AGENDA

Meeting Type:	B
Date:	08-24-1992
SUBJECT	

City of Charlotte, City Clerk's Office

MAYOR'S SCHEDULE
August 24, 1992

6:30 p.m. CITIZENS' HEARING

1. Invocation by Rev. John Duncan, Caldwell Memorial Presbyterian Church.

2. Recognize Ed Sizer and present him a plaque as Acting Director of Parks and Recreation.

3. Mayor Dogdan Zdrojewski, Mayor of Sister City Wroclaw, Poland. Will introduce Sister Cities Choir who will sing.

4. Betty Lupton, Charlotte Safety & Health School, will present to Mayor Vinroot a check for $500 to present to a representative of CPCC to establish a scholarship for Occupational Health and Safety Programs.

5. Kenneth R. Hardee, 8009 Steele Creek Road - Utility Department went across his property with a water line without his permission.

6. Norman and Brenda Stevenson, 8201 Carrolwood Drive - 377-4998 - New Outreach Christian Family Center in the Hidden Valley area.

Additions →

7:00 P.M. - CITY COUNCIL MEETING

1. Announcements

Wednesday, August 26,	3:00 p.m., City Council Public Services Committee - Room 270 CMGC.
Thursday, August 27,	4:00 p.m., City Council Planning Committee - Room 270 CMGC.

2. The following requests to speak to agenda items have been received:

(a) Agenda Item No. 9-5 - Hampshire Hills Park

(1) Mike High, 5419 Rupert Lane - 336-4648

(2) Howard Swift, 6500 Woodfield Drive - 536-8172

(b) Agenda Item No. 11 - Panhandling/Loitering Uptown

(1) Joseph Golden, 345 North College Street - 372-9664

(c) Agenda Item No. 13 - Domestic Violence

(1) Catherine Reid, Chairman of Domestic Violence Citizens Committee

(2) Pat Griff, Mecklenburg County Women's Commission - 336-4309

(d) Agenda Item No. 36-A - Bid by Good Water, Inc. for Vest Water Treatment Plant.

(1) Otis Crowder, Crowder Construction Company - 372-3541

Additions:

Judith C. Stutts
7125 Leesburg Rd
Animal Shelter
535-2282

Melvin Quick
1435 Dean St.
R/W abandonment
375-6539

Michael Moore / Chris Majer
9132 Hinson Dr
UCA Assoc.

R L Davis, Jr 1925 Arnold Dr.
Water - Sewer 568-4981
Quality of Life issues

William P. Allan
1610 E. Morehead
372-0847 Animal Shelter

Patti Lewis
4101 Randolph Rd
Animal Shelter

→

(e) Agenda Item No. 42-E & F - Demolition of dwellings at 1504 and 1508 North Brevard Street.

(1) Joe Howey, 1015 Druid Circle - 375-3557

(f) Agenda Item No. 42-G - Demolition of Crown Motel

(1) Herb Harriss, 2322 North Tryon Street - 372-2898

Adds -

Dave Jones
4838 Butterwick Lane
535-6559
Bond Ref. Ind. Arena

Skipper Beatty Rd
1300 & Wm Shelter
Animal
332-1213

Brenda Stevenson through
8201 Carlwood Dr. S end of office
529-0060 X
New Center outreach Community
Family

Ronnie & Gerald Stevenson
8201 Carlwood Drive
New outreach Community Ctr

Teal Carlw Circle
6515 Woodland Shelter
Animal

Helen Bailey
4800 Stafford Circle
General Comments as a citizen

Time Briefing 8-24-92

Mayor Vinroot ✓
Campbell ✓
Clodfelter ✓
Hammond ✓
McCrory ✓
Majeed ✓
Morgan ✓
Martin ✓
Patterson ✓
Reid ✓
Scarborough ✓
Wheeler

5:25

Mayor -
White
Mayor
White

Mayor
White
Schumacher
Jim
White
Mayor
Clodfelter

Schumacher
Martin
Schumacher
Hammond
Schumacher

Mayer
Martin
Schumacher
Martin
Schumacher
Martin
Schumacher
Martin
Schumacher
Mayer
Reid
Schumacher
Reid
Schumacher
Reid
Schumacher
Mayer
McCrory
Mayer
McCrory

Clodfelter

Mayor

White

Mayor

McCoy

Mayor

Cynthia Pattison

Mayor

Martin

Mayor

Mangum

Mayor

Walter Fields

Mayor

Fields

move to proceed

Hammond / Scarborough

unanimous

Mayor

White

Mangum

Jay Walton

Mangum

Mayor

Borgsdorf

Jay Walton
Mazor
Borgsdorf
McEvoy
Borgsdorf
Mazor
Jim Leavelle - NATIONS BANK
Martin
Leavelle
Martin
Leavelle
Mazor
White
Mazor
Morgan
Campbell
Susie Ferrell
Campbell

Campbell
Mazor
NB.
Hammond - Side 2
Leavelle
Morgan

Leaville

Marquem

Leaville

Marquem

Mayer

Martin

Mayer - Bait Camp.

Scarbrough

Hammond

White $47.00

Martin

Va. Alexander

Martin

Alexander 7.00 for 3 years

Martin

J. Walton

Martin

Vi - yes

Martin

White

McCrary

Martin

Adjourn 6:25

Council Meeting 8-24-92

Mayor Winwood	✓
Campbell	✓
Clodfelter	✓
Hammond	✓
McCrary	✓
Majeed	✓
Marquis	✓
Martin	✓
Patterson	✓
Reid	✓
Scarborough	✓
Wheeler	✓ 6:35

Mayor
Scar
Mayor
White
Mayor
White
Mayor
Camille Prince
Mayor
Larry Cauthen (?)

Mayor Zbrojewska
Mayor Kinkade
Betty Lupton
Mayor
Ken Hardee
Mayor
Melvin Quick
Mayor
Michael Moore
Mayor
Chris Major
Mayor
Bob Davis
Mayor
Ann Hammond
Mayor
Scarborough
Mayor
Majed
Mayor
Helen Giles
Mayor
Giles
Dave Jones
Mayor

Mayor
Brenda Stevenson
Mayor
Ann M Stevenson
Scarborough
Mayor
Majeed
Gould mayor Stevenson
Norman Stevenson
Mayor
Judith Stutts
Mayor
Bill Allen
Mayor
Skipper Beatty
Mayor
Patti Lewis
Mayor

Reg meeting 7:40

Mayor - Announcements
Scarborough
Reid
Scarb
Mayor

Mazzoli

#1

Underhill

Mazzoli / Wheeler — move to close

Conaway

move B. Wheeler / Mazzoli — unan

Reid

White

Mazzoli

Unan

move C. Wheeler / Scan

Mazzoli

#2

Mazzoli

Mazzoli / Wheeler — Close — unan

Mazzoli

Hammond / / Wheeler — adopt — unan

Hammond / Wheeler — (#C) — unan

Mazzoli

Reid / Mazzoli — (Coliseum) to put on Bonne ref.

Mazzoli

Mazzoli

White

Mazzoli

Majeed
Mayer
Morgan
Underhill
Morgan
Mayer
Martin
White
Martin
Mayer
White
Martin
Underhill
Mayer
McCoy
Steve Camp
Martin
Underhill
Martin
Mayer
Wheeler
McCoy
Camp
McCoy

White
Mayo
Hammond
Camp
Hammond

Camp
Hammond

Mayo
Reid
Mayo

Motion to put on referendum
9 - for Mangum McCrory Martin Patton
Wheeler Cook Harrison
Rice Campbell
1 - No - Majeed

Lindenhill
Mayo

- Move B - Again Scar/ Ham Unan
- C - with respect to A-11 3 Ham/ Wheeler
MAJEED OPPOSED

3
Wh/ Scar Unan

4 - Consent
Move consent McCrory/ Wheeler
Unan

Mayo

Mayor
Ellis
#34 Amy Wheeler Lemon
Mayor
#36-A
Mangum
Mayor
Otis Crowder
Mayor
Crowder
Mayor
Campbell
Crowder
Campbell motion to reject the bid
Wheeler - 2nd
Goldfelter
Campbell
Mayor
Julia Burch
Otis Crowder
Mayor
Hammond
Burch
Mayor
Scarborough

Burch
Scar
Mayor
white
Mayor
White
Mayor
Campbell
Underhill
Mayor
Campbell
Mayor
Reid - sub. motion deny / overrule to
2nd bidder - Lowder
2nd Wheeler

Mayor
Campbell - withdraw 1st motion
Mayor
Hammond - sub motion
low bidder approved - technicality waived
Ella - 2nd

McCrary
Mayor
McCrary
Mayor

Mangum
Mayor
Martin
White
Underhill
Mayor
Reid
Mayor
Scar
Mayor
Vote on sub - (3) ann majed McCoy

Mayor
Vote on award to Crowder - 6 yes
- 2 opposed Ellen + McCoy

Mayor
#36 N
Howard / Martin to reject
Unan

36 V - Campbell / Scar Unan

36 W
Clodfelter
C/O & Fc ftn / Patterson
Underhill

Rockefeller
Underhill
Mayor
Pratt
Clerk

Mayor
Majeed
Mayor
Boysdorf
Majeed
Boysdorf
Mayor
Martin
Boysdorf
Martin
McCrory
Mayor
Patterson
Underhill
Patterson
McCrory
Mayor
V. Alexander
Mayor
Patterson
Mayor

Scar

Unan

Mayor
Majeed
Borgsdorf
Majeed
Mayor
36 - X
Reid
White
Reid
White
Reid / Don C. Unan
Mayor
(Back to 36 a)
Herb Harris
White
38
Ella S.
motion to approve
2nd Reid / No - Chrd
40
Hammond / Scar to excuse Don
Scar / White Unan

#42 A

Mangum
Jay Walton
Jay Tom n./ Reid
Mangum
Mayor

#42 E + F

Joe Howie
Mayor
Jay walton
Tom / Reid unan
Mayor

#42 D

ann H./ Scar
Mike defenal
unan

Mayor
#5

Clark / Scar
unan

Mayor
#6 Mangum / Patt
Don Clark Jetto
scarborough unan
Reid

White
Reid
Mazer
#7 -

Morgan / Sloan
Unanimous

#8 - Cbl / Reid - option #1 more
ch & Felter
Amendment - ask delegate to read
view re jurisdiction MPO
Mazer
Patt
Mazer
McCrory
Clark
McCrory
Clark
McCrory
Mazer
Clark
Campbell
Clark
Mazer
Clark
Mazer
Clark

Mazur
Morgum
Hammond
Cook
Mazur
Martin
Mazur
Campbell
Morgum
Campbell
Mazur
Campbell
Mazur
Martin
Cook
Campbell
Cook
Campbell
Mazur
Mazur - Vote
Morgum
9
Morgum / Wise
Mne all but #5
Scan

Hammond
Alexander
Scar
Alex
Scar
Hammond
Alex
Scar
Alex
Mazor
Cook
Scar
Mazor
McCrory
Alex
McCrory
Alex
McCrory
Alex
McCrory
Alex
McCrory
Mazor
Martin

Alex
Martin
McC

Mayor
Wheeler
Alex
Mayor Wheeler Alex
Scar

Mayor
Hammond
Mayor
Reid
Mayor

Mayor. Vote All but 5
Mayor
Bill Pickens
Mayor
Howard Swift
Mayor
Majeed
Alex
Mayor
Martin
Mayor
McCraig

Alex
McCrory
Alex
McC
Alex
McC
Alex
McC
Alex
Mayor
Mangum - Move #5 / Hammond second
Mayor
Scar - amend motion -
Mangum -
Scar
Mayor
Ella S - Sub motion
Martin Second
Hammond
Mayor
Martin
Mayor
Clark
Majeed

Mayor
Vote on Sub. Motion
Favor - 3
opposed - 8

Vote on Original motion { 8 for
3 opposed

Mayor
#10

White / Mart
Urban

#11
C/O & Felton
McCrory
Mayor

McCrory / Wheeler

Urban

#12

Mayor / Hammond

Wheeler
White
Mayor
White
Wheeler
White
Mayor

McCrory
Wise
Mayor
Scar - sub. motion / who second
take portion out relating to curfew
Mayor
Hammond
Mayor
Martin
Mayor
Wheeler - withdrew second
Mayor
Ellis
Vote - 1 opposed / Scar

13

Mayor
Pat Grigg
Catherine Reed
Janice Coulter
Olive Berryhill
Mayor
Campbell
Campbell / Scar
Mayor
Martin

(Mildred - I think they moved this twice but Stan wants credit I'm sure since he's been working with them)

Unan; mms

#14

Wheel. Reid

vote on #14 - 1 opposed - Tom Morgan

Mayor

Morgan

Mayor

Morgan

#15

Reid for Cmty

Unan. vote on 15

#16 - Fun City

Mayor

Motion to recons. by Campbell / Morgan

Clerk

motion to Have Dism Scarf Pattman.

Mayor

5 to recons. by

5 to NOT reconsider

TIE VOTE

Mayor

Hw Underwood

Patt move / Morgan Second

mayor to vote

Hwr

Mayor

Martin / Scarb - Mayor NOT Be Allowed to VOTE.

Mayor

3 - Martin Scarb Mayor

7 - Reid Pratt Camp McCrary Hammond Mangum

Vote to reconsider

(Mayor breaks tie)

Mayor

motion to approve Loan Martin / Hammond

Wheeler

Boggs

Wheeler

McCrary

Mayor

Scarb

Campbell

Charlotte Certified Development Corp

Jerry McMurray - CCDC

Campbell

McMurray

Mayor

Scarb

McMurray

Scarb

McMurray

Scar
McMurray
Scar
Mayer
Patt
Reid
White
Reid
Patt
Reid
Patt
Mayer
Reid
Mayer
McCrory
Martin
McMurray
Martin
McMurray
Martin
McMurray
Martin
McMurray

Martin
Mc Murray
Martin
Mc Crory
Martin
Mc Crory
Martin
Borgdorf
Martin
Jim Leavelle National Bank
Martin
Mayor
Morgan
Mayor
Majeed
Mayor
Reid
Mayor
Martin
Reid
Martin
Reid
Martin
Reid
Martin
Mayor
Reid

Mayor
Hammond

Mayor
Martin

Mayor
Wheeler

Mayor
Campbell

Jay Walter

~~unknown~~ Speaker - call Jay at John Jennings

Mayor
Majeed

Vote - Yes - Scar - Majeed - Martin - Hamm - Patt
NO - mayor - McCarry - Reid - Mangum - wheel
Campbell

6-5-

17 - Cable TV

Hammond / Patt

1 opposed - Reid

18 - Boards & Commissions - Conw. ct.

mayor
Scar

Keith Hayward -

#18 —

Waste Management

Majeed - Patt - Cloud - Scar - Mart - Hamm

Tom Griffin — 6

For
Al Can

Mag - Wheeler — Reid - McC - Camp -

Reid / Morgum - to select Robt. Smith
Unanon.

Historic Dist - Appointments

Unan: mins vote for
David Park

#19 = (92-24)

Motion 19 - Morgum / Wheeler
Motion to excuse Godfrey
Morg / Wheeler
Unan.

Vote in Favor of approval

7 - 4

Mayor
Reid
McCrary
Majeed

(FAILS) needs 9 votes

#20

92-30

Move 20 - Tom - Lynn to Approve
Clod - out motion to deny / Scar

Mayor
Clod letter
McCrory

Mayor ec &

Vote on motion to deny -
FAVOR 8 — 3 OPPOSED — MANGUM McCrory Reid

92-31

Move to Deny - Scar / Clod
8-3 NO - MANGUM Reid - McCrory

92-32

Move to Approve as modified Tom / Clod
Sub. to deny Hammond / Patt
6-5 Vote

Vote in favor of Substitute to deny motion
Ella - Cynthia - Ann - Lynn - Clod - Majed -

NO Stan - Reid - Tom - McCrory - Martin

23.

92-34

Morgan/Scarb - App

Scar

NO - McCurry + Reid

92-35
Mine 24 — Mayor / Ward to approve
unan.

92-36 — to approve
Mayor / Wheeler
unan.

92-38
Mayor / Wheeler to approve
Mayor
Scar — / Patterson — to defer
Mayor
Morgan
Scar
Mayor

Pat McCrory
Mayor
Hammond
Motion to approve — c/ McCrory
Reid
Wheeler
Tom M.
7
Approved — motion to defer — unan.

92-39
Mine # 27
Morgan / Wheeler

Unan

~~92-40~~
~~#~~ 28 Mon / Clark
Unan.

~~92-41~~
~~#~~ 29 Mang / Clark
Unan.

~~92-42~~
~~#~~ 30 Deferred

Move Deferred

Ella / Mangum
Don C. opposed to deferral

~~#~~ 31 - ~~92-43~~
Ella / Martin
Unan

~~#~~ 32 Part interfer. Ex. Session / Montgomery

Mayer
McCrory
Martin -
Mayer
McCrory
Mayer (Ella) Reid
Do on 21st at 4:00)

Lindenhiller

Mayor

Lindenhiller

Mayor

Lindenhiller

Mayor

Hammond / Scarborough — 2nd motion

Morgan

Mayor

Unan — ex. session

Unan — continue expl. of city mgr. + personnel matter

Mme Adj. Ellis / Hoyle

Adjourned 11:35

CHARLOTTE

Meetings in August '92

THE WEEK OF AUGUST 3 - 7

5, Wednesday
8 30 a m — CIVIL SERVICE BOARD - CMGC, 7th Floor Conference Room

THE WEEK OF AUGUST 10 - 14

10, Monday
4 00 p m — CITY COUNCIL PUBLIC SERVICES COMMITTEE - CMGC, Room 270

5 00 p m — PLANNING COMMISSION/Sub-Committee of Zoning Committee (Subdivision Variance Hearing) - CMGC, 8th Floor Conference Room

7 00 p m — HISTORIC LANDMARKS COMMISSION - Commission Office, 730 E Trade Street, Suite 100

11, Tuesday
3 00 p m — HOUSING APPEALS BOARD - CMGC, 5th Floor Conference Room

3 30 p m — AIRPORT ADVISORY COMMITTEE/New Member Orientation - Charlotte-Douglas International Airport, Main Terminal, Conference Room A

4 00 p m — AIRPORT ADVISORY COMMITTEE/Workshop Session - Charlotte-Douglas International Airport, Main Terminal, Conference Room A

12, Wednesday
3 00 p m — HISTORIC DISTRICT COMMISSION - CMGC, 8th Floor Conference Room

13, Thursday
8 30 a m — CIVIL SERVICE BOARD/Hearing - CMGC, Meeting Chamber Conference Room

14, Friday
8 30 a m — CIVIL SERVICE BOARD/Hearing - CMGC, Meeting Chamber Conference Room

THE WEEK OF AUGUST 17 - 21

17, Monday
6 00 p m — SPECIAL CITY COUNCIL MEETING - CMGC, Meeting Chamber

18, Tuesday
2 00 p m — HOUSING AUTHORITY - Administrative Offices, 1301 South Blvd

4 30 p m — COMMUNITY RELATIONS COMMITTEE - CMGC, Conference Center

19, Wednesday
8 30 a m — CIVIL SERVICE BOARD/Hearing - CMGC, Meeting Chamber Conference Room

2 00 p m — CMUD ADVISORY COMMITTEE - Utility Department, 5100 Brookshire Boulevard

20, Thursday
8 30 a m — CIVIL SERVICE BOARD/Hearing - CMGC, Meeting Chamber Conference Room

7 00 p m — CHARLOTTE TREE ADVISORY COMMISSION - CMGC, Room 270

21, Friday
8 30 a m — CIVIL SERVICE BOARD/Hearing - CMGC, Meeting Chamber Conference Room

(CONTINUED ON BACK)

Public Service And Information Department

600 East Fourth Street

Charlotte NC 28202 2861

704/336-2395

THE WEEK OF AUGUST 24 - 28

24, Monday

4 00 p m **PLANNING COMMISSION/Executive Committee** - CMGC, 8th Floor Conference Room

5 00 p m **COUNCIL/MANAGER DINNER** - CMGC, Conference Center

6 30 p m **CITIZENS HEARING** - CMGC, Meeting Chamber (Televised Live on Cable Channel 32)

7 00 p m **CITY COUNCIL MEETING** - CMGC, Meeting Chamber (Televised Live on Cable Channel 32)

26, Wednesday

7 45 a m **PRIVATE INDUSTRY COUNCIL** - CMGC, Rooms 270-271

9 00 a m **AUDITORIUM-COLISEUM-CONVENTION CENTER AUTHORITY** - New Convention Center Marketing Office, 2940 One First Union Center

4 30 p m **CITIZENS CABLE OVERSIGHT COMMITTEE** - CMGC, 7th Floor Conference Room

27, Thursday

1 00 p m **ZONING BOARD OF ADJUSTMENT** - Hal Marshall Center, 700 N Tryon Street

4 00 p m **CHARLOTTE-MECKLENBURG ART COMMISSION/Executive Committee** - CMGC, 8th Floor Conference Room

4 30 p m **CHARLOTTE TRANSIT ADVISORY COMMITTEE** - CMGC, Room 119

5 00 p m **CHARLOTTE-MECKLENBURG ART COMMISSION** CMGC, 8th Floor Conference Room

-30-

These organizations will not meet in August

ADVISORY ENERGY COMMISSION
CHARLOTTE-MECKLENBURG ART COMMISSION
CLEAN CITY COMMITTEE
FIREFIGHTERS RETIREMENT BOARD
INSURANCE & RISK MGMT ADVISORY BOARD
PARADE PERMIT COMMITTEE
YOUTH INVOLVEMENT COUNCIL

Monday, August 24, 1992 City Council Agenda
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CHARLOTTE

Mayor Richard Vinroot *Mayor Pro Tem Ann Hammond*

Stan Campbell
Daniel G Clodfelter
Patrick McCrory
Nasif Rashad Majeed
Thomas A Mangum
Hoyle H Martin
Cyndee Patterson
Don D Reid
Ella Butler Scarborough
Lynn M Wheeler

Council Agenda

CITY COUNCIL MEETING
Monday, August 24, 1992

5:00 p.m. — Conference Center

Council-Manager Dinner
- Stormwater Briefing
- Information on Northeast Retail

6:30 p.m. — Meeting Chamber

Invocation
- Rev. John Duncan
  Caldwell Memorial Presbyterian Church

Citizens Hearing

7:00 p.m. — Formal Business Meeting

Res #1
B

PUBLIC HEARING

1. Recommend the following actions necessary for the authorization and sale of Refunding Bonds, Series 1992, in a principal amount not to exceed $130,000,000, to refund/restructure the 1986 Public Improvement Bonds:

Staff Resource: Del Borgsdorf

Wheeler/Mangum move to close unan

A. Conduct a public hearing concerning the Refunding Bonds, Series 1992

Refunding Bond 59 p. 339

Moved Wheeler/Mangum - unan

B. Adopt a bond order authorizing Refunding Bonds, Series 1992

Res #2 B-39 p 345

C. Adopt a resolution providing for the sale of the Refunding Bonds, Series 1992

Moved C Wheeler/Scarborough unan

Council Action

In order to authorize and sell refunding bonds, Council is required to take a number of legal steps. The following actions will complete the steps required of Council to authorize and sell the refunding bonds:

- Conduct a public hearing concerning the authorization of the Refunding Bonds, Series 1992.

- Adopt an order authorizing Refunding Bonds, Series 1992, in a principal amount not to exceed $130,000,000.

Adopt a resolution that accomplishes the following:

- authorizes the issuance (sale) of refunding bonds and establishes the amount, date and purpose of the bonds.
- establishes the form of the bonds and directs the manner of execution of the bonds.
- ratifies the actions taken by the Local Government Commission on behalf of the City.
- Appoints First Union National Bank as the Escrow Agent and approves the form of the Escrow Deposit Agreement
- Appoints Ernst & Young as the verification agent.

MILDRED - They went back & moved B & C again at Henry's request - This time it was B - Scarborough Hamm - unan

C - Hamm/Wheeler MAJORITY OPPOSED

Finance

Background: On July 27, 1992 Council introduced a bond order authorizing Refunding Bonds, Series 1992, designated August 24, 1992 as the date for a public hearing on the bonds, and authorized the filing of the Sworn Statement of Debt. The refunding/restructure will produce the following positive results:

- Reduce debt service cost because of lower interest rates
- Assist in more closely matching revenue to debt service cost, especially in the next five years.
- Assist in maintaining fund balance at approximately 50% of the annual debt service cost.

Finance

Clearances: Finance and Bond Counsel.

