in attendance for an opportunity to speak. There
5 being no speakers from the floor, Mayor Hinnant closed the public hearing.

6
7 Council Member Jackson made a motion to approve an order to withdraw from dedication a portion
8 of right-of- way and close a portion of Goble Avenue between East 12th Street and East 13th Street.
9 Motion was seconded by Council Member Berry and approved by unanimous vote.

10
11 **PRESENTATION - Wastewater Treatment Capacity Update (Alex Anderson, Director of**
12 **Water Resources, Richard Smith, Planning Director) (Copy included as Exhibit K)**

13 Mr. Smith began the presentation by giving a brief overview of the capacity of the waste water
14 allocation.

15
16 Kannapolis currently has a gross capacity of 1,006,158 GPD and currently has a gross legal
17 obligation of both existing Development Agreements (DA) and Land Sales of 542,214 GPD; or
18 nearly half of our capacity is already legally committed to projects. A list of 13 outstanding
19 Development Agreements primary development agreement as listed.

20

Hedgecliff Townhomes -S. Ridge
Summerlyn -Mooresville HWY
Bakers Creek -22nd Street
Creek Mills -85 Exchange HWY 73 and Parkway
Greenvview -Apartments Trinity Church
Trinity Gardens -Apartments Trinity Church
Hawthorne -Apartments Concord Lake Road
Loop Yard -Townhomes Roxie and I85
Lowes Foods -Rogers Lake and Parkway
McDonalds -Rogers Lake and Parkway
Crestfield -Glenn and W C
Zaxbys -College Station
Kannapolis Crossing

21
22 Kannapolis has two DAs under review currently. One is seeking wastewater treatment capacity
23 through the Rocky River Regional WWTP.

24 Loop Yard Phase 2 -Phase 1 was approved in 2023, and their site is currently under mass grading.

1 The phase 2 includes a blend of multi-family and commercial.

2
3 Phase 2 of this project is estimated to be approximately 47,500 GPD and is near Roxie and I-85.
4 Mr. Anderson continued the presentation.

5
6 Kannapolis currently maintains:

- 7 ✓ Strategic Buffer 75,000 GPD
- 8 ✓ Industrial/Economic Dev. 76,500 GPD
- 9 ✓ Priority 1 and 2 Reserves 177,943 GPD
- 10 ✓ Contingency Reserves 50,000 GPD
- 11 Total Restricted Reserves 379,443 GPD

12
13 2024 –2027 Priority 1 and 2 is what the City available for distribution.

- 14 ✓ Priority 1 and 2 Reserves:
- 15 ✓ Block 6 –100% at 56,250 GPD
- 16 ✓ Downtown Allocation –30% at 81,693 GPD
- 17 ✓ Municipal Service District (Downtown) –40% at 40,000 GPD

18
19 City projects without 2024 allocation:

20 Plant 4 site –0% at 0 GPD. Allocation is not available until 2027

21
22 Non-residential known projects include:

- 23 ✓ Two daycare facilities; one at Biscayne and HWY 73 and one at Keady Mill and Kannapolis
24 Parkway
- 25 ✓ •Two gas stations; one at North Cannon and one at Exit 65 on Interstate 85
- 26 ✓ •Stanley Drive industrial
- 27 ✓ •Commercial on two sites at Odell School Road and HWY 73
- 28 ✓ •Industrial and commercial at Afton and Kannapolis Parkway

29
30 Non-Residential Infill Project Estimates.

31 Currently awaiting sufficient information from some projects to finalize 2024 known non-residential
32 infill project estimates. However, we do know that we cannot accommodate all known projects with
33 available non-residential allocated capacity. All known non-residential projects complete a matrix
34 scoring application by first quarter of 2025. It was noted that Staff will present in the coming month
35 an amendment to the Wastewater Allocations Policy and an updated Exhibit A, which will include
36 no changes to existing approved projects; reserve amounts as presented today; 2024 through 2027
37 non-residential infill category reserves of 25,000 GPD.

38 Council Member Jackson stated in moving forward, does Staff have any recommendation on the

1 possibility of expanding or acquiring more capacity. Mr. Anderson responded it is their hope to
2 work with partners in the county to create additional water capacity faster. They see that the Rocky
3 River Regional Wastewater Treatment Plant expansion is moving forward with very positive growth
4 and ahead of schedule. Staff are also looking at creative ways to increase capacity.