Res H B B 89 p. 382

2. Recommend the following actions required to conduct a general obligation bond referendum on November 3, 1992:

A. Conduct a public hearing concerning the bond referendum

B. Adopt necessary bond orders (Coliseum Renovation - $4,000,000, Water - 20,940,000 and Sewer - $46,065,000)

C. Approve a resolution calling for the bond referendum

(A) Margum | Whelan Unan

(B) Hammond | Whelan Unan.

(C) Hammond - to water & sewer - with respect Second - Whelan Unan

Staff Resource: Del Borgsdorf

Council Action: In order to conduct a bond referendum on November 3, 1992, a number of legal steps are required. The following actions will complete the steps required of Council prior to the referendum.

- Conduct a public hearing concerning the bond referendum scheduled for November 3, 1992
- Adopt an order authorizing $4,000,000 Coliseum Renovation Bonds
- Adopt an order authorizing $20,940,000 Water Bonds
- Adopt an order authorizing $46,065,000 Sanitary Sewer Bonds

Reid - motion to adopt the necessary Bond Order for the Coliseum Renovation to be on the referendum
Margum - Second

Finance

- Adopt a resolution calling for a general obligation bond referendum on November 3, 1992.

Background: On July 27, 1992, Council introduced bond orders for Water and Sewer Bonds to be considered by the voters in a November 3, 1992 general obligation bond referendum. Additionally Council designated August 24, 1992 as the date for a public hearing on the referendum. A list of the bond referendum projects is attached.

Clearances: Finance, Budget, CMUD and Bond Counsel

Attachment No. 1

Res # 4 B-29 Ø-404

3. Recommend adoption of a resolution providing for an August 25, 1992 sale of $14,275,000 general obligation bonds previously authorized by the voters.

Council Action The bond resolution is a legal document that Council is required to approve before the City can sell bonds. The adoption of the resolution accomplishes the following:

Whether scab or not union man

- Authorizes the issuance (sale) of the bonds and establishes the amount, date and purpose of each issue.

- Establishes the form of the bonds and directs the manner of execution of the bonds.

- Ratifies the actions taken by the Local Government Commission on behalf of the City.

- Ratifies the Official Statement relative to the sale of the bonds.

This action is needed to provide funds to continue projects Council has previously authorized.

Finance

Background: On July 27, 1992 Council authorized staff to proceed with a general obligation bond sale to provide additional funds for continuing projects that have been previously authorized and appropriated by Council. The amount was determined based on information provided by the departments administering bond fund expenditures. A list of proposed projects is attached.

Clearances: Finance and Bond Counsel

Attachment No. 2

VOTE ON CONSENT ITEMS

McCrory / Wheeler unan. Except for: 34, 36 A, 36 N, 36 V, 36 W, 36 X, 38, 40, 42 A, 42 D

4. Agenda items ~~37~~ 33 through 47 may be considered in one motion except for those items removed from the consent agenda as a result of a Council member making such a request of the City Clerk prior to the meeting.

Staff Resources: Del Borgsdorf and Julie Burch

Res # 10 B. 29 p. 456

POLICY

5. Recommend adoption of a resolution proceeding with an irrevocable assignment of the lease between the City of Charlotte and the Methodist Home to the Hezekiah Alexander Foundation, Inc. for lease of the Hezekiah Alexander Homesite.

Staff Resource: Vi Alexander

Hezekiah Alexander Lease

On July 2, 1975, the City of Charlotte entered into a long term lease agreement with the Methodist Home, Inc. and the Hezekiah Alexander Foundation for lease for properties associated with the Hezekiah Alexander homesite. This lease expires June 30, 2050.

In 1990, the three parties entered into an agreement whereby operation of the homesite was undertaken by the Hezekiah Alexander Foundation with eventual irrevocable assignment of the 1975 lease to the Foundation provided certain requirements were met.

Chr / Sec unan.

Budget

Those requirements included:

1. On or before June 30, 1992 the Foundation will show by audited financial report that it has an endowment fund for the benefit of the homesite in an amount not less than $1 million.

2. On or before June 30, 1995 the Foundation will show by audited financial report that it has an endowment fund for the benefit of the homesite in an amount not less than $2 million.

3. Keep the homesite open to the public at reasonable ticket prices and for reasonable hours.

4. Provide the City and the Methodist Home with an annual report showing the budget for the homesite, the status of the endowment and a listing of programs and activities at the homesite.

The Foundation has met requirements 1, 3 and 4. Additionally, the Foundation has reported a $1,808,722.59 present balance in the endowment and pledges of $196,921.41 for a total of $2,005,644.

The Foundation desires recognition that the requirement to have $2 million in the endowment has been met.

The 1990 agreement stipulates that the $2 million be on deposit in an endowment and verified by an audited financial statement.

It is recommended that if the Methodist Home, Inc. agrees City Council adopt a resolution finding that the requirement for raising the $2 million has been satisfied by raising $1.8 million in cash and $.2 million in pledges.

6. Recommend approval of the recommendations of the Planning Committee on policies related to the Storm Water Services Program: (1) that the Storm Water Services Program fund 100% of the cost of repairs mandated by the State of North Carolina for all high hazard dams; and (2) that all projects currently being designed or constructed be financed 100% by Storm Water Services, and that assessments due after January 1, 1993 be forgiven.

Staff Resource: Julie Burch

Unsafe Dams

1. Unsafe Dams - As the new Storm Water Services Program begins, the funding and prioritization of existing drainage activities are being incorporated into the overall program.

- This will include the repair of unsafe dams.
- If the policy adopted in 1991 is used for the repair of dams, property owners in the subject drainage basin would pay both an assessment for the dam repair project, and the monthly storm water services fee.
- Recognizing the benefits of lakes and ponds to the public drainage system and the community, the Planning Committee recommends that the Storm Water Services Program fund 100% of the cost of repairs mandated by the State of North Carolina for all high hazard dams. Such funding would be in accordance with overall program priorities and funding levels.
- A report is attached.

Drainage Assessments

2. Drainage Assessments - The new Storm Water Services Program funded primarily through a monthly fee will be making repairs and improvements to the drainage system on both public and private property.

- Properties involved with projects will not be responsible for any cost other than their monthly service charge (and the donation of necessary easements).

Morgan/Pate
Unan.

ENG: Necking

- There are currently projects that are being designed or constructed based on an assessment of a portion of the cost to the involved property owners. In these cases, the property owners will pay both the assessment for their individual project and the monthly storm water service charge.

- There are also property owners who have participated in the cost sharing program within the last ten years, and are paying their assessment in annual installments. These individuals will also be responsible for both an assessment and the monthly fee.

- In order to incorporate these assessment projects into the overall Storm Water Services Program where property owners throughout the City will pay a proportional share of the overall program cost, the Planning Committee recommends that all projects currently being designed or constructed be financed 100% by Storm Water Services, and that assessments due after January 1, 1993 be forgiven.

- A report is attached.

Funding: All costs for these programs will be financed through the Storm Water Services Program, funded primarily through the monthly service charge.

Attachment No. 3

DROP #12 #3393-X B-41 B-94

7. Recommend approval of the Planning Committee's recommendation to approve the Manager's plan for reorganization and staffing of the Storm Water Services Program, and adoption of a budget ordinance amending the Engineering Department table of organization.

Staff Resource: Julie Burch

Committee Recommendation

The Planning Committee recommends approval of the Manager's plan for organization and staffing of the Storm Water Services Program. Key points of the plan are:

- Storm Water Services will be a major division of the Engineering Department.
- Thirteen existing positions in the Engineering Department will be transferred to the new program.
- Twelve new positions will be created and filled by January, 1993.
- Up to six or seven additional positions will be required by July 1993 to implement a storm water quality program in accordance with the 1987 Clean Water Act and EPA regulations.

The impact on other departments, such as Finance and CMUD, is being reviewed, and any appropriate changes will be presented to the Planning Committee and City Council in September. The full report is attached.

Background

The enhancement of existing programs and the creation of new programs to control both the quantity and quality of storm water runoff in the municipal drainage system will require increases in staffing.

- The scale of the program is increasing by two and a half times initially, and is projected to triple within five years.
- The Planning Committee has reviewed the Manager's plan for organization and staffing of the Storm Water Program.

Margum/SCOA union

Engineering

- The plan provides for the transfer of several existing positions that have been assigned to the old storm water programs and policies to Storm Water Services, providing nearly half of the staff for the new program.

- In addition, there may be opportunities to place other existing City employees in some of the new positions through the City's on-going rightsizing process.

- Prompt recruitment and hiring of the positions for the program is critical to successfully beginning the new services in January 1993.

Funding: All costs for these positions are included in the Storm Water Program budget funded primarily through the service charge approved by City Council on June 9, 1992. Costs incurred before December 31, 1992 will be funded through the Storm Water Repair Capital Account and will be recovered from fee revenues after January 1, 1993.

Attachment No. 4

8. Consider alternative voting structures for the proposed Mecklenburg/Union/Cabarrus Metropolitan Planning Organization (MPO) and direct the City's representative to the MPO on this issue.

Clodfelter/Reid move Option 1 Amendment. Delegate to RA sec issue re: Jurisdiction MPO. Unan.

Staff Resource: Julie Burch

Council Action: City Council is requested to:

- Consider alternative voting structures for the proposed Mecklenburg/Union/Cabarrus Metropolitan Planning Organization (MPO).

- Direct MPO representative on how to vote on August 26 if the voting structure is discussed by the present Charlotte-Mecklenburg MPO.

Purpose:

- To determine Council's preference for a voting structure to be incorporated in the new Memorandum of Understanding for the Mecklenburg/Union/Cabarrus MPO.

DOT

Options

1. Mayor Vinroot's proposed voting structure gives:

   - Charlotte 11 votes
   - Mecklenburg County 3 votes
   - Remaining 13 members 1 vote each

   This structure maintains the current situation where Charlotte (6 votes) and Mecklenburg County (2 votes) together have a majority of MPO votes (a present total of 15 votes since the 6 Mecklenburg towns and the North Carolina Department of Transportation (NCDOT) have 1 vote apiece). Mayor Vinroot considers this structure more representative of the metropolitan area's population distribution since Charlotte (75 percent) and unincorporated Mecklenburg County (11 percent) include the vast majority of the region's population.

2. Mayor Harold Little of Cornelius has suggested the following voting structure:

   - Charlotte 10 votes
   - Mecklenburg County 2 votes
   - Remaining 13 members 1 vote each

   The proposal balances Charlotte-Mecklenburg's 12 votes with 12 votes for the 10 towns and 2 counties which will belong to the new MPO. The North Carolina Board of Transportation MPO member could be considered the "swing" vote under this structure.

3. Council could adopt some other voting structure which MPO representative Campbell could propose at the August 26 MPO meeting.

Background:

- At the March 18, MPO meeting, NCDOT staff presented a new Charlotte urbanized area boundary based on 1990 Census data which includes the towns of Indian Trail and Stallings. The expansion of the urbanized area into Union County means that the two towns must be asked to join the Charlotte-Mecklenburg MPO.

- On May 20, the MPO unanimously approved a new urbanized area boundary which includes Indian Trail and Stallings. NCDOT staff presented a draft Memorandum of Understanding for a metropolitan area which includes not only Indian Trail and Stallings but also Weddington and western Union County. The latter two areas are included in the proposed MPO because it is expected that they will become urbanized during the 20-year planning period.

- On June 24, members of the Charlotte-Mecklenburg Technical Coordinating Committee (TCC) briefed elected officials from Indian Trail, Stallings, Weddington, and Union County on MPO responsibilities and activities.

- On July 15, the MPO directed Joe Lesch, MPO Secretary, to meet with officials from Harrisburg and Cabarrus County to discuss their interest in joining the proposed Mecklenburg/Union MPO. The TCC believes that this area will become urbanized during the 20-year forecast period. Harrisburg must decide whether it wishes to join the Mecklenburg/Union or the Kannapolis/Landis/Concord MPO's.

- On August 3, Mayor Vinroot, Mayor Little, and Ernest Barry, Jr., NCDOT representative to the MPO, discussed the two proposals for the new MPO voting structure. Mayor Vinroot has requested that Council and the County Commission discuss the issue before the MPO's August 26 meeting.

- The MPO will continue to use the voting structure contained in the current Memorandum of Understanding (MOU) until a new one is adopted. If agreement cannot be reached locally, the Governor can direct a structure as was done in 1981.

- Once the new voting structure is defined, the new MOU will be distributed to all MPO members for adoption. The new MOU would take effect when adopted by all parties included in the new MOU (or on a subsequent date that could be specified in the document).

9. Recommend adoption of Public Services Committee recommendations regarding the disposition of eight active park projects and authorize staff to implement Council direction.

Staff Resource: Vi Alexander

Parks: The Parks Consolidation Agreement did not address active park projects.

Committee Recommendations: The Public Services Committee has reviewed each of the eight active park projects and recommends the following actions:

1. Statesville Road Park
   Action: Construction plans and project balance (total: $259,922; $200,000 in Pay-As-You-Go and $59,922 in Park Bonds) are to be transferred to the County with the understanding that the County will implement the project on a timely basis. The County can use (and pay debt service on) City authorized/unissued Park Bonds of $3.8 million for park construction, per Interlocal Agreement.

2. Ramblewood Park
   Action: Master Plan and project balance (total: $546,000; Blythe Industries soil purchase) are to be transferred to the County for park implementation.

3. Freedom Park Reconstruction
   Action: In-house design shall continue until plans are complete. Completed plans will be transferred to the County along with $455,796 in Park Bonds from project balances in Reedy Creek park and New Park Development.

Margan | Wheeler
Motion All but #5 unanimous

Motion 5. Morgan | Harrison
Seconded motion
Martin - Second
Substitute motion
3 - Scott, Mayer, Martin
Vote on
8 opposed

Original motion -
8 in favor
3 against. Scott, Mayer, Martin

Budget

4. Improvements to Existing Parks
   Action: Unfunded, high priority projects totalling $813,100 will be transferred to the County. Pay-As-You-Go project balances from Improvements to Existing Parks ($106,464), Freedom Park Reconstruction ($455,796), and Park Land Acquisition ($413,679) will be transferred to the County to construct the unfunded, high priority projects. The amount of $162,839 from the project balances will be held in reserve pending options from the County on Hampshire Hills Park and other isssues which might arise.

5. Hampshire Hills Park
   Action: Committee reaffirmed minimum development option pending recommendations from the County. Project is to be transferred to County with $41,567 in Park Bonds from Reedy Creek Park and New Park Development project balances.

6. Reedy Creek Park
   Action: Master Plan to be turned-over to the County. Future improvements will be considered by County.

7. Park Land Acquisition
   Action: Future acquisitions will be considered by County.

8. New Park Development
   Action: City to complete construction on N.C. 51 Park - Phase I. County to implement N.C. 51 Park - Phase II and use up to $3.84 million in City authorized/unissued Park Bonds.

Attached is background material on each of the park projects; a listing of unfunded, high priority Improvements to Existing Parks projects; and, the original action and minutes from Hampshire Hills Park.

Attachment No. 5

Res # 11 3 29 p 456

10. A. Recommend approval of Public Services Committee recommendation to adopt a resolution adopting the FY93-97 Water and Sewer Capital Improvement Program.

Staff Resource: Vi Alexander

On August 10, 1992, the Public Services Committee reviewed the five-year Water and Sewer Capital Improvement Program and recommended its adoption. The program includes water and sewer projects to be included on the November bond referendum. A list of the projects is included in Attachment No. 1.

B. Recommend adoption of a resolution amending the FY93-97 Water and Sewer Capital Improvement Program to include the McCullough Branch Outfall and Lift Station.

Need for the Project

- The need for this project was identified after preparation of the Preliminary FY93-97 Capital Improvement Program (CIP) when CMUD was approached by the owners of a business park on Nations Ford Road. The business park is now served by a private waste treatment plant which is not operating in compliance with State requirements.

- The owners of the property would like to become CMUD customers and abandon their treatment plant. CMUD has met with the property owners over the past several weeks to develop a plan to help them solve their problem in a manner that would benefit them and the community and that would be cost effective for them and CMUD.

- Inclusion of this project in the CIP will make it eligible for five year reimbursement. Under this program, the customer provides the funds for design and construction and is reimbursed the principal amount over five years. The final cost to the customer will be the interest cost of financing the project.

Description of the Project

- This project will begin to provide basic sanitary sewer service to the Nations Ford Road - Highway 51 - Downs Circle area near the NC-SC state line west of Pineville.

- A sewer lift station is proposed at the confluence of Big Sugar Creek and McCullough

Branch and approximately 5000 feet of sewer main is proposed along McCullough Branch across Highway 51 to a point near Nations Ford Road.

Cost

- The estimated total cost is $1,090,000.
- If the property owner proceeds with this project under a five year reimbursable contract, the reimbursements are made from the CMUD operating budget beginning after the project is complete.
- The property owners have indicated to CMUD that they will request a five-year reimbursable contract and proceed with this project if it is added to the CIP.
- This project eliminates an existing wastewater lift station which serves part of Pineville.

ORDINANCES B-17

11. Recommend adoption of five ordinances to mitigate the problem of panhandling and loitering in the uptown area.

Staff Resource: Don Steger

Proposed Ordinances

The Lawyers Subcommittee of the Charlotte Uptown Development Corporation's Safety and Security Committee developed six proposed ordinances aimed at mitigating the problem of panhandling and loitering in the uptown area.

- In June of this year, these ordinances were reviewed by the Council Public Safety Committee.
- The Public Safety Committee in turn recommended that the full Council direct the staff to draft the proposed ordinances for adoption.
- At its July 27 meeting, the City Council voted to direct staff to draft all of the ordinances in question except for a proposed ordinance that would require beggars to obtain a permit.

McCrory
Wheeler
Urban.

Legal

Explanation of Ordinances

Below is a brief explanation of each proposed ordinance; copies of the ordinances are attached.

Ord # 3394 B-41 p-95

1. Section 15-24. Begging or Soliciting Alms By Accosting or Forcing Oneself Upon the Company of Another; Prohibited Conduct.

Pedestrians and workers in the uptown area have complained of aggressive panhandling. This proposed ordinance seeks to address that problem.

This ordinance replaces the current Section 15-24. The proposed ordinance makes it unlawful for any person to beg or solicit alms or contributions by accosting another or by forcing oneself upon the company of another.

Ord # 3395 B-41 p-97

2. Section 19-24. Structures.

This proposed ordinance creates a new city ordinance which prohibits the erection of structures on sidewalks, alleys or streets. The City Code currently does not have such a provision.

Ord 3396 B 41 p-98

3. Section 19-25. Obstructions - Prohibited.

This proposed ordinance amends an existing city ordinance. The amendment expands the coverage of the ordinance. The current city ordinance prohibits obstructions on city sidewalks. This amendment will broaden the ordinance to prohibit obstructions on sidewalks, alleys or streets. This amendment also clarifies the ordinance by providing for certain exemptions. For example, a temporary obstruction would be permissible for the purposes of loading or unloading.

Legal

Ord 3397
B-41
p 99

4. Section 15-11. Unauthorized Persons on Parking Lots.

This proposed ordinance creates a new city ordinance. The proposed ordinance will make it unlawful for anyone to remain on property that is used primarily as a parking lot where a fee is charged to park unless the person has a vehicle parked on the property, is employed on the property, or has other lawful business on the property. In order for this ordinance to apply to a parking lot or parking deck, the property must be posted as set forth in the ordinance. The sign which must be posted informs persons that presence on the property is unlawful unless a person has a vehicle parked on the property, is employed on the property, or has other lawful business on the property.

Ord # 3398
B 41
p. 100

5. Section 7-14. Trespassing.

This proposed ordinance creates a new city ordinance which makes it unlawful to trespass on city cemeteries or cemetery lots between 9 p.m. and 6 a.m. except for the purpose of burials, attending funerals or for other governmentally authorized cemetery business or maintenance.

It is recommended that each of the above ordinances become effective on October 1, 1992 to allow sufficient time to adequately inform law enforcement officers with regard to the proper enforcement of these ordinances.

Clearances: City Legal Department.

Attachment No. 6

Legal

12. Recommend adoption of a resolution supporting a joint effort between the City, County, and Charlotte-Mecklenburg Schools to reduce the incidence of truancy.

Resolution At their joint meeting on August 18, Council, the County Commissioners, and the School Board agreed to support a joint effort to reduce truancy. All three bodies agree to adopt a resolution making reduction of truancy a community priority and supporting staff efforts to develop programs which achieve that goal. The resolution is attached.

Background At the direction of Council's Public Safety Committee, the Police Department has been working with the Charlotte-Mecklenburg Schools to develop a proactive program to deal with students who are chronic truants. The purpose of this effort is to:

1) Get the chronic truant back in school;

2) Reduce the opportunities for young people to become victims or perpetrators of crime;

3) Involve the community, especially parents, in making the reduction of truancy a community priority, and

4) Provide positive reinforcement to young people who have good school attendance.

Clearances: Police, City Attorney

Attachment No. 7

13. Recommend that City Council (a) receive the 1992 report of the Charlotte-Mecklenburg Domestic Violence Citizens Committee, and (b) consider the Women's Commission's recommendation that the Domestic Violence Citizens Committee be established as a permanent standing committee of the Mecklenburg County Women's Commission with the City and County making appointments jointly.

Staff Resource: City Clerk

Council Action

The Mecklenburg County Women's Commission requests that City Council receive the 1992 Report of the Charlotte-Mecklenburg Domestic Violence Citizens Committee, which is attached in executive summary form (the full report is on file in the office of the City Clerk).

City Council is also requested to jointly establish a permanent standing committee of the Mecklenburg County Women's Commission with the City Council and County Commission making five appointments each.

- This committee would be given the charge of keeping the County Commission and City Council aware of the community response to domestic violence.

- The committee would meet at least quarterly, and elect a new chair annually.

- Terms would be for two consecutive three-year terms. The County Commission approved receiving the report and establishing the committee at their meeting on August 10, 1992.

- If City Council wishes to establish this committee, it is recommended that they direct the City Clerk to work with the City Attorney, County Clerk, County Attorney, and the Women's Commission to develop a joint resolution between the two governing bodies to do so.

Completed! Scan Urban.

Clerk

- The Domestic Violence Citizens Committee of the Mecklenburg County Women's Commission recently completed its review and analyses of the 90 domestic violence recommendations made to Charlotte City Council and the Board of County Commissioners in April, 1986.

- In July, 1985, Mayor Harvey Gantt and County Commission Chairman Carla DuPuy appointed a joint City-County Domestic Violence Task Force consisting of 25 citizens.

- In 1986, the task force submitted its report to City Council and the County Commissioners which included the 90 recommendations focusing primarily on the involvement of the City and County Police Departments and the civil and criminal court systems.

Clearances: City Attorney and City Clerk.

Attachment No. 8

Wheeler/Reid 10-1 Morgan opposed

14. Appointment of City-County committee to review funding options for arts facilities and programs in the future.

This item was placed on the agenda following discussion at the August 17, 1992 Council meeting.

Reid/McCoy unanimous

15. The following items are proposed for the Tuesday, September 8, 1992 Council workshop:

- Airport noise
- Stowe Botanical Garden presentation
- Law Enforcement Center
- Stormwater Utility

Manager's Office

BUSINESS

16. Recommend approval to use $142,800 from the Development and Revitalization Fund to be used as matching funds for a $714,000 City Within a City loan to be made by NationsBank to FUN CITY, Inc. for the FUN CITY amusement park.

Staff Resource: Del Borgsdorf

Council Action: This action will approve the use of $142,800 Development and Revitalization funds as the City's matching funds for a $714,000 loan to be made by NationsBank for the FUN CITY amusement park as part of the City Within a City Loan/Equity Pool Program.

- City Council is being asked to approve this loan because the City loan will be in a third lien position instead of the customary second.
- A $511,000 loan from the Small Business Administration (Charlotte Certified Development Corporation) will be in a second lien position.

Details of the Project: The purpose of the City Within a City Loan/Equity Pool Program is to expand economic development opportunities, particularly the creation of jobs.

Jobs

This project will create 31 jobs for low to moderate income persons. All of the jobs will be created by December 31, 1992. FUN CITY, INC. will be a full service amusement and recreational facility that will include two 18-hole miniature golf courses, an 1100-linear foot go cart track, a nine-cage outdoor batting facility and a video arcade and refreshment center. The facility will be partly managed by the owner, John McDonald.

Location

This project is located on Charlotte's west side. It will contribute to the continuing development of the neighborhood and enhance the existing service complex created by Mr. McDonald's earlier projects (motel and cafeteria).

Motion to Recons. Pet Campbell / Mangum

Motion to excuse Cod. Scar / Patt unan.

5 votes to Recons. Pet
5 votes Not to Recons. Pet
Should the Mayor Be Allowed to Vote?
Yes - Patterson / Mangum Scarb
No - Martin
Vote on Not
7-3 (Martin Scarboro Majed)
Breaks Tie - Recons. Pet
Mayor votes yes to approve
Motion to approve loan
Martin / Hammond
Fails 6 to 5
6 Against: Mayor - McCrory - Reid - Mansour - Wheeler - Campbell
5 For: Scar - Martin - Majed - Hammond - Patterson

What are Council's options?

1. Approve the requested $142,800 loan for the FUN CITY project. (If this option is chosen 31 new jobs for low to moderate income persons in Charlotte will be available.)

2. Disapprove the requested $142,800 loan. (If this option is chosen, NationsBank may reconsider financing this project and the facility may not be completed.)

How much will this cost?
The total cost of the project is $1,662,835 of which $142,800 is being requested from the City as part of the City Within a City Loan/Equity Pool Program.

Background information is attached along with additional information requested by Council.

Clearances: Community Development Department.

Attachment No. 9

DRP # 18, #3399 B. #1 p 101

17. Second reading and recommendation for adoption of an ordinance authorizing the transfer of the City of Charlotte's cable television franchise agreement with American Television & Communications Corporation (ATC), doing business as Cablevision of Charlotte, to Time Warner Entertainment, Limited Partnership, and amending the franchise agreement by substituting Time Warner Entertainment, L.P. for ATC and containing the following:

Hammond/Patterson

10-1 Paid opposed

1. TWE's execution of an amended franchise agreement;
2. TWE Certificate of Insurance;
3. TWE Performance Bond;
4. TWE Letter of Guarantee of performance on franchise commitments;
5. TWE to provide independently audited annual financial statements which include a balance sheet and income statement for Cablevision of Charlotte.

Staff Resource: Del Borgsdorf

CIS

Council Action

American Television & Communications Corporation (ATC) has requested that its Cablevision of Charlotte cable television franchise be transferred to its new parent company, Time Warner Entertainment, L.P. (TWE).

- Pursuant to Section 6-58 "Transfer of ownership or control" of the City's Cable Communications Regulatory Ordinance:

  "(a) Any franchise granted hereunder cannot in any event be sold, transferred, leased, assigned or disposed of, including but not limited to by force or voluntary sale, receivership or other means, without the prior consent of the City and then, under such reasonable conditions as the City may establish."

- Staff of CIS, Finance and the City Attorney conducted a thorough review of the request pursuant to Section 6-58's provisions that the City "inquire into the legal, financial, character, technical and other public interest qualifications of the prospective controlling party" and recommends the transfer of the purchase be approved as stated in the attached report.

- At the July 24, 1992 meeting, City Council requested staff secure additional information relating to the transferee's character and financial viability. The information is summarized on the Supplemental Staff Report, attached, which also includes staff's recommendation for future financial reporting by the transferee to secure adequate information to monitor its financial viability.

Clearances: CIS Department - Cable Television/Contracts Division, Finance Department - Internal Audit Division and City Attorney's Office conducted a thorough review of the franchise transfer request and recommend approval of same.

Attachment No. 10

BOARDS AND COMMISSIONS

18. A. Nominations for Appointment to Boards, Commissions and Committees. Councilmembers will make their nominations after which they will hand their nomination forms to the City Clerk. In the event there is only one person nominated for any one position, Council may make that appointment at this meeting.

1. Convention and Visitors Bureau Board of Directors - Two citizens will be appointed by City Council to the Convention and Visitors Bureau Board of Directors to provide citizen input as the Bureau continues to work to develop community awareness, involvement and pride in Charlotte as a convention and travel destination. Council must designate the length of terms.

Attachment No. 11

2. Waste Management Advisory Committee - Two recommendations to County Commission for appointment beginning September 30, 1992. Robert Smith is eligible for reappointment and would like to be considered for another term. One must represent the Legal appointment and one must represent the Medical-Scientific appointment. Terms are for three years.

LEGAL CATEGORY
(a) Tom Griffin, nominated by Councilmember Patterson
(b) Al Carr, nominated by Councilmember McCrory

MEDICAL SCIENTIFIC CATEGORY
(a) Robert Smith, Incumbent, eligible to be reappointed
(b) Beth Clark, nominated by Councilmember Clodfelter
(c) Jack Burrow, nominated by Councilmember Reid

Attachment No. 12

August 26, 1992

Mildred & Bev:
Here's the info from Boards & Commissions from Monday night.
Hopefully, this will be easier for you to follow.

#18 Nominations for Convention & Visitors Bureau Board of Directors:
Carl David Birdwell by Reid
Deloris C. Boone by McCrory
Donna Lockhart by Campbell
Peggie Plott by Mangum
Paul Simon by Patterson
Glenda Durrell by McCrory
Beverly Earl by Majeed
Carol Mason by Scarborough
Keith Hayward by Scarborough

close/Patterson/Mangum
unanimous

Waste Management - recommendations for appointment

LEGAL - Tom Griffin received 6 votes - - Majeed, Patterson, Clodfelter, Scarborough, Martin, Hammond

Al Carr received five votes - Wheeler, Mangum,. Reid, McCrory,Campbell

MED SCIENTIFIC - Unanimous decision to relect Robert Smith; motion by Reid/Mangum

Appointments:

Unanimous vote for David Parke- Historic District

nsg

B. APPOINTMENTS

The City Council may want to go into executive session for the purpose of casting ballots. The City Clerk will announce the results of the balloting.

Unanimous - Davis & Parker

1. Historic District Commission - One appointment beginning immediately and ending June 30, 1995. The appointment must be filled by a resident of the Plaza-Midwood Historic District.
   (a) David Park, nominated by Councilmember Clodfelter
   (b) Michael Garner, nominated by Councilmember Martin
   (c) Ralph Strayhorn, nominated by Councilmember McCrory. Mr. Strayhorn does not live within the Plaza-Midwood Historic District and is ineligible for appointment

Attachment No. 13

ZONING DECISIONS

ORF #19 on approved portion #3400-2 B-41 p-103

Motion/Wheeler move to approve Clodfelter move to excuse Wheeler motion/

19. (92-24) Decision on Petition No. 92-24 by Charlotte-Mecklenburg Planning Commission for a change in zoning from Institutional and B-1 to R-3 for approximately 147 acres located along the east side of U. S. 29 and north side of Mallard Creek Church Road (Northeast District Plan).

This petition Denied

A protest petition has been filed and is sufficient to invoke the 20% rule, only as to the area from B-1 to R-3, requiring affirmative votes of 3/4 of the Mayor and Councilmembers, not excused from voting, in order to rezone the property.

Remand Approved in favor of

The Zoning Committee recommends that this petition be approved.

Vote in approval 7 + Mayor Reid McCrory majority

Attachment No. 14

Tom/Lynn to approve deny sub to Clod/SCA

20. (92-30) Decision on Petition No. 92-30 by Charlotte-Mecklenburg Planning Commission for a change in zoning from R-5 to R-8 for approximately 44.7 acres located between Monroe Road and Randolph Road, just south of Briar Creek.

Denied

This petition was deferred at the June 15 and July 20 Meetings.

The Zoning Committee recommends that this petition be approved.

Vote to deny 8-3 Mangum McCrory Reid

Attachment No. 15

Move to Deny Scar/C/D 8-3 Mangum Reid McCrory

21. (92-31) Decision on Petition No. 92-31 by Charlotte-Mecklenburg Planning Commission for a change in zoning from R-5 to R-8 for approximately 29 acres generally located off the north side of Wendover Road west of LaTrobe Drive.

Denied

This petition was deferred at the June 15 and July 20 Meetings.

The Zoning Committee recommends that this petition be approved.

Attachment No. 16

Move to approve as modified Mang/C/D Sub. to Deny Hammond/Pat 6-5 Campbell Reid Mangum McCrory Martin

22. (92-32) Decision on Petition No. 92-32 by Harry G. Kostapoulos and Pete Kanellopoulos for a change in zoning from R-3 to R-3(CD) and B-1(CD) for approximately 3.6 acres located on the north side of Albemarle Road east of Jamison Place.

Denied

This petition was deferred at the July 20 meeting.

The Zoning Committee recommends that this petition be approved as modified.

Attachment No. 17

ORD.# 20 # 3401-2 B-11 P-105

23. (92-34) Decision on Petition No. 92-34 by Charlotte-Mecklenburg Planning Commission for a change in zoning from I-1 to B-1 for approximately 6.3 acres located on the westerly side of York Road at Sandy Porter Road.

Mangum/Scar to approve 9-2 McCrory Reid

A protest petition has been filed and is sufficient to invoke the 20% rule, requiring affirmative votes of 3/4 of the Mayor and Councilmembers, not excused from voting, in order to rezone the property.

This petition was deferred at the July 20 Meeting.

The Zoning Committee recommends that this petition be approved.

Attachment No. 18

ORD # 21 #3402-Z B-41 P-107

24. (92-35) Decision on Petition No. 92-35 by Charter Properties, Inc. for a Text Amendment to the Zoning Ordinance to allow optical, medical and dental clinics as a permitted use in the research district.

Mayum/Child to approve Unan.

The Zoning Committee recommends that this petition be approved.

Attachment No. 19

ORD # 22 # 3403-Z B-41 P-108

25. (92-36) Decision on Petition No. 92-36 by Richard and Constance Keffer for a change in zoning from I-2 to I-1 for approximately 1 acre located on the southwesterly corner of the intersection of Tyvola Road and Old Pineville Road.

Mayum/Whitt to approve Unan

The Zoning Committee recommends that this petition be approved.

Attachment No. 20

26. (92-38) Decision on Petition No. 92-38 by Essie B. Shipp for a change in zoning from R-4 with a Special Use permit for a Day Care Center to R-8MF(CD).

Deferred

mayum/Whitt to approve Scott/Patt to defer

The Zoning Committee recommends that this petition be approved.

Attachment No. 21

motion to approve yes-4 No-7 McCray Reid Scheller Mayum
motion to Defer Unan

ORD # 23 # 3404-Z B-41 P-110

27. (92-39) Decision on Petition No. 92-39 by J. H. Heffner for a change in zoning from I-1 and R-22MF to I-1(CD) for approximately 4.18 acres located on the northwest corner of Tipton Drive and Beasley Lane.

mayum/Whitt

Unan

The Zoning Committee recommends that this petition be approved.

Attachment No. 22

ORD # 24 # 3405-Z B-41 P-112

28. (92-40) Decision on Petition No. 92-40 by CSCES-US, Inc. for a change in zoning from R-15MF(PUD) to R-4 for approximately 55.21 acres located on the east side of Providence Road south of McAlpine Creek.

Mong/Clark unan

The Zoning Committee recommends that this petition be approved.

Attachment No. 23

ORD # 25 # 3406-Z B-41 P-114

29. (92-41) Decision on Petition no. 92-41 by Saint Paul Baptist Church for a change in zoning from R-5 to O-2(CD) for approximately 5.35 acres located on Harrill, Allen and Pegram Streets between 16th and 18th Streets.

Mong/Clark unan.

The Zoning Committee recommends that this petition be approved.

Attachment No. 24

30. (92-42) Decision on Petition No. 92-42 by Paul D. Weeks for a Text Amendment to the City of Charlotte Zoning Ordinance to add language that would give the Planning Director the authority to consider allowing additional uses to an approved conditional zoning site plan.

move to defer Scar/Mong Deferred Charlotte opposed to deferral

The Zoning Committee deferred action on this petition until their September 28 meeting.

Attachment No. 25

ORD # 26 # 3407-Z B-41 P-116

31. (92-43) Decision on Petition No. 92-43 by City of Charlotte Community Development Department for a change in zoning from R-5 and B-1(CD) to O-3(CD) and R-22MF for approximately .916 acres located on the northeast corner of Oaklawn Avenue and Wayt Street and approximately .81 acres located on the south side of Oaklawn Avenue west of Wayt Street.

Scar/Martin unan.

The Zoning Committee recommends that this petition be approved.

Attachment No. 26

32. Recommend adoption of a motion recessing the meeting to hold an executive session for the following purposes:

1. To consult with the City Attorney regarding a Worker's Compensation claim and a lawsuit as permitted by G.S. § 143-318.11(a)(4).

   Background material regarding both of these matters has been forwarded to you by the City Attorney.

2. To continue the Council's evaluation of the City Manager's performance as a basis for setting the City Manager's compensation, as permitted by G.S. § 143-318.11(a)(8).

   Any official action actually setting the City Manager's compensation must be done in open session.

Motion / second Ex Session unan
Continue Mgr's Evaluat and personnel
City Clerk on 9-21 at 8:00 P.M. Elec / second unan

CONSENT

ORD # #3382-X B-111 p-76

BUDGET ORDINANCE

33. Recommend adoption of a budget ordinance appropriating $80,829 in assets forfeiture funds to provide matching funds for five assistant district attorneys.

Funds for Assistant D.A.'s — In February, 1992, Council approved the District Attorney's Office applying for a grant from the Governor's Crime Commission to fund five Assistant District Attorneys to be devoted to the prosecution of drug cases.

- Council agreed that police would provide the 25% matching funds for the grant from assets forfeiture funds.
- The grant has been approved and the five Assistant District Attorneys will be hired September 1.
- Council is asked to appropriate $80,829 from Police Assets Forfeiture funds to be transferred to the Administrative Office of the Courts which will administer the grant.

Funding: Police Asset Forfeiture funds.

Clearances: Budget and Evaluation, City Attorney, FBI.

McCarty / Wheeler unan

Police

ORD #2 #3383-X B-41 p 77

34. Recommend adoption of a budget ordinance appropriating $2,100,000 in Airport funds for first phase development of Terminal Road cargo facilities.

Hammond/Wheeler/Cacciatore

Air Cargo Construction: In the following Bid section, Council is requested to award contracts totalling $1,756,546 for the construction of air cargo facilities for Burlington Air Express and Airborne Express. This project provides for development of air cargo facilities adjacent to Runway 36R and Terminal Drive in accordance with the Airport's Master Plan. The need for this project is based upon the increased demand for building space within the cargo area. The budget for the project is as follows:

Construction	$1,900,000
Architectural & Engineer fees, testing, project inspection, quality control	$150,000
Contingency	50,000
Total Project	$2,100,000

Funding: The ordinance appropriates Airport funds of $2,100,000 from the Airport Operating Fund Balance.

AVIATION

Clearances: The Airport Advisory Committee concurs in this recommendation.

ORD #3 #3384-X B-41 p. 78 Res #5 B-29 P 441

BUDGET ORDINANCE/CONTRACT AMENDMENT

35. A. Recommend adoption of a budget ordinance advancing $2,500,000 from the Water/Sewer Fund Balance to the Vest Clearwell Renovation Project pending approval of the November bond referendum. Res to reimburse the advancement of 2 500 000

McCarty/Wheeler/Cacciatore

Vest Station: On August 26, 1991, J. N. Pease Company was awarded a professional services contract to prepare plans for the renovations and improvements to the Vest Water Treatment Plant; clearwells No. 1 and No. 2.

Adoption of this ordinance will provide the funding necessary for award of the construction contract which follows in the Bid section.

Clearances: Utility Director.

CMP

B. Recommend approval of Amendment No. 1 to the professional services contract With J.N. Pease Associates to provide contract administration and inspection services to the Vest Water Treatment Plant Clearwell Renovation Project for $169,444.00.

McCoy / Wheeler unan.

Council Action

Council is requested to approve Amendment No. 1 to the professional services contract with J.N. Pease Associates, Incorporated for $169,444 for contract administration and inspection services during modifications/repair to the Vest Water Treatment Plant clearwells No. 1 and 2.
Amendment No. 1 will provide:

- Bidding and negotiating services
- Construction administration
- Resident project representative to observe performance of the contractor.

Construction modifications are necessary at the Vest clearwells due to:

- Severely cracked and deteriorated concrete slabs covering the clearwells;
- Sinking of the foundation of the clearwells;
- Deteriorated foundation of the clearwells causing water to leak from the clearwells.

The modifications/repairs are essential to prevent further deterioration and loss of water. Approval of Amendment No. 1 with J.N. Pease will provide professional and knowledgeable experience in providing inspection services throughout the required modifications.

The construction inspection and contract administration for J. N. Pease could not have been included in the original agreement since there was no way to know if or to what extent any rehab work could be done on the clearwells.

Amendment No. 1 will increase the contract for a total not to exceed amount of $315,798.

Funding: Vest Plant Clearwell Renovations Study Capital Account.

CMUD

Clearances: Utility Director.

BID LIST

36. Recommend adoption of the bid list as shown. The following contract awards are all low bid and within budget estimate unless otherwise noted. Each project or purchase was authorized in the annual budget.

Campbell - motion to reject and rebid
Reid - Sub motion to deny & award
Crowder. Second / Wheeler withdrew first motion.
Campbell motion - Second
Hammond. Sub. motion - waive
Low B.D approved - Scarb. Second
Technicality. Hammond's
Three votes for Hammond, McCrory & Reid
Sub motion - majeed
Vote on Don Reid's motion - 2nd - Ella McCrory Scarb
6 yes
Crowder
Bid goes to

A. Vest Water Treatment Plant Clearwells No. 1 & No. 2 Modifications — Charlotte-Mecklenburg Utility Department

Recommendation: Director, Charlotte-Mecklenburg Utility Department recommends that the low bid by Good Water, Incorporated of Greenville, South Carolina in the amount of $1,932,000.00 be accepted for award of contract on a unit price basis and that the failure to include the MWBE commitment be waived.

Project Description: The concrete slabs which cover the clearwells are severely cracked and deteriorated. The foundation of the clearwells is sinking and the walls are deteriorating causing water to leak from the clearwells. Construction of this contract will repair/modify the existing clearwells to prevent further deterioration and loss of water.

M/WBE Status

	AMOUNT	PERCENTAGE OF TOTAL PROJECT COST	PROJECT GOALS
MBE	38,000	2.0 %	8%
WBE	225,000	11.65%	5%

It must be noted that the contractor inadvertently failed to include the MWBE commitment form with his bid.

The Utility Department reviewed the contractor's good faith efforts and verified that these efforts were made prior to the bid.

CMP

For this reason the Utility Department recommends that the omission of the MWBE commitment form be viewed as an irregularity, which the City reserves the right to waive in accordance with the contract.

The difference between the low bid and second bid is $102,666. There were also omissions in the second bidders MWBE submittals.

The City Attorney's office was consulted and concurred with this recommendation. The MWBE Program Director concurs with this recommendation.

Source of Funding: Water and Sewer Capital Improvement Fund - (Vest Plant Clearwell Renovations).

Estimated Cost:	$2,378,000.00
Low Bid:	1,932,000.00
Difference:	$ 446,000.00 (19%)

B. Sanitary Sewer Construction — Charlotte-Mecklenburg Utility Department

15-Inch Sanitary Sewer Replacement For Franklin Water Treatment Plant Backwash and Alum Sludge Line

McCrory/Wheeler unan.

Recommendation: Director, Charlotte-Mecklenburg Utility Department recommends that the low bid by Dellinger Incorporated of Monroe, North Carolina in the amount of $76,460.79 be accepted for award of contract on a unit price basis.

Project Description: Due to expansion of the Franklin Water Treatment Plant, the existing backwash and alum sludge line is undersized. Construction of this project will provide a line which will handle the increased flow.

M/WBE Status

The contractor has committed M/WBE participation of:

	AMOUNT	PERCENTAGE OF TOTAL PROJECT COST	PROJECT GOALS
MBE	500.00	0.65%	2%
WBE	2,600.00	3.40%	1%

CMWD

The Utility Department has reviewed the contractor's good faith efforts to meet the project goals and determined that he/she has complied with the requirements of the M/WBE Program. The M/WBE Director concurs in the determination.

Source of Funding: Water and Sewer Capital Improvement Fund - (Sanitary Sewer Line Replacement).

Estimated Cost:	$56,434.35	
Low Bid:	76,460.79	
Difference:	($20,026.44)	(-35%)

Project involves interaction with active raw sewer. We have little experience estimating this type of work. Sufficient funds are available in the project account to cover the low bid.

C. Sanitary Sewer Construction
Dixon Branch Outfall

Charlotte-Mecklenburg
Utility Department

Recommendation: Director, Charlotte-Mecklenburg Utility Department recommends that the low bid by R. H. Price, Incorporated of Charlotte, North Carolina in the amount of $528,132.15 be accepted for award of contract on a unit price basis.

McCrory
Wheeler
Unan

Project Description: Construction of this project will extend sewer service to the proposed Development Enterprise Area at I-77, U.S. 21, and Reames Road. Additional development in this area will help redirect growth to the northeast and northwest sections of the County by providing necessary infrastructure as an incentive for development.

M/WBE Status

The contractor is a WBE and has committed M/WBE participation of:

	AMOUNT	PERCENTAGE OF TOTAL PROJECT COST	PROJECT GOALS
MBE	2,000.00	0.37%	6%
WBE	526,132.00	99.63%	4%

CMED

The Utility Department has reviewed the contractor's good faith efforts to meet the project goals and determined that he/she has complied with the requirements of the M/WBE Program. The M/WBE Director concurs in the determination.

Source of Funding: Water and Sewer Capital Improvement Fund - (Dixon Branch Outfall).

Estimated Cost:	$735,271.00	
Low Bid:	528,132.15	
Difference:	$207,138.85	(28%)

D. Water Distribution Project 20-Inch Water Main To Serve Wilgrove Elevated Water Tank — Charlotte-Mecklenburg Utility Department

Recommendation: Director, Charlotte-Mecklenburg Utility Department recommends that the low bid by RDR, Incorporated of Stanfield, North Carolina in the amount of $111,052.20 be accepted for award of contract on a unit price basis.

McCorry/Wheeler/Worth

Project Description: Construction of this project will provide water service to the proposed Wilgrove elevated water storage tank scheduled to be constructed within the next year.

M/WBE Status

	AMOUNT	PERCENTAGE OF TOTAL PROJECT COST	PROJECT GOALS
MBE	150.00	0.14%	1%
WBE	9,450.00	8.51%	5%

The Utility Department has reviewed the contractor's good faith efforts to meet the project goals and determined that he/she has complied with the requirements of the M/WBE Program. The M/WBE Director concurs in the determination.

Source of Funding: Water and Sewer Capital Improvement Fund - (Wilgrove Water Storage Tank).

Estimated Cost:	$109,518.93	
Low Bid:	111,052.20	
Difference:	($ 1,533.27)	(-1%)

Sufficient funds are available in the project account to cover the low bid.

CMD

E. Sanitary Sewer Construction FY93 Contract No. 5 - Street Main Extensions

Charlotte-Mecklenburg Utility Department

McCray / Shelb
Unan.

Recommendation: Director, Charlotte-Mecklenburg Utility Department recommends that the low bid by B.R.S., Incorporated of Richfield, North Carolina in the amount of $481,576.47 be accepted for award of contract on a unit price basis.

Project Description: Construction of this project will extend sewer service to residences which have been determined to be public health hazards and or residences/businesses which have requested connection to the City's sewer system.

M/WBE Status

	AMOUNT	PERCENTAGE OF TOTAL PROJECT COST	PROJECT GOALS
MBE	8,000.00	1.67%	6%
WBE	750.00	0.16%	3%

The Utility Department has reviewed the contractor's good faith efforts to meet the project goals and determined that he/she has complied with the requirements of the M/WBE Program. The M/WBE Director concurs in the determination.

Source of Funding: Water and Sewer Capital Improvement Fund - (Street Main Extension - Sewer). Water and Sewer Capital Improvement Fund - (Sewer Tapping Privilege Fee). Water and Sewer Capital Improvement Fund - (Sewer Extension for Public Health).

Estimated Cost:	$472,860.13
Low Bid:	480,576.47
Difference:	($ 7,716.34) (-2%)

Sufficient funds are available in the project account to cover the low bid.

Cmb P

F. Water Distribution Project
FY93 Contract No. 6 -
Street Main Extensions

Charlotte-Mecklenburg
Utility Department

Recommendation: Director, Charlotte-Mecklenburg Utility Department recommends that the low bid by Utilityworks, Incorporated of Midland, North Carolina in the amount of $392,865.18 be accepted for award of contract on a unit price basis.

Project Description: Construction of this project will extend water service to residences/businesses which have requested connection to the City's water system.

M/WBE Status

The contractor has complied with the M/WBE contract provisions which allow him to perform all the work with his own forces. The Utility Department verified this to be the contractor's typical practice. The M/WBE Director concurs in the determination.