5
6 **August 26, 2024 Business Meeting Minutes (Bridgette Bell, City Clerk)**

7 Council Member Dixon thanked Mr. Wilson for his motion to table the Midway budget amendment
8 until she could be present. On another note, Mrs. Dixon referred to the May 10, 2021 City Council
9 minutes regarding a request to rename East First Street to Martin Luther King, Jr. Avenue. (Copy
10 included as Exhibit L).

11
12 Mrs. Dixon explained that a request was made by a group to rename East First Street (from Little
13 Texas Road to Main Street) to Martin Luther King, Jr., Avenue to honor the civil rights leader. The
14 reason for the request to rename was that Dr. King traveled from that bridge to Birmingham to
15 Atlanta and to Washington DC to conduct civil rights business for all people. She feels it was the
16 intention of the petitioner to include the bridge name as part of the street renaming. She noted also
17 from the minutes, Council did vote 4-3 to adopt a Resolution to change the name from East First
18 Street to Martin Luther King Jr. Avenue. During the meeting, the question was asked if Council
19 should receive with the renaming of the East First Street bridge to Martin Luther King Jr. Avenue
20 Memorial Bridge. She firmly believes the intent of the group that came before Council to have the
21 street name change including the bridge. The request was granted by the Council and today East
22 First Street is named Martin Luther King Jr. Avenue. She recently attended a presentation by the
23 Kannapolis 101 class and the bridge was referred to as the Martin Luther King Jr., Bridge. In
24 addition, she would like to recommend that the bridge that expands the Martin Luther King Jr.
25 Avenue be officially named the Martin Luther King Jr. Memorial Bridge to honor the intent of the
26 community group of names on the petition and to honor the legacy of Dr. King.

27
28 Mrs. Dixon further stated that because of the sufficient contributions of Mr. Milton Taylor and to
29 the educational community, she would support the recommendation that was made during the
30 August 26, 2024 Council meeting to rename East C Street to Milton Taylor Avenue to honor the
31 memory of Mr. Taylor. She further recommends that the newest bridge in the City located on
32 Mooresville Road be named for state representative Linda Johnson. All these individuals deserve a
33 prominent location and recognition in our City.

34
35 Mayor Pro tem Wilson asked if a motion to that effect is needed. Mayor Hinnant responded that
36 yes, if it is the intent of Council to rename streets or bridges. He also explained that part of the
37 process is when you start renaming streets, must consider the people who live on the streets. There
38 is a process that needs to be implemented first.

1
2 Mr. Legg explained for City streets is as simple as directing Staff to being the process starting with
3 the Planning Department. Notification and a public hearing are required. For the Martin Luther King
4 Jr., and Mooresville Road requires NCDOT approval. A motion would be to direct Staff to begin
5 the required process to the NCDOT.
6

7 Mayor Pro tem Wilson made a motion to direct Staff to begin the process of renaming East C Street
8 to Milton Taylor Avenue. Motion was seconded by Council Member Dayvault. Mr. Legg suggested
9 that a motion be made to direct Staff to bring the matter back to Council. He explained that Council
10 has the authority to do it now, but typically homeowners are notified and a public hearing held.
11

12 Mayor Pro tem Wilson amended his motion to direct Staff to start the process of notifying property
13 owners. Motion was seconded by Council Member Dayvault. The motion was approved by
14 unanimous vote.
15

16 Mayor Hinnant explained the next motion would be to direct Staff to submit a request to the NCDOT
17 to rename the bridge that expands the Martin Luther King Jr. Avenue be officially named the Martin
18 Luther King Jr. Memorial Bridge and that the bridge at Mooresville Road be officially named the
19 Linda Johnson Memorial Bridge.
20

21 Council Member Dayvault asked if the street between Dale Earnhardt and Laureate Way that is
22 named Watson Creek could be renamed after Linda Johnson. Since there are no homes that would
23 be affected. Linda Johnson was instrumental in getting the funding of the research campus. He feels
24 that it would be fitting to rename Watson Creek to the Linda Johnson Street, in the event that
25 NCDOT rejects the naming of the Mooresville Road bridge to the Linda Johnson Memorial Bridge.
26