Source of Funding: Water and Sewer Capital Improvement Fund - (Street Main Extension Program - Water). Water and Sewer Capital Improvement Fund - (Minor Water System Improvements). Water and Sewer Operating Fund - (Water Tapping Privilege Fee).

Estimated Cost:	$418,183.66
Low Bid:	392,865.18
Difference:	$ 25,318.68 (6%)

G. Water Distribution Project
1991 Annexation Area 2 -
Old Concord Road/I-85

Charlotte-Mecklenburg
Utility Department

Recommendation: Director, Charlotte-Mecklenburg Utility Department recommends that the low bid by Marlboro Constructors, Incorporated of Bennettsville, South Carolina in the amount of $673,974.53 be accepted for award of contract on a unit price basis.

Project Description: Construction of this project will extend water service to the Old Concord Road/I-85 area and fulfill the City's legal annexation requirements for extension of water to this area.

M/WBE Status

	AMOUNT	PERCENTAGE OF TOTAL PROJECT COST	PROJECT GOALS
MBE	0	0 %	6%
WBE	21,500.00	3.19%	3%

The Utility Department has reviewed the contractor's good faith efforts to meet the project goals and determined that he/she has complied with the requirements of the M/WBE Program. The M/WBE Director concurs in the determination.

Source of Funding: Water and Sewer Capital Improvement Fund - (1991 Annexation Area 2 - Old Concord Road/I-85).

Estimated Cost:	$665,000.00	
Low Bid:	673,974.53	
Difference:	($ 8,974.53)	(-1%)

Sufficient funds are available in the project account to cover the low bid.

H. Water Distribution Project 12-Inch Water Main Along Concord Street In Davidson — Charlotte-Mecklenburg Utility Department

McCrory / Cohen / Cannon

Recommendation: Director, Charlotte-Mecklenburg Utility Department recommends that the low bid by Propst Construction Company of Concord, North Carolina in the amount of $321,805.05 be accepted for award of contract on a unit price basis.

Project Description: Construction of this project will serve as a reinforcing loop in the North Mecklenburg area by connecting an existing 16-inch water main on Davidson-Concord Road to an existing 12-inch water main in Davidson. This water line will also assist in providing adequate fire protection to the area.

M/WBE Status

C MBP

	AMOUNT	PERCENTAGE OF TOTAL PROJECT COST	PROJECT GOALS
MBE	1,000.00	0.31%	15%
WBE	0	0%	.5%

The Utility Department has reviewed the contractor's good faith efforts to meet the project goals and determined that he/she has complied with the requirements of the M/WBE Program. The M/WBE Director concurs in the determination.

Source of Funding: Water and Sewer Capital Improvement Fund - (Water Main Along Concord Street in Davidson).

Estimated Cost:	$272,402.22	
Low Bid:	321,805.05	
Difference:	($ 49,402.83)	(-18%)

Work for pavement replacement and traffic control were underestimated. Sufficient funds are available in the project account to cover the low bid.

The following nine bids are for chemicals that are used in the treatment of water and wastewater by the Utility Department.

McCrory/Wheeler unan

I. Chemicals, Section 1 — Charlotte-Mecklenburg Utility Department
20 - Tons Aluminum Sulphate, (Ground Alum)

Recommendation: By Purchasing Director and Utility Director that the low bid Prillaman Chemical Corp., Suffolk, Va., in the amount of $4,780.00 be accepted for award of contract on a unit price basis.

M/WBE Status: No known MWBE vendors for this material.

Source of Funding: Water and Sewer Operating Fund - (Chemicals for Water Treatment).

CMHP

J. Chemicals, Section 2 — Charlotte-Mecklenburg Utility Department
450 - Tons Hydrated Lime Chemical, Bags

McCrory/Wheeler unan

Recommendation: By Purchasing Director and Utility Director that the low bid Eastern Ridge Lime Co., Ripplemead, Virginia, in the amount of $37,552.50 accepted for award of contract on a unit price basis.

M/WBE Status: No known MWBE vendors for this material.

Source of Funding: Water and Sewer Operating Fund - (Chemicals for Water Treatment).

CMHP

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mcarylake
unan

K. Chemicals, Section 3 — Charlotte-Mecklenburg
100 - Tons Activated Carbon — Utility Department

Recommendation: By Purchasing Director and Utility Director that the low bid American-Norit Co., Inc., Atlanta, Ga., in the amount of $55,600.00, be accepted for award of contract on a unit price basis.

M/WBE Status: No known MWBE vendors for this material.

Source of Funding: Water and Sewer Operating Fund - (Chemicals for Water Treatment).

CMLP

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mcarylake
unan

L. Chemicals, Section 4 — Charlotte-Mecklenburg
600 - Tons Liquid Chlorine — Utility Department

Recommendation: By Purchasing Director and Utility Director that the low bid, Jones Chemicals, Inc., Charlotte, N. C., in the amount of $94,500.00, be accepted for award of contract on a unit price basis.

M/WBE Status: No known MWBE vendors for this material.

Source of Funding: Water and Sewer Operating Fund - (Chemicals for Water Treatment).

CMLP

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mcarylake
unan

M. Chemicals, Section 5 — Charlotte-Mecklenburg
180 - Tons Sodium Silicofluoride — Utility Department

Recommendation: By Purchasing Director and Utility Director that the low bid, LCI, Ltd., Jacksonville Beach, Fl., in the amount of $72,684.00 be accepted for award of contract on a unit price basis.

M/WBE Status: No known MWBE vendors for this material.

Source of Funding: Water and Sewer Operating Fund - (Chemicals for Water Treatment).

CMLP

ITEM NO. Hammond Martin to reject union.

Reject request of mgr's office

N. Chemicals, Section 6
793 - Tons Liquid Hydrogen Peroxide, 70%

Charlotte-Mecklenburg Utility Department

Recommendation: By Purchasing Director and Utility Director that the low bid, FMC Corp., Charlotte, N. C. in the amount of $444,080.00, be accepted for award of contract on a unit price basis.

M/WBE Status: One company quoting this item is a minority company (MWBE) - Chou Chemical. The bid was $515,450.00.

Source of Funding: Water and Sewer Operating Fund - (Chemicals for Water Treatment).

CMUP

O. Chemicals, Section 7
1,000 - Tons Aluminum Sulphate, (Liquid Alum)

Charlotte-Mecklenburg Utility Department

no company/wbe union

Recommendation: By Purchasing Director and Utility Director that the low bid, Peridot Chemical, Inc., Augusta, Ga., in the amount of $111,980.00 be accepted for award of contract on a unit price basis.

M/WBE Status: No known MWBE vendors for this material.

Source of Funding: Water and Sewer Operating Fund - (Chemicals for Water Treatment).

CMUP

P. Chemicals, Section 8
770 - Tons Hydrated Lime, (Chemical, Bulk)

Charlotte-Mecklenburg Utility Department

no company-wide union

Recommendation: By Purchasing Director and Utility Director that the low bid, Eastern Ridge Lime Co., Ripplemead, Va., in the amount of $47,432.00, be accepted for award of contract on a unit price basis.

M/WBE Status: No known MWBE vendors for this material.

Source of Funding: Water and Sewer Operating Fund - (Chemicals for Water Treatment).

CMUP

McCurry/Wh
Cmm

Q. Chemicals, Section 9 — Charlotte-Mecklenburg Utility Department
130 - tons Sodium Bicarbonate

Recommendation: By Purchasing Director and Utility Director that the low bid, Prillaman Chemical Corp., Suffolk Va., in the amount of $33,384.00, be accepted for award of contract on a unit price basis.

M/WBE Status: No known MWBE vendors for this material.

Source of Funding: Water and Sewer Operating Fund - (Chemicals for Water Treatment).

CMUD

McCurry/Wh
Cmm

R. Two (2) Fire Trucks — Fire Dept.

Recommendation: By Purchasing Director and Fire Chief that two (2) tanker trucks be added to the existing contract with Central States Equipment (81-109), $230,106.00.

Project Description: These vehicles will be used to replace aging trucks with poor dependability and high maintenance costs. The original request for quotation was sent to 36 companies and provisions were made in the contract for additional units.

Tanker 26 is a 1973 International Harvester Model 1700 with a 1,500 gallon tank. It is located at Station 26, 9231 York Road. This tanker is used to ensure an adequate water supply where water from mains is not available, such as along I-77. Tanker 26 also responds to incidents on airport property. The present unit has no foam capability, a necessity for mitigating emergencies involving aircraft. This tanker was previously approved for annexation, and will be used for the York Road/Beam Road annexation.

Tanker 22 is a 1973 International Harvester Model 1700 with a 1,500 gallon tank. It is located at Station 22, 1917 West Sugar Creek Road. This tanker is used to ensure an adequate water supply where water from mains is not available, such as along I-85. The present unit has no foam capability. It will be used in the US 29/NC49 annexation area, where the current private water system is not large enough to provide water for firefighting operations.

M/WBE Status: No known MWBE vendors for this equipment.

Fire

Source of Funding: General Capital Equipment Fund - (Fire Department).

S. Park/Johnston Phase II-Segment 4 and South Boulevard/Hebron Street Intersection Improvements — Engineering

mc cuy | cuhe
Unan

Recommendation: By the City Engineer, based on the recommendation of the consultant, Kimley-Horn & Associates that the low bid of $1,575,385.41, as submitted by Crowder Construction Company, be accepted for award on a unit price basis.

Project Description:

These road projects were combined to minimize traffic disruption; both projects have the same traffic control plan which is a cost savings.

Park-Johnston Phase II-Segment 4
This segment of the Park/Johnston Phase II widening meets the need by widening the roadway to four lanes from Little Sugar Creek to the Sharon Road West/South Boulevard intersection. This project is ranked second out of eight projects in the FY-88 Charlotte-Mecklenburg Transportation Improvement Program.

South Blvd./Hebron St. Intersection Improvements
This project meets the need by widening South Boulevard to five lanes from Sweden Road to the Lance entrance. Also, this project widens Hebron Street to three lanes at the intersection of Hebron Street and South Boulevard.

M/WBE Status:

	AMOUNT	PERCENT OF TOTAL PROJECT COST	PROJECT GOALS
MBE	$ 39,497.00	2.6%	9%
WBE	$197,169.46	12.8%	6%

The Engineering Department has reviewed the contractor's good faith efforts to meet the project goals and determined that he has complied with the requirements of the M/WBE Program. The M/WBE Director concurs in the determination and recommendation for award.

Source of Funding: General Capital Improvement Fund - (Park Road Widening - 1988 Street Bonds).

Fm 8

Estimated Cost:	$1,660,000.00	
Low Bid:	1,575,385.41	
Difference:	$ 84,614.59	(5%)

T. Add-A-Lane Group 3A Engineering

Recommendation: By the City Engineer that the low bid of $247,015.63, as submitted by Sherrill & Associates Construction Company, be accepted for award on a unit price basis.

Project Description: The Add-A-Lane program provides measures to deal with current traffic problems by providing turn lanes until more permanent solutions such as road widenings and intersection improvements are implemented.

This project consists of Add-a-Lane improvements at five locations: Little Rock Rd. @ Wilkinson Blvd., Little Rock Rd. @ Tuckaseegee Rd., Little Rock Rd., from Manderly Lane to Flat Rock Dr., Freedom Dr. @ Ranch Rd. The work includes grading, paving, concrete curb and gutter, sidewalk, and storm drainage.

M/WBE Status:

	AMOUNT	PERCENT OF TOTAL PROJECT COST	PROJECT GOALS
MBE	0.00	0%	7%
WBE	0.00	0%	4%

McCray/oth
conc

The Engineering Department has reviewed the contractor's good faith efforts to meet the project goals and determined that he has complied with the requirements of the M/WBE Program. The M/WBE Director concurs in the determination and recommendation for award. The contractor will purchase materials from WBE suppliers in the amount of $6,800.00.

Source of Funding: General Capital Improvement Fund - (Add-A-Lane Program - Powell Bill and 1988 Street Bonds).

ENG

Estimated Cost:	$280,000.00	
Low Bid:	247,015.63	
Difference:	$ 32,984.37	(12%)

U. FY-92 Parking Lot Repairs — Engineering

Recommendation: By the City Engineer that the low bid of $58,759.58, as submitted by United Construction Company, be accepted for award on a unit price basis.

Project Description: The need for this project was identified through an Engineering Department inspection of City-owned parking lots and access roads. An evaluation ranking system was used to determine areas that are most in need of repair.

This project provides for a maintenance and repair program to arrest deterioration of City parking lots and access roads at the following locations:

Central Yard Lots 14 and 15, Persimmon Street
Fire Station No. 3, 6512 Monroe Road
Fire Station No. 5, 224 Tuckaseegee Road
Fire Station No. 11, 620 W. 28th Street
Fire Station No. 12, 420 Inwood Drive

M/WBE Status:

Mc Cray / Wb
Cmo

	AMOUNT	PERCENT OF TOTAL PROJECT COST	PROJECT GOALS
MBE	$0	0	4%
WBE	$500.00	1%	1%

The Engineering Department has reviewed the contractor's good faith efforts to meet the project goals and determined that he has complied with the requirements of the M/WBE Program. The M/WBE Director concurs in the determination and recommendation for award. The low bidder is a certified MBE. The low bidder will purchase concrete from a WBE in the amount of $3,520.00.

Source of Funding: General Capital Improvement Fund - (Parking Lot Repairs - Pay-As-You-Go).

Estimated Cost:	$61,000.00	
Low Bid:	58,759.58	
Difference:	$ 2,240.42	(4%)

Engineering

Campbell, Scott, Unan.

V. Terminal Road Air Cargo Facilities and Site Development — Aviation

Recommendation: The Aviation Director recommends that the Multi-Prime contracts be awarded to:

Site Development	Dickerson Carolina	$637,055.60
General	Beam Construction Co.	894,300.00
Mechanical	Tri-Mech	82,400.00
Electrical	Port City Electric	96,600.00
Plumbing	A.Z. Price	46,490.00

Project Description: The need for this project is identified in the Airport Master Plan Update and is based upon the increased demand for building space within the cargo area. This first phase will provide facilities for Burlington Air Express and Airborne Express along Terminal Road.

M/WBE Status: All bidders recommended for award of contracts were responsive to the DBE requirements of the Airport. The low bid submitted by Southeastern Plumbing ($42,900.00) was non-responsive because they did not meet the requirements of the Aviation Department's DBE Plan at the time of bid.

Contract	DBE%	MBE%	WBE%
Site Development	20.0	7.0	13
General	8.6	5.6	3
Electrical	9.0	-	9
Mechanical	5.0	5.0	-
Plumbing	100	-	100

Source of Funding: Airport Capital Improvement Fund - (Airborne/Burlington Air Cargo Facilities - Airport Operating Fund Balance).

Total Estimate	$1,938,911	
Total Low Bids	1,756,546	
Difference	$ 182,365	(9.4%)

Chafeter/Patterson Unan.

W. Demolition Bid for Alamo/Crown Motel

Information on this bid will be provided later.

August 21, 1992

OTHER DATA:

VIII. M/WBE Status (if applicable): Invitation to bid sent to 16 companies. The recommended bidder is a WBE and is subcontracting 10%, the hauling, to an MBE.

IX. Consequences if Action is Deferred: The building will continue to be a nuisance, unsightly and a haven for derelicts.

X. Other Information: For additional information please contact J. F. Stallings, ext. 5667.

Approved by: _____

Assistant City Manager

August 21, 1992

Bid Item K for Agenda of August 24, 1992

I. Item: Asbestos Removal & Demolition of Crown Motor Inn

User Dept.: Comm. Dev.

II. Recommendation: By Purchasing Director and Community Development Director that the low bid be accepted for award of contract as follows:

III. Bid Summary:

AAA Sand & Gravel, Queen City Demo.	Charlotte, N. C.	$47,302.50
Moretti Construction	Charlotte, N. C.	70,875.00
Masterclean Inc.	Winston Salem, N. C.	73,199.00
Jones Grading & Fencing	Charlotte, N. C.	135,000.00
United Construction	Charlotte, N. C.	137,550.00
Hepaco Inc. (Asbestos only)	Charlotte, N. C.	22,430.10
Piedmont Grading (Demolition only)	Charlotte, N. C.	95,952.23

IV. Invitation to bid sent to 25 companies.

V. Advertising On: 8/11/92

Bids Read: 8/21/92

VI. Justification: This building is a public nuisance. The owner has been given notice and has not acted to demolish the building.

VII. Source of Funding: 2010 - 31990 - 37710
Capital Improvement Fund - In REM Account

ITEM NO.

Reid / Crofetter
Unan.

X. Charlotte Convention Center Fireproofing — Engineering

Recommendation: By the City Engineer, based on the recommendation of the Architect and the Construction Manger, that all bids be rejected and the work be rebid due to a change in the design requirements.

Information: In accordance with our fast-track schedule for the new Convention Center, the fireproofing bid documents were issued while the architect was still working with the Charlotte-Mecklenburg Building Standards Department on fire code requirements. After receipt of the bids, discussions with Building Standards and some of the bidders indicated that the plans could be redesigned to realize significant savings in the cost of the fireproofing work.

The Construction Manager has estimated that approximately $250,000.00 in savings can be realized by rejecting the bids, incorporating the new design and rebidding. The redesign and rebidding process will not affect the completion date of the Convention Center.

If Council decides not to reject the bids, it is requested that Council defer action on award of the present bids. The apparent low bidder, Warco Construction, has informed us that they did not include a substantial amount of the work in their bid due to their interpretation of the requirements to fireproof the underside of the floor slabs. Thus, determination will need to be made on the responsiveness of the bid by Warco and a new recommendation on award of the current bids will be submitted to Council.

Engineering

CONTRACT

37. Recommend approval of a contract for $85,000 for services by the U. S. Geological Survey for the period from July 1, 1992 to June 30, 1993.

USGS Contract

It is recommended City Council approve a contract of $85,000 for the continuation of services by the U. S. Geological Survey for the period July 1, 1992 to June 30, 1993. This contract will continue an agreement for cooperative services between the City and the Survey which began in 1961. The services to be provided are:

- Preparation of a report on water quality monitoring data collected over the last six years;
- Continuation of maintenance of streamflow gauges in the City;
- Installation and maintenance of a rain gauge network in the City.

The cost of local services by the Survey are shared equally by the City and the Federal Government.

Funding: Engineering Department Operating Budget and Statesville Avenue Landfill Capital Account.

McCrory/Wise
unan.

Engineering

CHANGE ORDER

38. Recommend approval of Change Order #1 for $85,774, to the Belmont Neighborhood Reinvestment Phase II contract with Ferebee Corporation.

Change Order: Council is requested to approve Change Order #1 for $85,774.

Scar/ Reid
Chrofcter
No/

- On June 8, 1992, Council awarded a contract for the Belmont Neighborhood Reinvestment Phase II to Ferebee Corporation for $1,181,420.70.

- The contractor encountered approximately 1110 feet of an abandoned trolley track line in the 1700 to 2000 block of Pegram Street where a 54" storm drain is to be installed. The discovery of the abandoned tracks constitutes a changed condition that was not shown on the plans or detected in the field prior to construction. The trolley tracks require removal to construct the proposed roadway per the plans. Contractor also encountered rock in the pipe trench that requires removal.

- The cost of the additional work has been negotiated by the Engineering staff through the use of established contract unit prices and agreement on new work items where necessary. The cost has been determined to be appropriate for the work to be performed.

Funding: Neighborhood Reinvestment Capital Account.

Clearances: This change order has been reviewed and approved by the Engineering Department staff.

Engineering

BRANCH BANKING AGREEMENT EXTENSION

39. Recommend approval of a five-year extension of a branch bank agreement with First Citizen's Bank & Trust Co. to provide full banking services at the Airport with an option for five additional years.

Council Action: Council is requested to approve a five year extension of Airport's branch bank agreement with First Citizen's Bank & Trust Company, with an option for five additional years, to provide the following banking services at the Airport.

- Teller-operated, full banking services on an exclusive basis.
- Installation and operation of up to three automatic teller machines (ATM's) on a non-exclusive basis.

- This agreement will provide 398 square feet of bank service area for an annual rental of $8,418.
- The existing agreement expired June 29, 1992.

Background:

- Prior to opening of new terminal in May, 1982, North Carolina National Bank (NCNB) provided full banking services at the Airport.
- NCNB elected not to lease space in the new terminal for a branch bank. The Airport negotiated a five year full banking service agreement with First Citizen's Bank & Trust Company, with an option of five additional years, and was approved by Council to be effective June 28, 1982.
- The agreement was amended to provide for an ATM service area and was approved by Council to be effective October 1, 1983.
- Full banking services at the Airport is a very valuable resource to tenants, employees and passengers who benefit from deposit, check cashing privileges, foreign currency exchange, procuring travelers checks and loan services, as well as providing currency change services.

McCarty/other concur.

Avi at, r

Clearances: The Airport Advisory Committee concurs in this recommendation.

CONTRACT RENEWAL

40. Recommend approval of a maintenance service contract with Southern Bell Advanced Systems, Inc. for $102,940.

Council Action: Council is requested to approve a renewal of the maintenance service agreement for the telephone system at the Airport with Southern Bell Advanced Systems for $102,940 for a period of 12 months. This contract reflects no increase over fiscal year 1992's cost.

Hammond! Scar. to excuse Crafter union. Scar which union..

Maintenance Agreement: On September 22, 1986 City Council approved an annual maintenance service contract with Southern Bell Advance Systems. At that time the Airport Telecommunications Committee had selected the Southern Bell Essex System as the most economical approach for providing telephone service for the Airport. The Committee also recommended a dedicated technician be provided to service and maintain the telephone system through the annual maintenance contract. On November 13, 1990, City Council subsequently approved a 20.5 month maintenance contract with Southern Bell Advance Systems for the Essex System, which expired June 30, 1992.

Funding: Airport Operating Fund.

Clearances: USAir's telecommunication representative and the Airport Advisory Committee concur in this recommended action.

AGREEMENT RENEWAL

41. Recommend approval to renew service agreements for one year with ADS Environmental Services, Inc for sanitary sewer long term flow monitors for $46,320.

Council Action: Council is requested to approve a one-year renewal of service agreements for maintenance and data processing of sanitary sewer long term flow monitors with ADS Environmental Services, Inc., for $46,320.00.

- The long term flow monitors were purchased from ADS to provide continual monitoring and flow data from the major drainage basins of the sanitary sewer collection system.
- These monitors require maintenance to ensure accuracy of the data collected.
- The data processing provides CMUD with a flow data report on all the monitored locations. The existing service agreements expired in July 1992.

Agreements: The maintenance service agreement includes:

- Repair and preventative maintenance services
- Diagnostic check of flow monitors to ensure accuracy and proper operation
- Local service and field representatives to respond to repairs and maintenance

The data processing service agreement includes:

- Data collection by a telemetry system from the flow monitors to ADS
- Data processing including analysis of the data received
- Monthly flow data report of hydraulic analysis including minimum, maximum and average daily flow data, data in graphical format, and other significant information.

McCarty/Wh
Coman

Funding: Sewer System Evaluation Survey Capital Account.

Clearances: Utility Director.

Cmtd

CODE ENFORCEMENT

42. Detailed information is attached for each of the following code enforcement actions. Funds are available and liens will be placed against the properties for the costs incurred.

Morgan/Reid unan.

ORD # 4 #3385-X B-41 p80

A. Recommend adoption of an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling located at 1400 North Davidson Street aka 601 East 17th Street (Optimist Park).

CP Attachment No. 27

ORD # 5 #3386-X B-41 p-82

B. Recommend adoption of an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling located at 805 East 17th Street (Belmont).

CP Attachment No. 28

ORD # 6 #3387-X B-41 p-84

C. Recommend adoption of an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling located at 1805 Wayt Street (Genesis Park).

CP Attachment No. 29

More deferral Hearing/Scar

D. Recommend adoption of an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling located at 1230 Blueberry Lane (Providence).

CP Attachment No. 30

ORD # 7 #3388-X B-41 p-86

Morgan/Reid unan

E. Recommend adoption of an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling located at 1504 North Brevard Street (Optimist Park).

CP Attachment No. 31

Mayor/Reid unan.

DRP # 8 # 3389-X B 4-88

F. Recommend adoption of an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling located at 1508 North Brevard Street, Apt. A & B (Optimist Park).

Attachment No. 32

DRP # 9 # 3390-X B-11 P-96

G. Recommend adoption of an ordinance authorizing the use of In Rem Remedy to demolish and remove the commercial structure known as the Crown Motor Inn (aka Alamo Plaza Motel) located at 2309 North Tryon Street (Tryon Hills).

McCray/ate unan.

Attachment No. 33

TRAFFIC AGREEMENTS Res # 6 Book 29 p-147

43. A. Recommend approval of a traffic agreement between the City of Charlotte and the North Carolina Department of Transportation (NCDOT) for the installation of eight traffic signals in conjunction with the I-85 widening project (from north of Mulberry Church Road to south of NC 16) and adopt a resolution authorizing the Mayor to execute the agreement (Project I-0301C).

Agreement The traffic agreement will reimburse the City for installation of required traffic signal equipment at the following intersections:

- Bradford Drive/Edgewood Drive and Freedom Drive
- Ashley Road/Freedom Drive
- Ashley Road/Freedom Mall and Tuckaseegee Road
- Bradford Drive and Eddleman Road/Service Road
- Freedom Drive and Ramp A-1/Ramp B-1
- Freedom Drive and Ramp C
- I-85 and Freedom Drive
- Edgewood Road/I-85 Service Road and Tuckaseegee Road

McCray/ate unan

Costs:

- Total estimated cost is $164,000.00.
- Funding for the purchase of traffic signal equipment under municipal agreements with the State is budgeted in the CIP. Reimbursements from the State are reappropriated in the CIP.

DOT

Clearances:

- CDOT prepared the plans for the eight traffic signal installations which have been approved by the NCDOT.
- The Agreement and Resolution have been approved as to form by the City Attorney's Office.

Res # 7 Book 9 p. 449

B. Recommend approval of a traffic agreement between the City of Charlotte and the North Carolina Department of Transportation (NCDOT) for the installation of a Closed Loop Computer Traffic Signal System on Wilkinson Boulevard (US 29-74) from I-77 west to the Mecklenburg County line and adopt a resolution authorizing the Mayor to execute the agreement (Project I-0302AB).

Agreement

The traffic agreement is to reimburse the City for installation of the required traffic signal equipment on Wilkinson Boulevard from I-77 west to the Mecklenburg County Line for the following reasons:

- To improve traffic flow on Wilkinson Boulevard, which will be used as an alternate route to I-85 during its reconstruction.
- To allow the City and the NCDOT to better manage incidents that may divert traffic from I-85 onto Wilkinson Boulevard.

McCarty/cuba
arrow

Costs:

- Total estimated cost is $97,300.00.
- Funding for the purchase of traffic signal equipment under municipal agreements with the State is budgeted in the CIP. Reimbursements from the State are reappropriated in the CIP.

Background:

- Extension of the Wilkinson Boulevard Closed Loop Signal System to the Mecklenburg County line requires the installation of certain equipment outside the City limits.
- A Traffic Agreement between the City and NCDOT is required before traffic signal equipment installation can proceed.

DOT

- Closed Loop Signal Systems are being installed along US 29-74 in Gaston County by the NCDOT so that the entire length of the route paralleling I-85 can be controlled from a central control facility. The section of the system from I-77 to the Mecklenburg County line is a vital section.

Clearances:
- CDOT prepared the plans for the traffic signal upgrades which have been approved.
- The Agreement and Resolution have been approved as to form by the City Attorney's Office.

ORD # 3391 B-41 P-92 # 10

SPEED LIMITS

44. A. Recommend adoption of an ordinance amending City Code 14-131(c) to set the speed limit on two Charlotte streets.

North Carolina General Statute 20-141 requires that changes in the speed limits of streets other than the 35 miles per hour municipal speed limit be approved by the local governing body. The following speed limits need adjustment, based on the Charlotte Department of Transportation's engineering analysis.

	Present	Proposed
Carmel Road from Sharon View Road to Quail Hollow Road	45	35
Park Road from City Limits approximately 200' south of Pineville-Matthews Road to City Limits, approximately 1300' west of Kingfisher Drive	35	30

The lowered speed limits on both Carmel Road and Park Road, commonly known as Park Road Extension, are being requested subsequent to an engineering analysis which has determined lowered speed limits are appropriate, based on curvature of roadway and limited sight distance from streets and driveways.

McCory/who know DOT

ITEM NO.

ORD # 11 - 58 - # 3392 B 41 p. 93

B. Recommend adoption of an ordinance to lower the speed limit on Market Street from 35 miles per hour to 25 miles per hour.

Council is requested to adopt an ordinance to lower the speed limit on one street in one neighborhood for which a petition has been validated and is determined by the engineering study to be appropriate for a 25 miles per hour speed limit. The street is:

DOT

Market Street from Pence Road to Robinson Church Road (SR 2822).....25 mph

ANNUAL ORDER OF COLLECTION OF TAXES

45. Recommend adoption of an order of collection empowering the Office of the Tax Collector to collect the City's ad valorem taxes.

McCarty/ wh unan

John C. Petoskey, City-County Tax Administrator, recommends, upon the advice of the City-County Tax Attorney, that the City Council adopt and that the Mayor sign an annual order of collection of taxes. State law requires city and county governments take this action at this time of year in the ad valorem tax cycle.

Legal

Res # 8 B-29 p. 451

TAX REFUND

46. Recommend adoption of a resolution authorizing the refund of certain taxes assessed through clerical or assessor error in the amount of $11,836.00.

McCarty/ wh unan.

Finance

PROPERTY TRANSACTIONS

47. Recommend approval of the following property transactions and adoption of the condemnation resolutions.

mc Cory/wh
unan

A. Project: Monroe/Wendover/Eastway Intersection Improvements, Parcel No. 62
Owner(s): McIver Lee Vann & Barbara M. Vann
Property Address: 4109 Eastway Drive
Property to be acquired: 14,115 sq.ft. (0.324 ac.)
Improvements: Duplex dwelling
Price: $77,000.00
Remarks: For the acquisition of the entire property and all improvements located thereon.

Zoned: R17-Multi-Family Use: Residential

TAX VALUE: $68,760.00 TAX CODE: 159-062-31

mc Cory/wh
unan

B. Project: Monroe/Wendover/Eastway Intersection Improvements, Parcel No. 20
Owner(s): Richard M. Coe, Jr. & Susan B. Coe
Property Address: 3832 Monroe Road
Property to be acquired: 290 sq.ft. (0.009 ac.) plus Temporary Construction Easement
Improvements: Commercial sign with a brick planter, short brick wall, shrubs and planter.
Price: $12,200.00
Remarks: The majority of compensation is to replace the improvements stated above.

ZONED: I-2 USE: Animal Hospital

TAX VALUE: $124,140.00 TAX CODE: 159-047-05

mc Cory/wh
unan

C. Project: Monroe/Wendover/Eastway Intersection Improvements, Parcel No. 55
Owner(s): Lelah M. Harries
Property Address: 4223 Eastway Drive
Property to be acquired: 9,122 sq.ft. (0.209 ac.)
Improvements: One story brick single family residence.
Price: $65,000.00
Remarks: For the acquisition of the entire property and any improvements located thereon.

ZONED: R-9MF USE: Residential

TAX VALUE: $66,350.00 TAX CODE: 159-062-39

Real Estate

D. Project: Monroe/Wendover/Eastway Intersection Improvements, Parcel No. 41
Owner(s): Eugenia E. Mills
Property Address: 4216 Eastway Drive
Property to be acquired: 14,179 sq.ft. (0.326 ac.) total take of parcel and all improvements located thereon
Improvements: Single family structure consisting of 1,042 sq.ft. with attached garage and detached carport.
Price: $55,000.00
Remarks: Total take of property including all structures and improvements located thereon.

ZONED: R-9 USE: Residential

TAX VALUE: $54,850.00 TAX CODE: 159-051-09

mc Cary / wh
unan

E. Project: Monroe/Wendover/Eastway Intersection Improvements, Parcel No. 26
Owner(s): Ravji N. Patel & Devi R. Patel
Property Address: 4113-C Monroe Road
Property to be acquired: 1,783 sq.ft. (0.04 ac.) Fee plus Temporary Construction Easement.
Improvements: Sign & Asphalt pavement resulting in loss of parking spaces.
Price: $55,300.00
Remarks: Property is occupied by a mini-mart and a fast food restaurant.

ZONED: B2 USE: Commercial

TAX VALUE: $151,630.00 TAX CODE: 159-062-04

mc Cary / wh
unan

F. Project: Monroe/Wendover/Eastway Intersection Improvements, Parcel No. 28
Owner(s): Hagler Associates, Inc.
Property Address: 4201 Monroe Road
Property to be acquired: 1,553 sq.ft. (0.035 ac.) plus 1,500 sq.ft. (0.034 ac.) Temporary Construction Easement
Improvements: 2 signs and asphalt paving
Price: $23,650.00
Remarks: Property is occupied by Hunter Paint & Decorating Company. Compensation also included loss of parking spaces.

ZONED: B2 USE: Business

TAX VALUE: $261,220.00 TAX CODE: 159-061-02

mc Cary / wh
unan

Real Estate

McCarty/Wh

G. Project: Monroe/Wendover/Eastway Intersection Improvements, Parcel No. 4 & 5
Owner(s): John Edward Watts
Property Address: 3815 Monroe Road
Property to be acquired: 1,125 sq.ft. (0.014 ac.) fee plus 2,456 sq.ft. (0.056 ac.) Temporary Construction Easement
Improvements: Two (2) 12" diameter pecan trees
Price: $11,650.00
Remarks: ZONED: B2 USE: Residential

Real Estate

TAX VALUE: $50,020.00 TAX CODE: 159-054-12

H. Project: F.A.R. Part 150 land Acquisition Program - Residential Purchase
Owner(s): Margaret L. Benson
Property Address: 6325 Virginia Avenue
Charlotte, N. C. 28214
Property to be acquired: .402 acres
Improvements: 2 bedrooms, 1 bath, ranch
Tax Value: $52,010.00 Purchase Price: $64,500.00
Remarks: Purchase price was determined by an independent appraiser and a review by a second appraiser. Each appraisal takes into consideration specific quality and quantity of the house. The tax department has lowered the evaluations in Moores Park due to "economic obsolescence" (proximity to the Airport). Residential property acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act 1970. Owners eligible for relocation benefits. Acquisition and relocation costs eligible for Federal Aviation Administration reimbursement.

McCarty/Wh

AVIATION

McCarty/Wh
unan

I. Project: F.A.R. Part 150 land Acquisition Program - Residential Purchase
Owner(s): Carl C. Bolick and wife, Mary P.
Property Address: 3229 Barry Drive
Charlotte, N. C. 28214
Property to be acquired: .465 acres
Improvements: 3 bedrooms, 1 bath, ranch
Tax Value: $41,760.00 Purchase Price: $55,000.00
Remarks: Purchase price was determined by an independent appraiser and a review by a second appraiser. Each appraisal takes into consideration specific quality and quantity of the house. The Tax Department has lowered the evaluations in Moores Park due to "economic obsolescence" (proximity to the Airport). Residential property acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act 1970. Owners eligible for relocation benefits. Acquisition and relocation costs eligible for Federal Aviation Administration reimbursement.

AVIATION

J. Project: F.A.R. Part 150 land Acquisition Program - Residential Purchase
Owner(s): Charlene M. Brackett
Property Address: 6400 Shoreline Drive
Charlotte, N. C. 28214
Property to be acquired: .862 acres
Improvements: 2 bedrooms, 2 bath, ranch
Tax Value: $95,260.00 Purchase Price: $98,500.00
Remarks: Purchase price was determined by an independent appraiser and a review by a second appraiser. Each appraisal takes into consideration specific quality and quantity of the house. The Tax Department has lowered the evaluations in Moores Park due to "economic obsolescence" (proximity to the Airport). Residential property acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act 1970. Owners eligible for relocation benefits. Acquisition and relocation costs eligible for Federal Aviation Administration reimbursement.

McCarty/Wh
unan

AVIATION

McCrory/wh
AVIATION

K. Project: F.A.R. Part 150 land Acquisition Program - Residential Purchase
Owner(s): Patricia R. Jones
Property Address: 6411 Teresa Avenue
Charlotte, N. C. 28214
Property to be acquired: .402 acres
Improvements: 2 bedrooms, 1 bath, ranch
Tax Value: $47,390.00 Purchase Price: $62,000.00
Remarks: Purchase price was determined by an independent appraiser and a review by a second appraiser. Each appraisal takes into consideration specific quality and quantity of the house. The Tax Department has lowered the evaluations in Moores Park due to "economic obsolescence" (proximity to the Airport). Residential property acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act 1970. Owners eligible for relocation benefits. Acquisition and relocation costs eligible for Federal Aviation Administration reimbursement.

mc/cmy/wh
AVIATION

L. Project: F.A.R. Part 150 Land Acquisition
Owner(s):Rueden C. Shelton, Jr. and wife Maria
Property Address: 3402 Barry Drive
Property to be acquired: .539 acres
Improvements: 3 bdrm, 2 bath, ranch
Tax Value: $45,500 Purchase Price: $60,000
Remarks: Purchase price was determined by an independent appraiser and a review by a second appraiser. Each appraisal takes into consideration specific quality and quantity of the house. The Tax Department has lowered the evaluations in Moores Park due to "economic Obsolescence" (proximity to the Airport). Residential property acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act 1970. Owners eligible for relocation benefits. Acquisition and relocation costs eligible for Federal Aviation Administration reimbursement.

Res #9 B 29 p-454

CONDEMNATIONS

M. Project: Walker Branch Outfall Tributary No. 1, Parcel No. 15
Owner(s): Pass-A-Grille Realty Company, & any other parties of interest.
Property address: 75.24 ac. Hamilton Road #1106
Property to be condemned: 49,778 sq.ft. (1.143 ac.)
Improvements: Trees-Wooded areas
Price: $4,500.00
Reason for condemnation:

Total Area:	= 3,277,454.4	sq.ft.	(75.24 ac.)
Area to be Acquired:	= 30,100	sq.ft.	(.069 ac.)
Temp. Const. Easement:	= 19,678	sq.ft.	(.045 ac.)
Total Area Remaining:	= 3,227,676	sq.ft.	(75.24 ac.+)

Property owners refuse to acknowledge numerous letters and return phone calls in City's attempt to negotiate settlement for the required easements needed for the project. Condemnation is recommended to avoid construction delay.

McCoy / Wh

ZONED: R-15 USE: Residential

TAX VALUE: $933,800.00 TAX CODE: 219-111-04

Real Estate

NOVEMBER 3, 1992
Bond Referendum Projects

SEWER

Stony Creek Tributary Outfall to
Mallard Creek Church Road

Lower Sugar Creek Outfall Replacement
and Rehabilitation

McAlpine, Irwin, and Sugar Wastewater
Treatment Plant Upgrades

Steele Creek Outfall - Browne Grier
Road to Shopton Road

Walker Branch Extension to Steele
Creek Road

Irvins Creek Tributary to Lawyer's Rd.

Polk Ditch Trunk Extension

Sewer Trunks to Serve 1993
Annexation Areas

Neal Branch Lift Station and
Trunk Main

NOVEMBER 3, 1992
Bond Referendum Projects

WATER

Vest Plant Clearwell Renovations

Water Main Along Shopton Road West
from Sledge Road to Steele Creek

Water Main Along Steele Creek Road
from Westinghouse to Shopton

Water Main Along Idlewild Road from
Margaret Wallace to Highway 51

Water Main Along Mallard Creek Road
from Mallard Creek Church - Beard

Water Main Along Beard Rd & Ridge Rd

Water Main Along Oakdale Road from
Leolillie - Mt. Holly Huntersville Rd.

Water Main Along Mt. Holly-Huntersville Rd.
from Highway 16 to Beatties Ford Road

Water Mains to Serve 1993 Annexation

Alum Sludge Disposal - Franklin Water
Treatment Plant

PROPOSED BOND SALE PROJECTS

STREET IMPROVEMENT BONDS:	$11,200,000
State Road Participation - Albemarle Road	
Shamrock Road Widening	
Sidewalk Construction	
Monroe Road Widening	
Park/Johnson Road	
Sardis Road	
Colony Road	
State Road - Newell/Hickory Grove	
Business Corridor Improvements	
Beatties Ford Road Left Turn Lane	
PARKS AND RECREATION BONDS:	$ 475,000
Highway 51/Strawberry Lane Park	
STORM DRAINAGE BONDS:	$ 2,600,000
Storm Drainage Repair Program	
Belmont Neighborhood Storm Drainage	
Total	$14,275,000

Report on
Funding the Repair of Unsafe Dams

July 23, 1992

Background

In March 1988, the North Carolina Department of Environment, Health, and Natural Resources identified high hazard dams in Charlotte that did not conform to safety standards These dams are "high hazard" due to the potential for loss of life and/or property damage should they fail The State requires the owners of the dam to make necessary repairs or breach the dam

The City does not own any of the dams that have been cited, however, some of them have City maintained streets crossing the dam In three cases, owners of the dam and/or owners of property that fronts on the lake above the dam asked City Council to bear the cost of repairs The City Council agreed to share the cost as follows

- The cost of installing a culvert beneath the street, since the City would have to bear this cost even if the dam were breached in order to maintain the street, plus
- Eighty percent of any additional cost to repair the dam, consistent with the Storm Drainage Repair Policy, which pays eighty percent of the cost of drainage improvements on private property for high priority problems

In one of these cases, the involved property owners committed to pay the remaining twenty percent cost in order to save the dam In the other two cases, the estimated cost of fixing the dam was less than the estimated cost of installing a culvert and the City is bearing all costs for the dam repairs

In January, 1991, City Council adopted a policy for funding repairs to any further dams under similar conditions The policy provides that the City will pay the cost of installing a culvert beneath the street plus eighty percent of the additional cost of repairing the dam The remaining twenty percent cost is to be assessed to the property owners in the drainage basin

Storm Water Services

As the new Storm Water Services Program begins, the funding and prioritization of existing drainage activities are being incorporated into the overall program This will include the repair of unsafe dams If the 1991 policy is used for the repair of dams, property owners in the drainage basin would pay both an assessment for the dam project, and the monthly Storm Water Services fee

Analysis

The City's past involvement with the repair of dams has been limited to those that have a City maintained street on the crest The City's primary interest was in maintaining the street The new storm water program, with objectives of managing storm water flow and protecting storm water from pollution, has an inherent interest in the preservation of dams and lakes that further those goals As a result, it will be appropriate to include the repair and improvement of existing dams (and the construction of new dams) in the City's storm water capital construction program when significant storm water quantity and/or quality benefit will be realized through the project

- *Quantity* - The pond or lake formed by a dam serves as a detention basin during storms, catching runoff and releasing it slowly This can reduce the need for larger culverts and channels downstream

- *Quality* - If a pond or lake has certain characteristics, such as adequate surface area or detention time, pollutants tend to settle out of the water as it passes through

However, there are dams that will not have a significant storm water quantity or quality benefit to the public drainage system They do have benefits that are much harder to quantify and value, such as aesthetics, recreation, wildlife habitat, and a smaller degree of pollutant removal It is necessary to formulate a policy for public participation in the repair of these dams as well

Options and Recommendations

1 Dams and lakes determined to provide significant storm water quantity and/or quality benefit to the public drainage system

A **Planning Committee Recommendation:** Fund 100 percent of repairs and improvements through the Storm Water Services Program in accordance with overall program priorities and funding levels

B Fund 100 percent of the cost of installing a culvert (where a City maintained street is present on the crest) and 80 percent of the additional cost of necessary repairs to the dam, assess the remaining 20 percent to the properties in the drainage basin (current policy)

2 Dams and lakes that do not provide significant storm water quantity or quality benefits to the public drainage system

A **Planning Committee Recommendation:** Fund 100 percent of necessary dam repairs through the Storm Water Services Program in accordance with overall program priorities and funding levels

B Leave resolution to the State and involved property owners If the dam is breached, fund 100 percent of the cost of installing a culvert where a City maintained street is present on the crest, provide no public funding where a City maintained street is not involved

C Fund 100 percent of the cost of installing a culvert (where a City maintained street is present on the crest) and 80 percent of the additional cost of necessary repairs to the dam, assess the remaining 20 percent to property owners who volunteer to pay a share in order to save the dam and lake

D Fund 100 percent of the cost of installing a culvert (where a City maintained street is present on the crest) and 80 percent of the additional cost of necessary repairs to the dam, assess the remaining 20 percent to property owners in the drainage basin (current policy)

Cost Impact

The number of high hazard dams in the City that will need safety repairs is unknown The State performs periodic inspections to monitor the condition of these dams A change in the policy for funding unsafe dams will affect one current project, the repair of Williams Lake dam In this case, the additional cost to the City will be $35,000

Report on
Storm Drainage Assessments

July 23, 1992

Background

Traditionally, the City's responsibility for drainage has been limited to street rights of way and other City owned property Since 1978, the Storm Drainage Repair Policy has assisted property owners with problems on private property by paying a share of the cost of improvements Involved property owners and/or those in the drainage basin paid the other share Participants have had the option of paying their assessment in one lump sum at the completion of construction, or in ten annual installments There are currently several projects in the process of being designed and constructed (involving approximately 780 assessments), and some 200 property owners are paying annual installments on past projects

The new Storm Water Services Program funded primarily through a monthly fee will be making repairs and improvements to the drainage system on both public and private property Properties involved with projects will not be responsible for any cost other than their monthly service charge (and the donation of necessary easements) However, projects that are being designed or constructed in accordance with recent cost share petitions will result in the property owners paying both the assessment and the monthly service charge Also, property owners paying annual installments for projects over the last 10 years will pay both charges Because the funding level for the storm water program is set, assuming the full cost of current projects would decrease the funds available for future projects

Options & Recommendations

A **Planning Committee Recommendation:** Pay 100 percent of all projects currently being designed or constructed, and forgive future assessments effective January 1, 1993 for past projects

One time additional cost to City $ 336,000

B Assess costs in accordance with property owner petitions only for projects which are completed prior to January 1, 1993 (planned implementation date for the storm water monthly service charge), and continue to collect assessments for past projects

One time additional cost to City $ 157,000

C Continue with current projects in accordance with property owner petitions, assessing a share of the cost upon completion of construction, and continue to collect assessments for past projects

Additional cost to City $ 0

Report on
Storm Water Services Organization & Staffing

Prepared for: Charlotte City Council
August, 1992

Introduction

The City of Charlotte is expanding its storm water activities to a comprehensive program which will have responsibility for controlling both the quantity and quality of storm water runoff in the municipal storm sewer system The vastly more complex program will correspond to a tripling of the funding level within five years Enhancement of existing programs and the creation of new programs will require increases in staffing However, several existing positions that have been assigned to the old storm water programs and policies will be transferred to Storm Water Services, providing nearly half of the staff for the new program In addition, there may be opportunities to place other existing City employees in some of the new positions through the City's on-going "rightsizing" process

The purpose of this report is to outline for City Council the City Manager's plan for organization and staffing of the Storm Water Services Program Key points of the plan are

- *Storm Water Services will be a major division of the Engineering Department*
- *Thirteen existing positions in the Engineering Department will be transferred to the new program*
- *Twelve new positions will be created and filled by January, 1993*
- *Up to six or seven additional positions will be required by July, 1993 to implement a storm water quality program in accordance with the 1987 Clean Water Act and EPA regulations*
- *The impact on other departments, such as Finance and CMUD, is being reviewed*
- *All costs for these positions are included in the Storm Water Program Budget funded primarily through the service charge approved by City Council on June 9, 1992*

Existing Storm Water Activities

- **Existing Maintenance in Rights of Way** - The primary function of existing City activities related to storm water is maintenance of the portion of the drainage infrastructure located in street rights of way This is accomplished through the City's street maintenance operations, but addresses less than half of the City's drainage network of pipes, culverts, ditches and streams

- **Existing Regulation and Enforcement** - The larger portion of the drainage system, located on private property, is regulated during new development through a variety of ordinances, such as erosion and sediment control, drainage detention, and floodway regulations

- **Existing Storm Drainage Repair Policy** - Property owners with older facilities that need repair and replacement are offered assistance through the Storm Drainage Repair Policy. In these cases, the involved property owners must pay a portion of the cost, and improvements typically take six to twenty-four months to complete

New Storm Water Services

- **Maintenance of the Drainage Infrastructure on Private Property** - It is estimated that a $20,000,000 backlog of cleaning and repairs on private property exists, such as dredging ditches, cleaning pipes, and repairing sinkholes and erosion At the level of spending provided by the new program, it is expected to take 10 years to clear this accumulation of problems

- **Capital Improvements** - The replacement of drainage pipes and culverts in the City that are failing due to age or are inadequate for today's level of urban runoff is expected to cost well over $100,000,000 This capital improvement program will likely require twenty to thirty years to implement

- **Storm Water Quality Management** - Urban storm water runoff has been determined to be a major contributor of water pollution in the United States In accordance with the 1987 Clean Water Act, the U S Environmental Protection Agency has developed regulations that require large cities to develop and implement a comprehensive plan for the prevention and control of urban storm water runoff pollution, known as "non-point source pollution "

Organization & Management Philosophies

Systematic maintenance and improvement of the drainage infrastructure to include both street rights of way and private property is a major expansion of the City's storm water program As outlined previously, several activities are completely new services, which provides the opportunity to design an organization that takes advantage of new management techniques. The following philosophies and techniques have been incorporated in the Storm Water Services staffing plan

- **Move Quickly-** The storm water service charge is scheduled to begin in January, 1993. The intent is to also begin providing new storm water services in January Staff will be in place and contracts awarded so that repairs and improvements can literally begin at the first of January Citizens will immediately be able to see the use of the service charge revenue

- **Excellent Customer Service-** The staff plan and procedures are being designed from the beginning with the customer in mind - quick response, personal attention and follow up

- **Maximize Programs and Improvements-** Because the program is virtually being created from the ground up, the staffing plan utilizes the current state of the art thinking in organization and management

- **Utilize Existing Resources-** Nearly half of the staff will be existing positions They will stop administering the old programs and policies, and will be trained to "do storm water the new way"

- **Privatize-** A major portion of the new construction, repairs and maintenance on private property, will be performed by private contractors In addition, engineering tasks that are "one time" activities, such as master planning, will be performed by consultants

- **Teams Reduce Layer of Supervision-** The traditional organization consists of a manager who supervises a few people, who each supervise a few people, who each supervise a few people, etc. A team structure puts a group of people at several job levels together, with the highest level position being the team leader or supervisor

- **Add Staff When Needed-** The new positions will be added in phases through December as needed to prepare for service in January

- **Expect Change-** In beginning new services, everything will not be anticipated. Customer feedback and experience will refine the procedures and organization Conservative staffing levels are being established, should the initial staffing level not be sufficient to provide the expected levels of service, adjustments will be necessary.