27 Council Member Dayvault made a motion to direct Staff to make a request to the NCDOT to rename
28 the bridge that expands the Martin Luther King Jr. Avenue be officially named the Martin Luther
29 King Jr. Memorial Bridge and that the bridge at Mooresville Road be officially named the Linda
30 Johnson Memorial Bridge. The motion was seconded by Mayor Pro tem Wilson and approved by
31 unanimous vote.
32

33 **August 26, 2024 Business Meeting Minutes (Bridgette Bell, City Clerk)**

34 Council Member Dixon made a motion to approve the August 26, 2024 Business Meeting Minutes.
35 Motion was seconded by Mayor Pro tem Wilson and approved by unanimous vote.

36 **CITY MANAGER COMMENTS:** None.
37

38 **CITY COUNCIL COMMENTS:**

1 Mayor Pro tem Wilson said that more and more people are asking when the Council meetings will
2 be broadcasted. He would like to ask Mr. Legg and Staff to advise Council if this is feasible and
3 how to proceed. The City now has a population of about 60,000 and feels it is time. He watches
4 Cabarrus and Rowan County, and it would be nice for Kannapolis to do as well.

5
6 Council Member Dayvault received a very nice email from one member of our community regarding
7 Deputy Chief Wallace and would like to read the email for the record.

8
9 From: Millie Hall

10 Date: September 23, 2024 at 4:44:13 PM EDT

11 To: Ryan Dayvault

12 Subject: Deputy chief Daniel Wallace

13
14 Ryan, as Council honors one of our men in blue, know our community is losing a gentleman whose
15 presence in our area has had a profound positive impact. He is well known by many of our citizens
16 as an inspiration & encouraging individual who has not looked for personal recognition nor gain. He
17 has had the trust of the young & older citizens of this community. His involvement on or off the
18 job in our town has had his inter-actions with all aspects of our area....therefore residents have
19 learned to know & trust his advice & actions. As he leaves our honorable police force his service
20 will long be remembered & honored as one who put his trust in God, family & community. Wishing
21 him God-speed as he writes the next chapter in his book of life. Millie & Howard Hall.

22
23 Council Member Berry requested updates from the Kannapolis Police Department (KPD) on a
24 ongoing and regular basis regarding the drastic increase in crime over the past year. Home break ins
25 and car break ins are happening every day. She counted 11 home break ins over a three-day period
26 over two weeks ago. Domestic assaults are increasing. She asked what is happening with the two
27 female officers who were hired last year as non-sworn officers who are patrolling our downtown
28 area. How are they doing and what are they reporting. By them having no authority to arrest, does
29 it hamper their efforts. In the meantime, let's get the word out to our citizens to stay alert and make
30 them aware of where the Kannapolis Police citizen reports can be found.

31
32 **SPEAKERS FROM THE FLOOR:**

33 Jimmy Wilson of 606 Dodge Street stated that he and his wife have lived there since 1987. They
34 have witnessed several incidents at Dale Earnhardt Blvd. According to the information he received
35 from the police department, there have been over 200 wrecks with two facilities. The speed limit is
36 45 MPH, but some drivers drive as fast as 60 or 70MPH. In addition, people going to the NCDMV
37 license plate agency adjacent to Dodge Street, when making a left hand turn into the parking lot of
38 the NCDMV, creates a major backup at Dodge Street. Another bottleneck area is at the corner of

1 Fairview and Chrysler Street. In working through the Mayor, he understands that a stop light has been
2 requested through the NCDOT. He said one of the reasons he came to the meeting is to ask the City
3 to request the NCDOT to reduce the speed on Dale Earnhardt Blvd to 35MPH. He stated there are
4 a lot of families with children in Car Town with no posted speed limit signs on the side streets. They
5 would like to see Slow Down speed signs put up.

6
7 His next issue was the old Stacks Furniture building at the corner of Dodge Street and Dale
8 Earnhardt Blvd. The building is vacant and currently being renovated. Workers park their vehicles
9 in the small space in front of the building, causing those coming out of Dodge Street to not able to
10 see oncoming traffic. This makes it very dangerous. He noted they are not anti-business but would
11 appreciate any assistance with getting traffic slowed down. The police been called, but the vehicles
12 are out there the next day.