Operation Within Engineering Department

The management and administration of storm water activities has been a function of the Engineering Department Maintenance of drainage facilities in street rights of way has been a part of street maintenance activities in the Department of Transportation Other existing services are carried out by the General Services Department (ditch mowing), the local United States Geological Survey office (flood analysis), and the Mecklenburg County Department of Environmental Protection (water quality) Storm Water Services can best be organized at this time as a division of the Engineering Department

- **Need to Move Quickly** - City Council approval of the service charge rate on June 9 was the final milestone policy step in establishing the new storm water program In order to provide new services in January, 1993, the appropriate staff must be recruited and put in place, new procedures developed, contracts drafted and bid, etc. These activities can best be carried out by the Engineering Department, utilizing existing administrative structure, contracts staff, and bidding procedures

- **Little Disruption of Activities** - Management of the overall storm water program will continue in the Engineering Department, allowing development of the new services and compliance with the EPA regulations to continue uninterrupted The US Geological Survey, CDOT and others will continue to provide services, managed in the context of the Storm Water Program by the Engineering Department

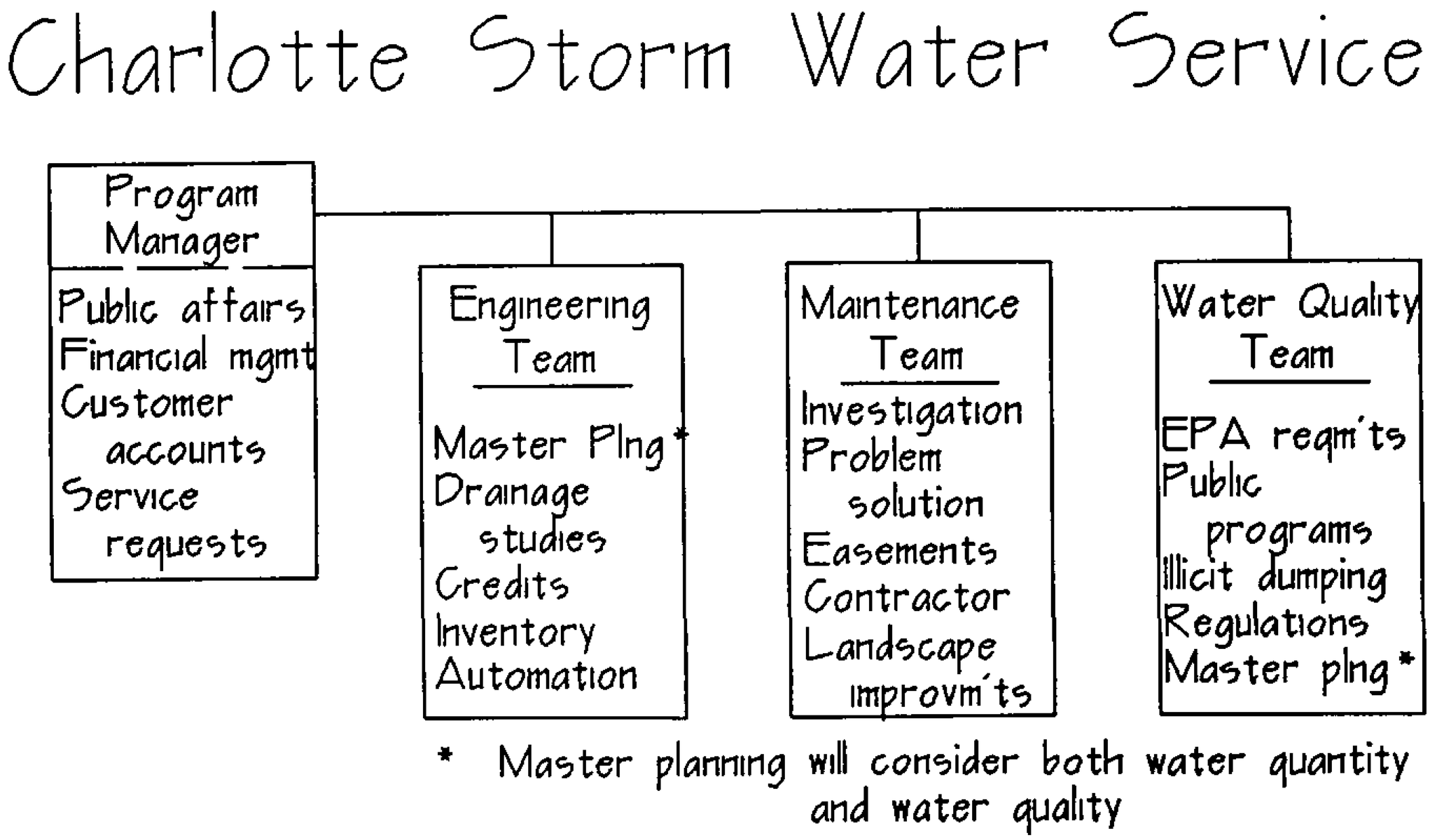
- **Transfer of Existing Engineering Employees** - The 13 existing positions that are being transferred to the new program are in the Engineering Department

- **Utilize Existing Clerical Teams in Engineering** - The proposed storm water staff does not include any clerical positions The intent is to minimize the need for clerical positions through extensive use of networked computers, electronic mail, word processing training for all staff, etc Remaining clerical needs will be assigned to the clerical teams that have been formed by Engineering (The clerical teams have already reduced office assistant positions in the Department by five)

- **Can Move Later if Appropriate** - Should there be further developments affecting the scope and scale of the Storm Water Program, such as functional consolidation with the County, the organizational home of the program can be revisited

Staff Organization

The 25 positions in the Engineering Department will be organized in four work teams Three of the teams generally correspond to the three functional areas of the new services capital improvements, maintenance on private property, and water quality



Engineering Team (Capital Improvements)- A master plan for drainage improvements across the City will be prepared which will guide capital improvements to the drainage infrastructure The master plan will identify improvements to address flooding, erosion, and the need for replacement of pipes and culverts In addition, the master plan will include water quality planning as discussed below On-going drainage studies will be performed to address requests from the public and plan individual improvements to the system.

Maintenance Team (Private Property Maintenance)- Construction of improvements and repairs will be performed by private contractors selected each year for an annual contract. The staff associated with this service will respond to the citizen making a request and be the liaison during the process Actions that must be completed before the contractor can begin construction include investigation of the drainage problem, identification of a solution, negotiation of an easement with the property owner(s), and negotiation with the contractor. One person will handle all these activities with the property owner, giving the customer one consistent point of contact

Water Quality Team (Storm Water Quality Management Program)- The EPA regulations require the City to develop and implement a comprehensive program of activities designed to reduce the pollution of urban storm water runoff A major component of this program will be informing and educating the public on how to prevent pollution Another element will be master planning for water quality purposes The construction and/or preservation of lakes will be considered along with the flood control goals of master planning the drainage infrastructure Only the team leader position has been identified at this time because the exact scope of the program has not been fully defined The EPA permit application is being prepared for submittal in November, approval by the State in January or February will establish the level of activities that must be staffed The additional positions will be specified at that time

Program Management- The fourth team consists of positions that support all functional areas of the program, such as public affairs, financial management, and customer service.

- Program Manager- Overall direction and management of the program

- Public Affairs Officer- Public information and education is a significant component of the Storm Water Program Education programs will promote the public's awareness of storm water issues In addition, the EPA regulations require a high level of public information programs because the best solution to storm water pollution is prevention. The regulations require such programs as educating the public not to dump used motor oil, household chemicals, herbicides, etc into storm drains and streams There are also opportunities to utilize the private sector in such programs as used oil collection, and take advantage of volunteers for such things as "adopt a stream" programs, stencilling catch basins, etc

- Financial Manager- The Storm Water Program will be an enterprise fund with a separate operating and capital budget In addition to administering the budget process for the storm water program, the financial manager will continually analyze service charge revenue and credits to balance expenditures with available funds for the program These functions are specific to the day to day operation of the Storm Water Program and differ from the overall accounting, audit, and financial management performed by the Finance Department

- Credits/Accounts- The storm water rate structure includes credits which may be granted for private on-site storm water controls This will require review and approval of credit applications, periodic inspections, and enforcement actions to insure the facilities are properly maintained by the property owners. In addition, the building permit process will provide information to be used in establishing new accounts for the billing of storm water service charges

- Customer Service Representative- A hotline for telephone inquiries and service requests was established in May using the number 336-RAIN Several hundred calls have been received to date, and the number of calls is expected to increase significantly when service charges are billed in January

Overall Program

In addition to the four teams in the Engineering Department, the Storm Water Program includes services provided by other departments and agencies

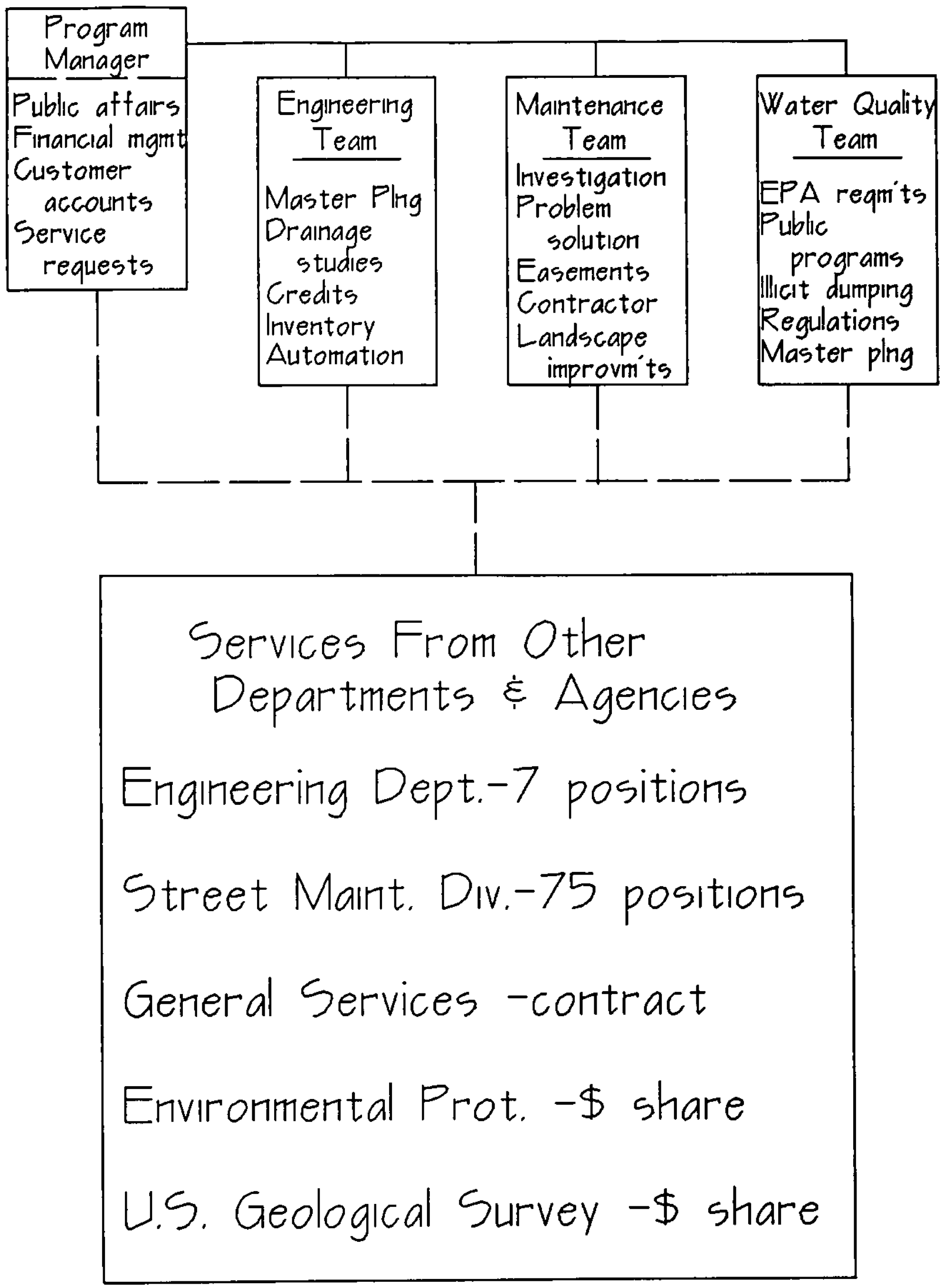
- **Engineering Department-** Existing storm water regulations related to new development are administered by a division of the Engineering Department in conjunction with other permitting functions Moving the review and inspection of storm water regulations would decentralize the permitting functions which have previously been consolidated in this division of the Engineering Department

- **Street Maintenance-** Maintenance and repair of catch basins, pipes and culverts in street rights of way has traditionally been handled as a part of street maintenance operations Existing street maintenance crews and equipment will continue to perform these activities and be funded through the storm water program

- **General Services-** Mowing of roadside ditches promotes the flow of runoff and inhibits the blockage of these drainage ditches by silt and debris This function has traditionally been handled by the Park Operations Division With the recent consolidation of Parks responsibilities, this work has shifted to the General Services Department, Building and Grounds Division

- **Mecklenburg County Environmental Protection Department-** Since 1969, the City and County have jointly supported water quality programs carried out by the Environmental Protection Department This contract will be re-negotiated to reflect activities required for the City by the EPA storm water regulations

- **U.S. Geological Survey-** The local USGS office has provided floodplain and flood analysis, streamflow and rain gauges, and water quality monitoring for over 20 years The cost of these activities is shared by the Federal government


Program Manager
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Customer accounts
Service requests
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Master Plng
Drainage studies
Credits
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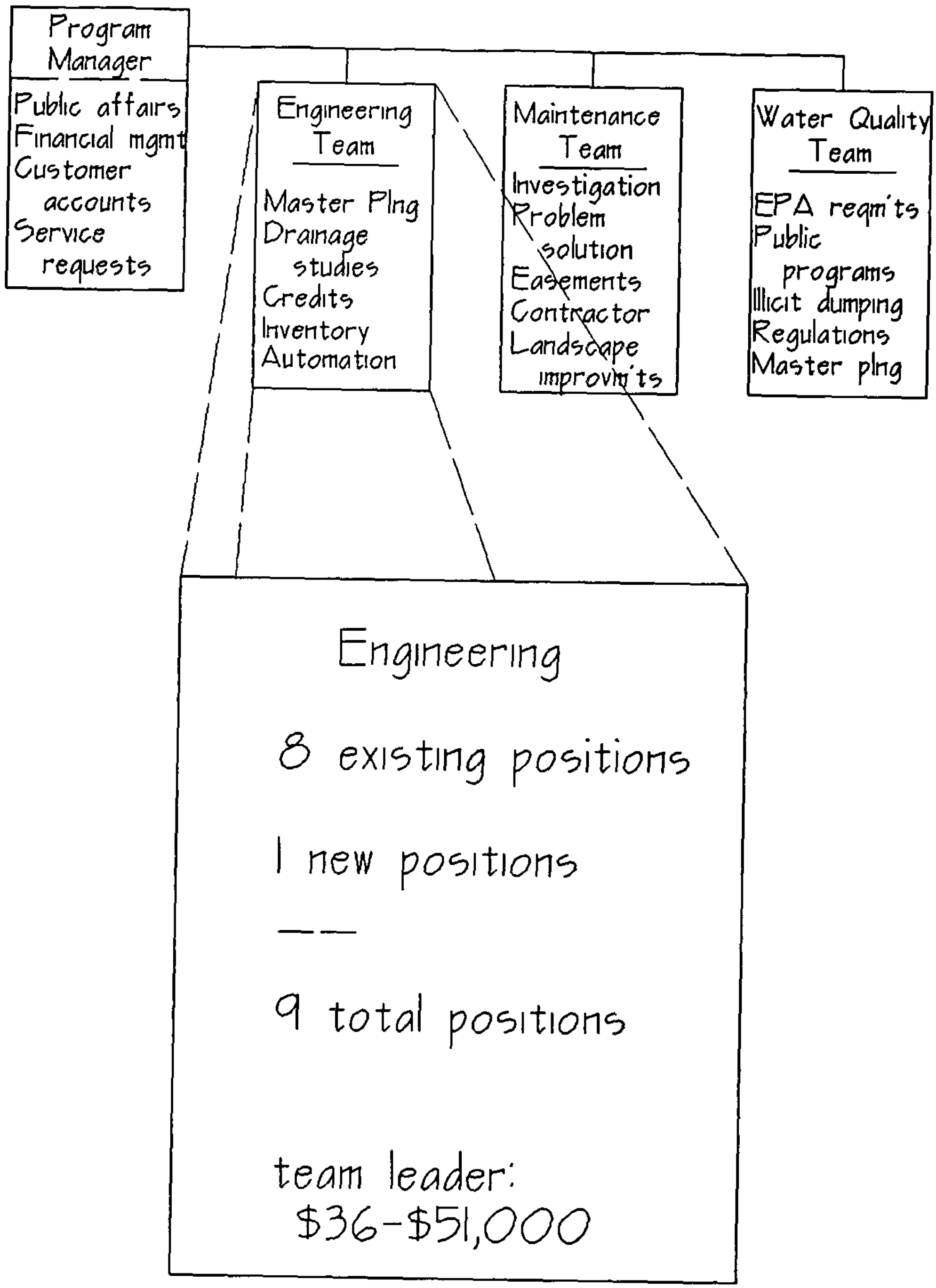
Maintenance Team
Investigation
Problem solution
Easements
Contractor
Landscape improvm'ts
Water Quality Team
EPA reqm'ts
Public programs
Illicit dumping
Regulations
Master plng
Services From Other Departments & Agencies
Engineering Dept.-7 positions
Street Maint. Div.-75 positions
General Services -contract
Environmental Prot. -$ share
U.S. Geological Survey -$ share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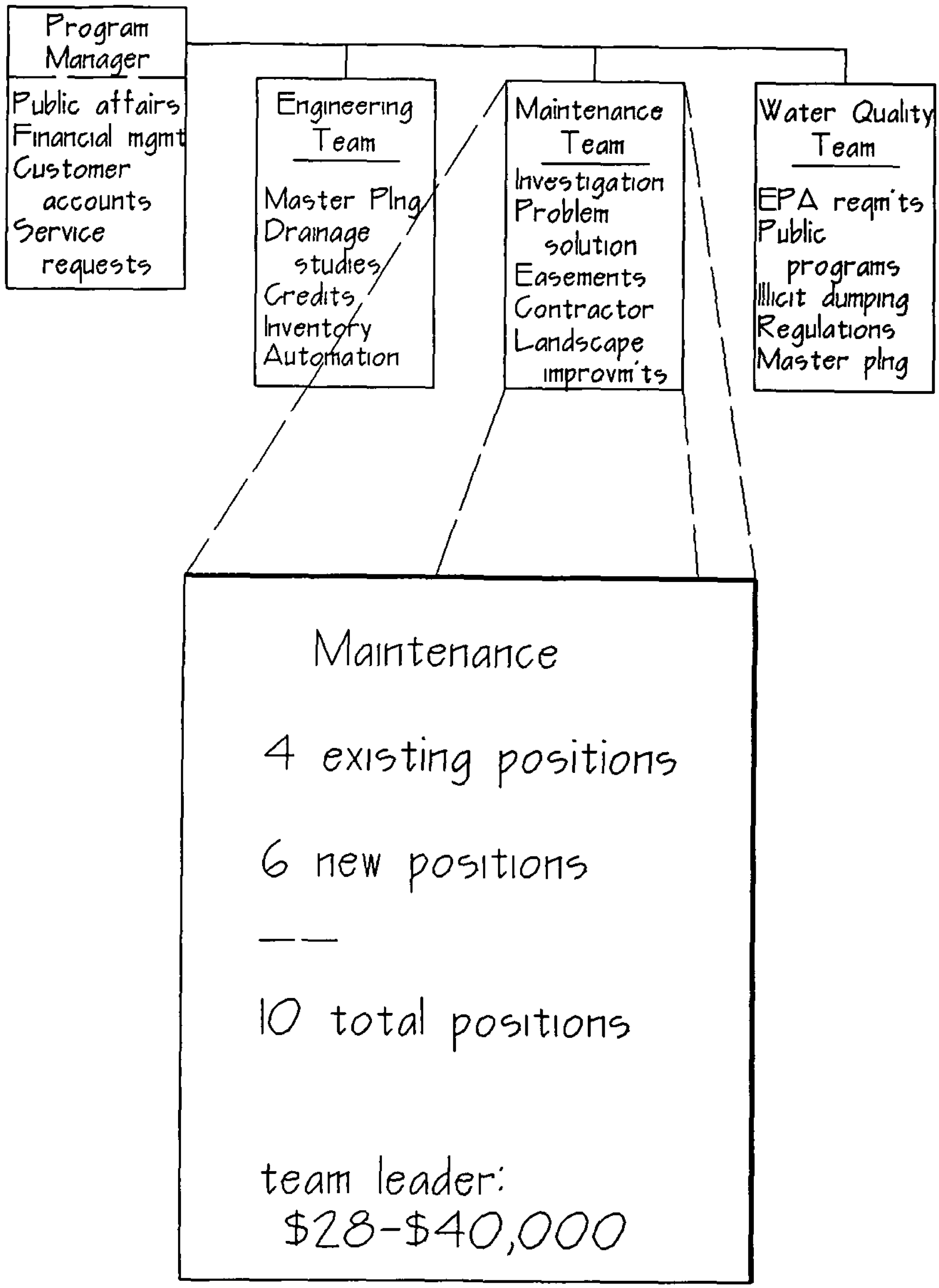
Maintenance Team
Investigation
Problem solution
Easements
Contractor
Landscape improvm'ts
Water Quality Team
EPA reqm'ts
Public programs
Illicit dumping
Regulations
Master plng
Engineering
8 existing positions
1 new positions
9 total positions
team leader:
$36-$51,000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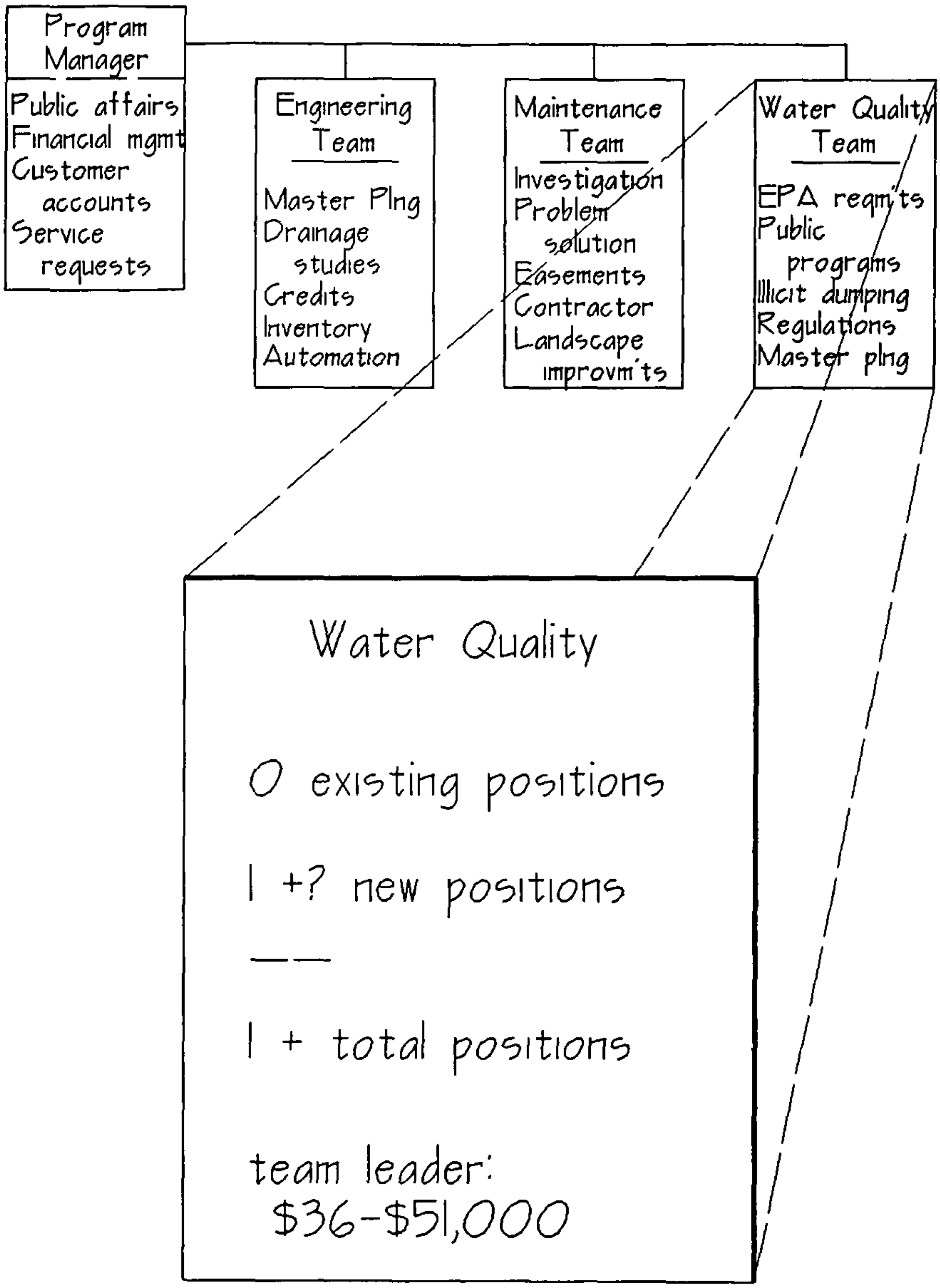
Contractor
Landscape improvm'ts
Water Quality Team
EPA reqm'ts
Public programs
Illicit dumping
Regulations
Master plng
Maintenance
4 existing positions
6 new positions
10 total positions
team leader:
$28-$40,000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Easements
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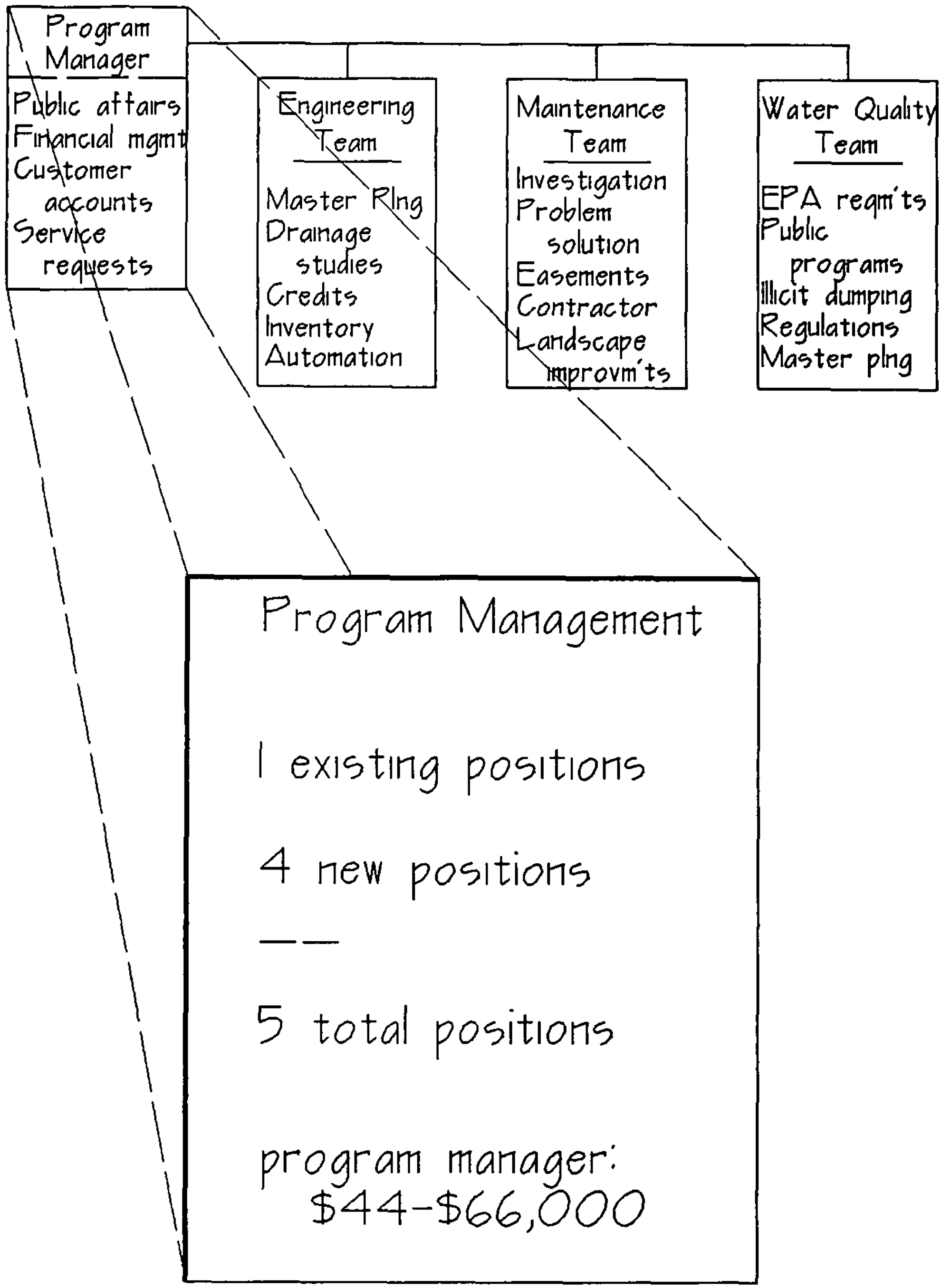
Water Quality Team
EPA reqm'ts
Public programs
Illicit dumping
Regulations
Master plng
Water Quality
0 existing positions
1 +? new positions
1 + total positions
team leader:
$36-$51,000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Problem solution
Easements
Contractor
Landscape improvm'ts
Water Quality Team
EPA reqm'ts
Public programs
Illicit dumping
Regulations
Master plng
Program Management
1 existing positions
4 new positions
5 total positions
program manager: $44-$66,000