13 Phil Goodman of 1005 Central Drive stated this has been on his heart since the last meeting. He
14 stated that our county was founded on Christin principles and if you go deep enough, goes from the
15 federal government to the state level to the county to the city level. He encouraged the Council to
16 make a commitment in making your decisions, inquiries and discussions geared around Godly
17 principles that have character, stability and a track record and do away with the personal wants and
18 needs. He is the one that put Council into office and so is all of the audience. Think about what we
19 want and what we need and take away the personal desires and make the decisions based on what a
20 Godly person would do. This county was formed by Godly principles and we should all operate that
21 way at a local level.

22
23 Ronnie Long of 1567 Dale Earnhardt Blvd addressed a couple of concerns regarding public safety
24 on Dale Earnhardt between South Cannon Blvd and South Ridge. He stated that in February of 2024,
25 he contacted Traffic Sergeant Keith Benfield of the Police Department requesting information on
26 traffic accidents at the section of Dale Earnhardt. Sergeant Benfield responded telling him that he
27 has performed a search through the City's records management system from January 1, 2019
28 through February 28, 2024 and found 395 property damage cases, possible injury 59 crashes,
29 reported injury 48 crashes, 2 facilities for a total 504 crashes. Several different factors contributed
30 to these crashes with the most common being failure to yield the right of way and failure to reduce
31 speed. He noted that most motorists very often exceed the posted speed limit of 45MPH and
32 sometimes he feels like he is sitting at the zMax Dragstrip. In the 10 years he has been in business,
33 has witnessed many accidents and assisted with directing traffic safely around the incident. One of
34 the incidents involved one of his customers and a motorcycle, where the operator of the motor cycle
35 succumbed to his injuries. He has talked with the Mayor regarding this matter and the Mayor
36 indicated he would investigate the matter. The Mayor recently advised him that the NCDOT would
37 investigate putting in a stop light at the intersection of Fairview and Chrysler Street. He thanked the
38 Mayor for getting the NCDOT involved with this dangerous situation. He also requested that the

1 speed limit on Dale Earnhardt between South Cannon and South Main reduced to 35MPH, hopefully
2 at the same time the traffic signal is installed. He also reiterated the fact that with the old Stacks
3 Furniture remodeling, workers park their vehicles in front of the building and ask for assistance. He
4 noted that the Police Department has issued a warning to the workers, but the warning has fallen on
5 deaf ears.

6
7 Justin Lewter of 1832 Mary Wynn Court wanted to invite Council to the Cab Co. Come Together
8 Day, held on September 28 from 4:00 to 8:00PM at the Bethel Enrichment Center. There will be an
9 opportunity to meet with local candidates, voter education and a 3 on 3 basketball tournament.
10 Food and activities for people to participate and representation from various agencies within the
11 City. He also asked what the best way is to be kept informed on the happenings of Kannapolis.
12 Verna Witherspoon of 1413 Martin Luther King Jr. Avenue showed her support for the renaming
13 of the bridge as Martin Luther King, Jr. Memorial Bridge.

14
15 Amos McClory of 1413 Cooper Avenue thanked the Council for their decision tonight regarding
16 the Martin Luther King, Jr., bridge as he was one of the ones that made the presentation back in
17 2021. He also thanked the City for having accurate records of the presentation with no deviation and
18 was exactly as he had explained. He stated as a part of his presentation, it was recommended that
19 parks be named after several long-time community members and Milton Taylor was one of these
20 mentioned. There are three other names they would like to see an eastside park named for. He gave
21 Council an at-a-boy for voting and making it happen. Lastly, he would like for round-a-bout's to be
22 given names.

23
24 Violet Elaine Mitchell of 415 Lyndon Street. Ms. Mitchell reported on two different occasions
25 where she witnessed fire trucks barreling through the intersection to get onto Lane Street. Her
26 concern is when there is a backlog of traffic coming off I-85 onto Lane Street due to a traffic
27 incident. She said you can always tell when there is an accident on I-85 when Lane Street is backed
28 up. She expressed her concerns to Raleigh, but no one had paid her any attention. She knows that
29 the Lane Street project was decided by Raleigh and her thing is that Raleigh does not live in
30 Kannapolis. Raleigh does not know the needs and concerns of Kannapolis, we do. When this project
31 was announced that it would be cut down to two lanes, her concerns then was related to emergency
32 vehicles. She feels in 10 years or so the City will realize that cutting Lane Street down to two lanes,
33 was a mistake. Someone mentioned there are 60,000 people living in Kannapolis and there are a lot
34 of events in the summertime. With people trying to get downtown, feels it was a mistake to cut Lane
35 Street down and widen back to four lanes. She asked who is going to pay for that, the taxpayers.

36
37 Hope Dean of 2013 South Ridge Avenue talked about the speed limit on South Ridge Avenue. What
38 Lane Street, South Ridge, US 29, West C have in common is they are straight. Where they have a

1 bigger problem is that people look at their cell phones without barreling off into a field. The problem
2 is not law enforcement, they are doing the best they can. She sat at her home on South Ridge and
3 she counted 56 cars in 10 minutes and has gotten up to 72 in the past. The fatality previously
4 mentioned was on South Ridge at Dakota.. The point is that people may be looking at their cell
5 phones or whatever and not realizing they are going faster.

6
7 There must be a way to teach people “Hey, you moved from where you were for a reason, please
8 don’t bring it with you”. It is a huge issue because there is not enough enforcement, they have more
9 important things to do. How can we make it so that people understand they can’t come in here and
10 bring New York or even California where I am from, people need to learn how to chill out and be
11 happy about where they are at here. You can’t ask for a better place to live, there is a lot of old and
12 new going on and we have an opportunity to make it happen versus having it happen to us.

13
14 Council Member Dayvault noted that one of his cousins had passed away from Breast Cancer several
15 years ago and for the past two years, in honor of Breast Cancer Awareness Month, her husband has
16 been doing a walk. This year the walk starts on October 12 in front of the Swanee Theater at 7:00
17 PM. The event is called Savin’ Pairs Breast Cancer Pink Glow Walk. His cousin was Amy Ritchie
18 and she and her sister both passed away from Breast Cancer.

19
20 Council Member Dayvault also commented about the wrecks on Dale Earnhardt Blvd and one that
21 ended his grandmother’s driving career, back when it was called Centergrove Road and Cook Street.
22 She was involved in a wreck back in 1992 or 1993 and was almost killed. She lived until 2010. The
23 citizen that commented about the motorcycle crash, was a personal friend of his who died. He said
24 if there is anything that we can do to ask the NCDOT for assistance would be good.

25
26 **CLOSED SESSION -GS. 143-318.11 (a) (3) to consult with an attorney to preserve the attorney**
27 **client privilege and G.S. 143.318.11 (a) (4) for discussing matters relating to the location or**
28 **expansion of industries or businesses in the area (Mayor Pro tem Wilson)**

29 Mayor Pro tem Wilson made a motion to go into closed session GS. 143-318.11 (a) (3) to consult
30 with an attorney to preserve the attorney client privilege and G.S. 143.318.11 (a) (4) for discussing
31 matters relating to the location or expansion of industries or businesses in the area. Motion was
32 seconded by Council Member Dayvault and approved by unanimous vote.

33
34 The Council went into closed session at 7:45 PM.

35
36 There being no further business, Mayor Pro tem Wilson made a motion to come out of Closed
37 Session. Motion was seconded by Council Member Dayvault and approved by unanimous vote.

1 Council resumed regular session at 9:00 PM.

2
3 Mayor Pro tem Wilson made a motion to adjourn the meeting. Motion was seconded by Council
4 Member Berry and approved by unanimous vote.

5
6 The meeting adjourned at 9:00 PM on Monday, September 23, 2024.
7
8
9

10
11 _____
12 Milton D. Hinnant, Mayor

13 _____
14 Bridgette Bell, MMC, NCCMC
City Clerk



Kannapolis
Agenda Staff Report
October 14, 2024

To: Mayor and City Council
From: Mike Legg, City Manager
Subject: **PRESENTATION.** City Activity Update. **NO ACTION REQUIRED**

Action Requested by City Council

None. Presentation and discussion only.

Required Votes to Pass Required Action

Presentation Only. No Action Required

Background

The City Manager will provide a brief update on a variety of projects and initiatives underway in the City.

Fiscal Implications

None.

Policy Issues

None.

Legal Issues

None.

Recommendations and Alternate Courses of Action

None. Presentation and discussion only.

Attachments

None