Storm Water Services Staffing Plan						
July	August	September	October	November	December	January
Planning Committee						Begin New Services
	Council approval; shift 12 existing, add 2 new pos.					
			Add 7 new positions			
				Shift 1 existing pos.		
					Add 3 new positions	
Policy Action	Suspend Storm Drainage Repair Policy to be restructured in context of Storm Water Services Program					

* All costs for these positions are included in the Storm Water Program budget funded primarily through the service charge approved by City Council on June 9, 1992. Costs incurred before December 31, 1992 will be funded through the Storm Water Repair Capital Account and will be repaid from fee revenues after January 1, 1993

PARKS AND RECREATION CAPITAL PROJECTS

I BACKGROUND

- o Interlocal Agreement (Parks Consolidation) stated that City would sell Park Bonds after July 1, 1992 at the request of the County and that the County would pay debt service on the bonds

Unissued Bonds	
Statesville Road Park	$3 80 million
New Park Development	3 84
Total	$7 64 million

- o Debt service on Park Bonds sold before July 1, 1992 will continue to be the responsibility of the City
- o Interlocal Agreement did not address continuing park capital projects

II OBJECTIVE

- o Council direction is needed on the disposition of 7 active park projects

III ISSUES

- o Neighborhoods have been involved in the park planning process
- o Project balances consist of flexible funds (Pay-As-You-Go) and restricted funds (Park Bonds) Below is a summary of the project balances

Sources of Funding	Amount
Pay-As-You-Go	$1 175,939
Park Bonds	557 285
Blythe Industries Soil Purchase	546,000
Total	$2,279,224

IV APPROACH

Staff would like for the Committee to discuss this information so that an agenda item can be prepared for Council consideration Below are questions that can guide the discussion

1. Should all projects be transferred to the County?
2. Should all funding be transferred to the County?
3. Should the Hampshire Hills Park development budget be $150,000 (neighborhood request) or $40,000 (staff recommendation)

County Park staff will be available at the August 10 meeting

STATUS OF PARKS AND RECREATION CAPITAL PROJECTS
August 5, 1992

Improvements to Existing Parks
Total appropriations $8 253,000
Balance $106,464
Source of Balance Pay-As-You-Go
Current Status All projects on hold
Project description
This project has been provided for correction of erosion problems, replacement of unsafe playground equipment and other high priority maintenance items A priority listing of unfunded park improvements is attached

Reedy Creek Park
Total appropriations $5,772,500
Balance $180,922
Source of Balance Park Bonds
Current Status Project on hold
Project description
This project has provided for the development of a major community park on the northeastern edge of the city Remaining unfunded phases of the master plan are estimated to cost $4 million and include road construction, camping and picnic areas, equestrian center and trail facilities

Ramblewood Park
Total appropriations $650,000
Balance $546,000
Source of Balance Revenue from Blythe Industries soil purchase
Current Status Project will be on hold after completion of master plan (October 1, 1992)
Project description
This project was approved by Council in FY92 when Blythe Industries requested to purchase soil from the property Blythe needed the soil for construction of construction of the outer belt and it was cheaper to purchase the soil rather than to haul it over long distances The neighborhood has been involved in the master plan process

Statesville Road Park
Total appropriations $1 400 000
Balance $259,922
Sources of Balance Pay-As-You-Go $200 000 and Park Bonds $59,922
Current Status Design complete ready for construction project on hold
Project description
This project included the construction of a community park in northeastern Mecklenburg County Funding for the park totaling $5 million was approved by the voters in 1988 Remaining bond funds totaling $3 8 million have not been issued The neighborhood has been involved in the planning for the park

Freedom Park Reconstruction
Total appropriations $1,531,500
Balance $455,796
Source of Balance Pay-As-You-Go
Current Status Project will be on hold after completion of in-house design (November 1 1992)
Project description
Phase I of the project included the reconstruction of the lake for about $1 million Phase II includes replacement of playground equipment and development of a new playground area The neighborhood has been involved in the planning for the park

New Park Development
Total appropriations $1,894,474
Balance $316,441
Source of Balance Park Bonds
Current Status Phase I of N C 51 Park is under construction and scheduled for completion by September 1, 1992 Other projects are on hold
Project description
This project provides for development of park land and was included in the 1988 referendum at $4 5 million The outstanding unissued bonds total $3 840,000 The N C 51 Park - Phase 1 project totals $1,529,474 and was a funded through a joint agreement with the school system The N C 51 Park Master Plan was developed with input from the neighborhood

Park Land Acquisition
Total appropriations $9 109,000
Balance $413,679
Source of Balance Pay-As-You-Go
Current Status Project on hold
Project description
This project has provided funds for park land acquisition No activity was experienced during FY92

UNFUNDED

June, 1992

IMPROVEMENTS TO EXISTING PARKS
PRIORITIES

	Priority	Cost Estimate	
Projects for which plans are complete			
Rama Road Park Playground	1	$ 50,000	
Double Oaks Pool and Playground	2	80,000	
		$ 130,000	
			$ 130,000
Projects in need of design			
Shelter Repair			
Veterans Park Picnic Shelter Reconstruction	3	$ 130,000	
Hornets Nest Park Picnic Shelters(2) Reinforce Roof Structures (cost is an early estimate)	4	$ 50,000	
		$ 180,000	
			$ 310,000
Recreation Center Repairs			
HVAC System	5		
Albemarle Road Recreation Center		$ 16,500	
Sugaw Creek Recreation Center		24,700	
Restroom & Showers	6		
West Charlotte Recreation Center		65,900	
Hawthorne Recreation Center		24,600	
Enderly Recreation Center		13,800	
Window Replacements	7		
Enderly Recreation Center		11,000	
Latta Recreation Center		13,500	
West Charlotte Recreation Center		9,100	
		$ 179,100	
			$ 489,100

	Priority	Cost Estimate
Playground Improvements	8	

The following playground need to be reconstructed in order to provide a safer surface under the equipment. A softer surface (sand) will reduce the potential for injury in case of a fall from the equipment. This listing will complete all Charlotte playgrounds. No design work has been accomplished.

Thomas "Bus" Reid
Grier Heights
Springfield
Archdale
Kilborne
Wilmore
Mason Wallace
Viewmont
Methodist Home
Derita Creek
Freedom (Princeton Avenue)
Edgehill
Marion Diehl
Alexander Graham
Hidden Valley
Druid Hills
Midwood
Latta

Estimate cost of $18,000 per playground = $ 324,000

$ 813,100

BUSINESS

22. Recommend rejection of offer to purchase Hampshire Hills Swim Club and develop as a neighborhood park.

In October, 1990 the Hampshire Hills Swim and Racquet Club offered for sale to the City 5.5 acres for the tax value ($150,020). Appraised value $282,000.

Hampshire Hills Swim/ Racquet Club

The property consists of:
5.5 acres
35 X 80 swimming pool (1965)
bathhouse
two tennis courts

The offer to purchase was rejected by City staff based upon:

- Cost to rebuild pool.
- Cost of demolition of pool.
- Costs to upgrade facility, playground, repairs, parking.
- Three parks within one mile radius.
- Maintenance impact on Parks and Recreation Department.

Swim club requested reconsideration; sale price reduced to $8,400.

Submitted request to Charlotte Advisory Parks Commission (CAPC). CAPC recommended purchase due to need for open space within this community and small size of nearby parks.

Salvation Army Boys and Girls Club offered $10,000 towards rehabilitation of the pool providing the City lease the site to them and they will operate as a public pool. At their last board meeting, the Boys and Girls Club determined that it is not in their interest to pursue this proposal.

Recommendation: City staff recommends against purchase for these reasons:

- Cost to rebuild pool and bathhouse to present code requirements - $215,000.
- Estimate of $90,000 to provide playground and upgrade site if pool is demolished.
- Presence of three parks within one mile radius.
- Maintenance impact on Parks and Recreation.
- Greater need in areas of the City totally without facilities.

OPTION	PRO	CON
1. Purchase property, demolish pool. Minimum upgrade to property. Cost $75,000 - $90,000 Annual maintenance - $5,000 + per year.	Provides small neighborhood park.	Three parks exist within one mile radius. Maintenance impact. Funds not available for upgrade.
2. Purchase property. Rebuild pool. Upgrade park property. Cost: $300,000 Annual maintenance: $5,000 to $7,000 Seasonal pool operation: $30,000	Provides small neighborhood park. Provides public swimming pool.	Three parks exist within one mile radius. Swimming pool reconstruction is costly. Swimming pool guidelines call for pools to be at high schools. No funds available for this project. Maintenance and operating impact.
3. Not purchase. No development costs. No maintenance costs.	Does not add additional park facility close to other parks. No maintenance impact. No further demands on park improvement funds.	Potential removal of open space from neighborhood.

Maintenance - This work is accomplished by a 3-4 man crew. The current workload of Park Operations will not allow for additional work without the addition staff. In lieu of additional staff, modifications t other maintenance schedules would have to be made.

Council Action: Council is asked to decide if it wishes to purchase the Hampshire Hills Swim Club, rebuild the pool or reject the offer. CAPC recommends purchase. Attached is information sent to Council on September 6, 1991.

Funding: The acquisition cost $8,400 could be covered by the Park Land Acquisition capital account. Repairs to the site, however, would displace high priority park improvement projects that address erosion and safety problems in existing parks.

Clearances: Parks Advisory Committee, Planning Commission and Parks and Recreation Department.

Staff Resource: Julie Burch

Attachment No. 2

23. Recommend approval of a joint use agreement for construction and operation of a park at the Highway 51/Strawberry Lane school-park site.

Council Action: Council is requested to approve a joint use agreement for the construction and use of athletic facilities at Highway 51 school/park site. This agreement will enable the City to operate these facilities as a public park and help provide for the recreational needs of south Charlotte.

Highway 51 School/Park: In July, Council approved a memorandum of understanding with the School Board which allowed for the transfer of land, sharing of design and construction costs for ballfields and development of a joint use agreement for use of facilities at the Highway 51 school and park site.

At the August 26 meeting Council approved land transfer.

ORDINANCE NO 3215 LOWERING THE SPEED LIMIT ON A SECTION OF COLONY ROAD, THROUGH THE GIVERNY SUBDIVISION FROM 35 MPH TO 25 MPH

Joe Treacy, 2508 Ballencourt Lane and Ron Wooten, 2835 Giverny Drive spoke in favor of lowering the speed limit on Colony Road

[Motion was made by Councilmember Campbell, seconded by Councilmember Martin, to lower the speed limit to 25 MPH from 35 MPH on a portion of Colony Road]

[A substitute motion was made by Councilmember Vinroot, seconded by Clodfelter to monitor effectiveness of the 25 MPH warning signs in the Giverny Subdivision for a period of six months The vote was recorded as follows]

YEAS Councilmembers Clodfelter and Vinroot
NAYS Councilmembers Campbell, Hammond, McCrory, Mangum, Martin, Matthews, Patterson and Wheeler.

The vote was taken on the main motion and carried as follows

YEAS Councilmembers Campbell, Hammond, McCrory, Mangum, Martin, Matthews, Patterson and Wheeler.
NAYS Councilmembers Clodfelter and Vinroot.

The ordinance is recorded in full in Ordinance Book 40, at Page 227

* * * * * * *

PURCHASE THE HAMPSHIRE HILLS SWIM CLUB AND DEVELOP A NEIGHBORHOOD PARK

Ken Griffin, 6626 Somersworth Drive, Gary Howard, 5806 Whitingham Drive, Herman Thomas, 5913 Craftsbury Drive, Lena Pickens, 5900 Craftsbury Drive, Chiquela Adams, 6128 Delham Court, Shante Henderson, and 6521 Cove Creek Drive spoke in favor of the subject purchase Mahlon Adams, Chair of Parks Advisory Board also spoke in favor of the purchase

[Motion was made by Councilmember Matthews, seconded by Councilmember Mangum, to approve Option #1 with the exception of making the decision to demolish the pool, and allow the neighborhood the time to determine if they have a viable option to demolishing the pool]

The vote was taken on the motion and carried as follows

YEAS Councilmembers Campbell, Clodfelter, Hammond, Mangum, Martin, Matthews, Patterson and Wheeler
NAYS Councilmembers McCrory and Vinroot

The meeting was recessed at 8 55 p m and reconvened at 9 00 p m

APPROVAL OF CONSENT AGENDA

[Motion was made by Councilmember Mangum seconded by Councilmember Wheeler, and carried unanimously, to approve the Consent Agenda as presented, with the exception of Item Nos 30, 32-G & H, 38, and 42-7 and 8]

The following items were approved

1 Budget Ordinance No 3217-X transferring $500 000 from the Water and Sewer Fund Unappropriated Fund Balance to the Water and Sewer Operating Fund to establish the sewer back-up claims insurance fund, and to purchase and install backwater valves

The ordinance is recorded in full in Ordinance Book 40, at Page 229

mpl

ORDINANCE NO. _____ AMENDING CHAPTER 15

AN ORDINANCE AMENDING CHAPTER 15 "OFFENSES AND MISCELLANEOUS PROVISIONS," OF THE CITY CODE OF THE CITY OF CHARLOTTE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, THAT·

Section 1 Section 15-24 of the Code shall be amended by deleting said section in its entirety and substituting in lieu thereof the following:

Sec. 15-24. BEGGING OR SOLICITING ALMS BY ACCOSTING OR FORCING ONESELF UPON THE COMPANY OF ANOTHER: PROHIBITED CONDUCT

(a) Except when performed in the manner set forth in subpart (b)(1) of this ordinance, it shall not be unlawful to beg or solicit alms

(b) Prohibited conduct while begging or soliciting alms.

(1) It shall be unlawful for any person to ask, beg or solicit alms or contributions, or exhibit oneself for the purpose of begging or soliciting alms or contributions, by (i) accosting another, or (ii) forcing oneself upon the company of another

(2) For purposes of this ordinance, "ask, beg or solicit" shall include, without limitation, the spoken, written or printed word or such other acts as are conducted in furtherance of the purpose of obtaining alms or contributions

(3) For purposes of this section, "accosting" shall be defined as approaching or speaking to someone in such manner as would cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon his or her person, or upon property in his or her immediate possession

(4) For purposes of this section, "forcing oneself upon the company of another" shall be defined as (i) continuing to request, beg or solicit alms in close proximity to the person addressed after the person to whom the request is directed has made a negative response, or (ii) blocking the passage of the person addressed; or (iii) otherwise engaging in conduct which could reasonably be construed as intended to compel or force a person to accede to demands

(c) Severability

If any portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable, and such holding shall not affect the validity of the remaining portions hereof "

Section 2 This ordinance shall become effective October 1, 1992

APPROVED AS TO FORM:

Henry W. Underhill, Jr.

Henry W. Underhill, Jr.
City Attorney

ORDINANCE NO. _____ AMENDING CHAPTER 19

AN ORDINANCE AMENDING CHAPTER 19, "STREETS AND SIDEWALKS," OF THE CITY CODE OF THE CITY OF CHARLOTTE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, THAT·

Section 1 Chapter 19 shall be amended by adding the following ordinance as Section 19-24, "Structures," to read as follows:

"Sec. 19-24. Structures

No person shall maintain, erect or permit the erection of any building, hut, hotel, shanty, tent or other structure under his or her control upon any street, sidewalk, alley or other public way within and under the control of the City and open to public use without the express consent of the City."

Section 2. This ordinance shall become effective October 1, 1992

APPROVED AS TO FORM

Henry W. Underhill Jr.

Henry W Underhill, Jr
City Attorney

ORDINANCE NO. _____ AMENDING CHAPTER 19

AN ORDINANCE AMENDING CHAPTER 19, "STREETS AND SIDEWALKS," OF THE CITY CODE OF THE CITY OF CHARLOTTE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, THAT:

Section 1 Section 19-25 of the City Code shall be rewritten to read as follows:

"Sec 19-25 Obstructions - Prohibited.

(a) It shall be unlawful for any person to place, suffer or permit any sign, garbage can, box, bag, bale, crate, cask, barrel, stand, frame, cart or other obstruction of any nature upon any street, alley or sidewalk in the City.

(b) The provisions of the preceding subsection shall not apply in the following circumstances·

(1) Loading, unloading, moving or transporting the above stated materials

(2) Standard covered garbage cans, at the time and places designated by ordinance or order of the director of Solid Waste Services

(3) In case of a written permit for construction, maintenance, advertising, peddling and such other purposes as are provided by ordinance."

Section 2 This ordinance shall become effective October 1, 1992

APPROVED AS TO FORM·

Henry W Underhill Jr.

Henry W. Underhill, Jr
City Attorney

ORDINANCE NO. _____ AMENDING CHAPTER 15

AN ORDINANCE AMENDING CHAPTER 15, "OFFENSES AND MISCELLANEOUS PROVISIONS," OF THE CITY CODE OF THE CITY OF CHARLOTTE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, THAT

Section 1 Chapter 15 shall be amended by adding the following ordinance as Section 15-11 entitled "Unauthorized Persons On Parking Lots."

"Sec. 15-11. Unauthorized Persons On Parking Lots.

It shall be unlawful for any person to remain on any property which is used primarily as a parking lot for vehicles where a fee for use is charged unless such person has a vehicle parked on the property, or is employed by the owner or manager of the property, or has other lawful business on said property; provided, such property is prominently marked by a posted notice which is easily seen from a distance of fifty feet which states substantially as follows· "NO PERSON SHALL REMAIN ON ANY PROPERTY WHICH IS USED PRIMARILY AS A PARKING LOT FOR VEHICLES WHERE A FEE FOR USE IS CHARGED UNLESS SUCH PERSON HAS A VEHICLE PARKED ON THE PROPERTY, OR IS EMPLOYED BY THE OWNER OR MANAGER OF THE PROPERTY, OR HAS LAWFUL BUSINESS ON SAID PROPERTY CHARLOTTE CITY CODE §15 11 ""

Section 2 This ordinance shall become effective October 1, 1992

APPROVED AS TO FORM

Henry W. Underhill, Jr.

Henry W. Underhill, Jr
City Attorney

ORDINANCE NO. _____ AMENDING CHAPTER 7

AN ORDINANCE AMENDING CHAPTER 7, "CEMETERIES," OF THE CITY CODE OF THE CITY OF CHARLOTTE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, THAT

Section 1. Chapter 7 shall be amended by adding the following ordinance as Section 7-14 entitled "Trespassing," to read as follows.

"Sec. 7-14 Trespassing

It shall be unlawful for any person to trespass upon private cemetery lots or to go across cemeteries or cemetery lots belonging to the City, between 9·00 p m and 6·00 a.m the next morning, except for the purpose of burials, attending funerals or for other governmentally authorized cemetery business or maintenance."

Section 2 This ordinance shall become effective October 1, 1992

APPROVED AS TO FORM:

Henry W. Underhill Jr.

Henry W Underhill, Jr.
City Attorney

A RESOLUTION OF THE CHARLOTTE CITY COUNCIL JOINING THE MECKLENBURG COUNTY BOARD OF COMMISSIONERS AND THE CHARLOTTE MECKLENBURG SCHOOL BOARD IN SUPPORTING ANTI-TRUANCY EFFORTS.

WHEREAS, The Charlotte City Council, Mecklenburg County Board of Commissioners, and the Charlotte Mecklenburg School Board believe that regular attendance at school is a critical component in the development of this community's young people into healthy productive citizens.

WHEREAS, They further believe that regular school attendance will impact positively upon the growing trend of youth involvement in criminal activity. To that end, the City Council, County Commission, and School Board wish to state their intent to join together in a proactive effort which will:

- Aggressively target the student who is a chronic truant with the intent of getting that student back in school.
- Engage all segments of the community, especially parents, in making regular school attendance a community norm and enforcement of the compulsory attendance laws a community priority.
- Reduce the opportunity for young people to become the victims or perpetrators of crime.
- Provide positive reinforcement to young people who adhere to the school system's attendance policy.

WHEREAS, THE elements of this program may include, but not be limited to:

- A joint effort by police and the schools to identify and intervene with those students who are truant from school.
- Positive police intervention with young people who are on the streets late at night and who are at risk of becoming involved in criminal activity.
- Development of programs which help students take responsibility for making the school campus a safe environment which is conducive for learning.
- Identification of ways to positively reinforce appropriate school attendance.
- Development of a public awareness campaign that stresses the responsibility of the entire community in making truancy unacceptable in Charlotte and Mecklenburg County.

NOW, THEREFORE, Be it resolved by the Charlotte City Council on this 24th day of August, 1992, that they will go forward with this joint effort together with the Mecklenburg County Board of Commissioners and the Charlotte-Mecklenburg School Board to eradicate truancy and will support staff efforts to develop programs which achieve that goal.

Attachment No. 8: Report on Domestic Violence will be included in your Packet on Friday, August 21, 1992.

Memorandum

August 17, 1992

To: Mayor and Council

From: O. Wendell White
City Manager

Re: Fun City Loan

At the July 27, 1992 Council meeting the Council approved a loan of $142,800 for the Fun City recreation facility adjacent to McDonald's Cafeteria and hotel. This approval was the product of unique circumstances since it resulted from a five-five tie vote with the sixth vote for approval resulting from Mr. Campbell's absence. Henry Underhill advises that Council may choose to reconsider this item at the next regular meeting on August 24, 1992, should such a motion be made by someone who voted "yes" on July 27 and approved by a majority.

Attached is a report from Community Development which provides information in response to questions from several Council members during the past week. The final page is a matrix which we have prepared to highlight the entire transaction. In Friday's (8/14) memo we provided detail on the history of the CCDC, also in response to inquiry from a Council member. Please let me or Del Borgsdorf know if additional information is needed.

DB cf

M E M O R A N D U M

DATE: August 14, 1992

TO: Del Borgsdorf
Assistant City Manager

FROM: J. W. Walton, Director
Community Development

SUBJECT: Response to Questions and Update on the FUN CITY Project

The following memo will serve as a review of the financial structure of the FUN CITY project. Included for your review is a matrix outlining the terms of the construction and various term loans used to finance the FUN CITY project. Also per your request, I have included an explanation as to why the Charlotte Certified Development Corporation (CCDC) did not fund the $142,800 City-Within-A-City (CWAC) loan amount and information on the City's CWAC loan repayment terms.

NATIONSBANK

Construction Loan

NationsBank has provided a construction loan of (up to) $1,225,000 to finance the construction of FUN CITY. This loan is interest-only until it matures at the completion of construction.

Term Loan #1

NationsBank will provide the borrower with a $714,000 ten-year term loan (with payments based on a 15-year Amortization Schedule). A balloon payment of $336,517.22 will be due at the end of the tenth year.

Term Loan #2

NationsBank has also provided the borrower with a $87,125 loan to cover unanticipated costs associated with the project completion.

CHARLOTTE CERTIFIED DEVELOPMENT CORPORATION (CCDC)/SBA

The CCDC will provide the borrower with a $511,000 (20-year) term loan. The rate on this loan will be set at closing, however, it is estimated that the rate will be approximately 8.0%.

CITY-WITHIN-A-CITY (CWAC)

The City of Charlotte will provide the borrower with a $142,800 CWAC term loan. The term of this loan is estimated to be twenty-two (22) months based on the fact that payments on the CWAC loan will be at the same amount as NationsBank term loan #1 estimated to be $6,823 monthly. The City's 22-month repayments begins after NationsBank 10-year loan matures (see attached matrix).

Why the CCDC is not funding the $142,800 loan amount requested of the City?

Neither NationsBank nor the borrower approached the CCDC regarding funding this amount because a loan in an increased amount from the CCDC would increase the existing debt service associated with the project due to the 8% rate versus the 0% (deferred payment) CWAC loan. This would in turn increase the break-even point of the project. The use of a CWAC loan is viewed by NationsBank as equity and (because of its deferred payment structure) provides more cash flow during the early stages of the project. In summary, a CWAC loan versus an increased loan from the CCDC makes the FUN CITY project more viable.

Why is the additional funding of $142,800 from the City and $87,125 from NationsBank need for project completion?

Loan A ($1,225,000) was the original construction amount needed for the project, and the combination of NationsBank loan #1 of $714,000 plus CCDC's loan of $511,000 equals the repayment of the construction loan of $1,225,000. However, there were cost overruns in the project of $238,539. The overruns consisted of the following:

Additional Site Preparation (includes hauling, clearing, plumbing, landscaping, irrigation, parking, lighting and electrical)	$ 91,537
Improvements (includes golf courses, go cart track and maintenance bldg., batting cage and arcade)	86,022
Unbudgeted Items	
Upgraded Park Lighting Package	22,127
Curb/Gutter	23,853
Signage	15,000
	$238,539

The cost overruns were funded by the $142,800 CWAC loan, the $87,125 NationsBank loan (#2) and $8,614 in equity from the borrower. NationsBank chose to fund a portion of these cost overruns through the CWAC Loan Equity Program because, as indicated above, the use of the CWAC loan is viewed by NationsBank as equity and, because of its deferred payment structure, provides more cash flow during the early stages of the project. In summary, a CWAC loan versus an increased loan from the CCDC makes the FUN CITY project more viable.

What is the date the City CWAC loan payments will begin?

As mentioned earlier, the CWAC loan payments would begin after the ten (10) year NationsBank Term Loan #1 has been fully repaid. It is anticipated that the CWAC loan would be repaid in twenty-two (22) months from the date payments commence since payments on the CWAC loan will be in the same amount as those of NationsBank Term Loan #1. The actual maturity date is not known since the NationsBank term loan has

Should you have any questions, please contact me or Steve Washington of my staff at Ext. 2491.

FUN CITY
LOAN MATRIX

	LOAN AMOUNT	LOAN BALANCE	TERMS	INTEREST RATE	PAYMENT AMOUNT	COLLATERAL
Nations Bank constr-uction loan (A)	$1,225,000	$1,184,000	Maturity at comple-tion of constr-uction	Prime plus 1%	Interest only until convert-ed to term loan # 1	CD's value= $150,000 1st lien on real property value= $2,237,000
Nations Bank term loan #1 (B)	$714,000	0	10 years (with payment based on a 15 yr amort-ization period) Ballon payment of $336,517 due at the end of 10 yrs	8.0% (est)	$6,823 (est)	CD's value= $150,000 1st lien on real property and improve-ments, value= $2,237,000
SBA-CCDC Term Loan (B)	$511,000	0	20 years (actual maturity date to be deter-mined, loan not yet closed)	8% (est)	$4,274	land value= $450,000 2nd lien on real property and improve-ments, value= $2,237,000
CWAC Term Loan (C)	$142,800	0	22 mths (payments begin after Nations Bank 10 year loan matures)	0%	$6,823 (est) payments to be equal to those of Nations Bank term loan B	3rd lien on real property and improve-ments, value= $2,237,000
Nations Bank Term Loan #2 (C)	$87,125	$87,125	1/4/93	Prime plus 1%	Interest only	CD's value = $100,000

NationsBank construction loan (A) will be paid off from the proceeds of the two term loans (B)

BACKGROUND

- Terms of Loans

1) NationsBank

Amount	$714,000
Rate	8.35% (approximately-to be set at closing)
Term	10 years (15-year amortization)

2) Charlotte Certified Development Corporation (SBA)

Amount	$511,000
Rate	8.20% (approximately-to be set at closing)
Term	20 years

3) City of Charlotte

Amount	$142,800
Rate	0%
Term	22 months

- Security

NationsBank, Charlotte Certified Development Corporation and City - Deed of trust on 4.179 acres of land off Beatties Ford Road and all improvements thereon (secured guaranty of McDonald's Mini Center who owns the land and will be leasing it to Fun City). Other guarantors include McDonald's Cafeteria, Inc. Mr. and Mrs. John McDonald and Mr. and Mrs. Delmar Dove (partners in Fun City, Inc.).

Appraised value (land, equipment and improvements)	$2,237,000
NationsBank	(714,000)
Charlotte Certified Development Corp.	(511,000)
City of Charlotte	(142,800)
Collateral margin after loans	$ 869,200

Collateral positions will be as follows:

1st lien position - NationsBank
2nd lien position - Charlotte Certified Development Corporaton (SBA)
3rd lien position - City of Charlotte

- Project Cost:

Site Preparation:

General Field	$ 36,258
Site for Parking	73,561
Fencing	22,500
Lighting and Electrical	48,000
Plumbing (Water and Sewer)	70,819
Landscaping	69,100
Irrigation	45,074
	$ 365,312

Improvements:

Two 18 Hole Mini Golf Courses	$ 341,700
1,100 LF Go Cart Track/20 Cars	170,983
Nine (9) Cage Batting Facility	128,800
Corporate Overhead & profit (15% of total contract):	143,540
	$ 785,023

Soft Costs:

Loan Fees	$ 29,550
Legal, Title Insurance	12,250
Signage	15,000
Working Capital Equipment	42,500
Marketing	10,000
Hauling/Clearing	9,875
Development Costs	14,920
Consultant Fees	30,400
Loan Interest	20,000
Architectural Fees	38,500
Other	18,526
	$ 241,521

Costs Over Budget:

Increased Park Lighting Package	$ 22,127
City Required Curb/Gutter	19,536
Zoning Requirement-Relocate Curb/Gutter	4,316
	$ 45,979

Contract for Arcade Building	$ 225,000
TOTAL COSTS FOR PROJECT	$1,662,835

ORDINANCE NO. _____

ORDINANCE APPROVING THE TRANSFER OF THE FRANCHISE AGREEMENT BETWEEN THE CITY OF CHARLOTTE AND AMERICAN TELEVISION AND COMMUNICATIONS CORPORATION TO TIME-WARNER ENTERTAINMENT, LIMITED PARTNERSHIP

WHEREAS, on January 27, 1992, American Television and Communications Corporation (ATC) made a request to the City to transfer its cable television franchise agreement to Time Warner Entertainment, L.P. (TWE,L.P.) which is ATC's parent corporation; and

WHEREAS, pursuant to § 6-58 of the City's cable communications regulatory ordinance, any franchise granted by the City cannot be sold, transferred, leased, assigned, or disposed of without the prior consent of the City and then, under such reasonable conditions as the City may establish; and

WHEREAS, § 6-58 further allows the City to inquire into the legal, financial, character, technical and other public interest qualifications of the perspective controlling parties to the satisfaction of the City; and

WHEREAS, pursuant to the City's ordinance, the Cable Television/Contracts Division prepared an application for transfer for ATC and TWE,L.P. which application was completed and submitted to the City on March 23, 1992 and additional information was submitted on June 12, 1992; and

WHEREAS, City staff have completed their review of that information contained in the ATC/TWE,L.P. application and compiled such findings in a report entitled "City of Charlotte American Television and Communications Corporation Cable Television Franchise Transfer to Time Warner Entertainment, L.P., Staff Report," which is attached hereto and incorporated herein by reference as Exhibit A; and

WHEREAS, pursuant to the report, staff recommends the approval of the application of transfer from ATC to TWE,L.P. subject to Time Warner's compliance with certain conditions:

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte as follows:

SECTION 1. The City of Charlotte hereby approves the transfer of the franchise agreement between the City of Charlotte and ATC dated February 26, 1988 to TWE,L.P. and authorizes the execution of and amended franchise agreement between the City and TWE,L.P. which shall include the following:

1. TWE,L.P.'s execution of the amended franchise agreement between the City of Charlotte and TWE,L.P.

2. A performance bond in the name of TWE,L.P. to be delivered not later than 45 days after the effective date of the amended franchise, said performance bond to be obtained and maintained during the entire term of the franchise.

3. An unconditional continuing letter of guarantee by TWE,L.P. guaranteeing the performance of all the conditions of the franchise agreement by Cablevision of Charlotte, ATC, and Warner Communications, Inc.

4. A TWE,L.P. certificate of insurance which shall be maintained in full force and effect throughout the term of the franchise.

5. An agreement by TWE,L.P. to provide to the City an independently audited annual financial statement including the total amounts of annual gross revenues derived from the franchise and Cablevision of Charlotte.

SECTION 2. This ordinance shall become effective after having been read twice at two regular meetings of City Council.

APPROVED AS TO FORM:

Asst. City Attorney

CITY OF CHARLOTTE
AMERICAN TELEVISION & COMMUNICATIONS CORPORATION
CABLE TELEVISION FRANCHISE TRANSFER TO
TIME WARNER ENTERTAINMENT, L.P.

STAFF REPORT - SUPPLEMENTAL

Prepared by
Cable Television/Contracts Division
Internal Audit Division

BACKGROUND

At its July 27, 1992 meeting, City Council action relating to the transfer of American Television & Communications Corporation (ATC) cable television franchise to Time Warner Entertainment, L P included a request for additional information on three key issues In accordance with the City's right to inquire into the legal, financial, technical, character and other public interest qualifications of the prospective controlling party, Council requested staff prepare a report on the following

1 Financial Viability - In order to secure further information regarding the financial viability of the assignee, which the Council considers questionable, gather financial information which includes, but is not limited to, independently audited financial statements on the transferee,

2. Public Interest - Inquire into the availability of alternative packages of cable service by the transferee, in particular more limited, lower cost cable television service packages,

3. Character - Inquire further into the character aspect of the transferee by exploring their association with Time-Warner Records, its publications and releases

PROCESS:

The Cable Television/Contracts Division contacted ATC immediately following the meeting to coordinate securing the necessary information to provide this supplemental report for City Council

On August 10, 1992, ATC's response information was received. The results of the Cable Television/Contracts and Internal Audit divisions staff reviews have been compiled into the following report

ITEM 1. FINANCIAL VIABILITY:

ATC submitted the financial information related to Time Warner Entertainment, L P., specifically pro forma financial statements for the newly-formed limited partnership, with the request that the information be kept strictly confidential and no copies of any financial documents be made due to the non-public information and trade secrets which the information contains. Therefore, a copy of the submitted financial information could not be included as an attachment to this report, however, the following is the staff summary on the financial information submitted:

- The pro formas submitted have been examined by Ernst & Young, an independent firm of certified public accountants.

- Ernst & Young's written opinion concerning the pro formas was included The opinion indicated that the pro formas had been prepared by Time Warner's management, and that Ernst & Young had reviewed them and attested to their reasonableness

- The pro formas are derived from the audited historical financial statements for the year ended December 31, 1991, of the parties to the partnership agreement, including a balance sheet and statement of operations

- To derive the pro formas, the historical statements were combined and condensed, then adjusted to reflect the impact of the purchase by Time Warner of the remaining 18% of publicly-owned common stock of ATC, the closing of the TWE partnership agreement, and the refinancing of debt for the partnership, as if these economic events had occurred during 1991

- The current ratio of an organization is indicative of short-term liquidity and compares the current assets, such as cash and short term investments, with those current liabilities payable from current assets A comparison of the historical combined statement with the pro formas indicated that on December 31, 1991, the historical current ratio obtained by dividing current assets by current liabilities was 6 indicating that current liabilities exceeded current assets by 60%.

- The pro forma current ratio as of December 31, 1991, i.e., reflective of the above described economic events, computes to 1.2 indicating a 20% excess of current assets over current liabilities.

- The pro formas indicated that during the partnership formation and subsequent debt refinancing, short-term debt of TWE was reduced by 50% and long-term debt was increased by 39%. This improved the current ratio as described above.

- Short-term debt was reduced by using equity contributions by Toshiba Corporation and C. Itoh & Company to reduce current indebtedness and by refinancing other current debt into long term indebtedness.

- The pro formas and notes thereto did not indicate the potential impacts of future debt maturities on the current ratio, the continued ability to restructure debt or find equity partners, or the prospects for future net earnings to maintain an adequate current ratio. In view of the terms of considerable debt being carried by the partnership, principal and interest payments during the impending calendar years may become a significant factor regarding short-term liquidity.

- The merger, partnership formation and debt refinancing resulted in an increase in 1991 interest expense and amortization costs compared to the historical Statement of Operations for 1991, causing a net loss in the pro forma Statement of Operations as compared to a net profit on a historical basis However, the statement on either a historical or pro forma basis include significant charges for the non-cash expenses of depreciation and amortization; thus net cash flow after operating expenses and debt interest payments appears to be positive and significant. Such positive operating cash flow may be an important factor in the next 5 to 7 years in regard to the repayment of debt principal in the absence of another refinancing or additional partner cash infusions.

- It was not determinable from the information provided with the pro formas whether the current level of net operating cash flow will be sufficient for future debt payments, or whether increase in operating revenues, other cash sources, or other measures may become necessary

Staff opinions regarding the total affect of this additional funding information on the transfer request are summarized in the CONCLUSION section of this report.

ITEM 2. PUBLIC INTEREST:

City Council requested that staff inquire into the availability of alternative packages of cable television service, in particular more limited, lower cost service packages ATC's response indicated they currently offer the following cable services and/or service packages to City of Charlotte cable television subscribers, including a reduced-cost Basic service tier.

SERVICE	COST	# CHANNELS	CHANNELS INCLUDED OR DESCRIPTION OF SERVICE
Basic	$14 65 - month	11	WBT, WCCB, WCNC, WJZY, WSOC, WTVI, WUNG Educational Access, Government Access, Public Access PREVUE (Program Guide)
Standard	$22 25 - month	38	A&E, AMERICAN MOVIE CLASSICS, BET, BRAVO, C-SPAN, C-SPAN2, CNBC, CNN, CNN-HEADLINE NEWS, COMEDY CHANNEL, DISCOVERY CHANNEL, EI, Educational Access, ESPN, FAMILY CHANNEL, Government Access, HOME SHOPPING NETWORK, LIFETIME, MTV, NICKELODEON, PREVUE (Program Guide), Public Access, QVC, QVC-FASHION CHANNEL, SPORTSOUTH, THE WEATHER CHANNEL, TNN, TNT, USA NETWORK, VH-1, VIEWER'S CHOICE, WBT, WCCB, WCNC, WGN, WJZY, WSOC, WTBS, WTVI, WUNG
Premium	$11 62 - 1st service $ 9 47 each additional		CINEMAX, DISNEY CHANNEL, HOME BOX OFFICE, THE MOVIE CHANNEL, SHOWTIME
Pay-Per-View	Variable Costs		Various Events

NOTE All costs include the 5% franchise fee

ITEM 3. CHARACTER:

City Council requested that staff inquire into the character of the transferee, particularly as related to its *association with Warner Records*

ATC indicates that Warner Records is not a part of the Time Warner Entertainment, L P (TWE) which is the named transferee for the City of Charlotte franchise TWE consists of the *following general* partners ATC, Home Box Office, Warner Communications, Inc , Warner Cable Communications, Inc and Warner Brothers, Inc. Limited partners include C Itoh and Toshiba

ATC has provided the following response as related to the ICE-T record issue which Council raised

> "In response to Council's concern over the ICE-T record, "Cop Killer," following is the most recent developments. ICE-T announced that the song would be removed from future release of the album once the inventory already in the stores was sold. Time Warner went one step beyond and ordered any remaining inventory be returned. The album will be re-released without the offending song. Attached are copies of recent newspaper articles concerning the issue."

The articles referenced above are provided for Council as Attachment 1 to this report Attachments 2 thru 5 provide additional information related to the character of ATC and TWE

CONCLUSION:

As a result of it's review of this supplemental information, and in view of the relative uncertainty regarding the future financial viability of the proposed transferee, TWE, L P , staff recommends approval of the *transfer subject to the following:*

- *Annual financial statements be required specifically relating to the local cable operation of Cablevision of Charlotte as a separate economic entity,* including·
  - A statement of financial condition;
  - A statement of the results of operations,
  - Both the above to be *prepared in accordance* with generally accepted accounting principles and examined in accordance with generally accepted auditing standards;
  - Both the above to be prepared by an independent firm of certified public accountants approved, in advance, by the *Finance Director of the City of Charlotte.*

- Similar financial statements should be required for the franchisee, TWE, L P , relating to its entire financial activities;

Such statements would better enable the City to:
- Monitor the financial operations of the *local franchise;*
- Review the financial justification for proposed rate changes, pursuant to concerns regarding the affect of the transfer on future cable rates;
- Receive independent verification of franchise fees paid to the City.

ATTACHMENT 1

NEWSPAPER ARTICLES

THE NEW YORK TIMES 7/29/92

'Cop Killer' To Be Cut From Ice-T Album

By SHEILA RULE

The rap performer Ice-T said he would drop the song "Cop Killer" from his Body Count" album because the staff of the record company distributing the album had received death threats from police officers.

Warner Brothers Records, which distributed the album, said yesterday that it would ' effective immediately cease the manufacture and distribution' of the album "as it now stands" and would replace it with a version without the song and with amended artwork to reflect the change. Bob Merlis, Warner's vice president and national publicity director, said that Ice-T made his decision after representatives of the label met with him last Friday and "gave him a background report on what the situation was, up to that moment."

The song, which includes the lyrics "I ve got my 12-gauge sawed off I'm 'bout to dust some cops off die, pig, die," provoked a storm of protest from law-enforcement groups and political figures, including the call for a boycott of the company's films and records. But Time Warner had refused to withdraw the album.

"At the moment the cops are in a criminal mode," Ice-T said at a news conference in Los Angeles. "They've raised a lot of death threats against Warner Brothers Records."

"It's not a Warner Brothers fight, it's my fight," he added.

Ice-T said that although new printings of the album would be distributed without "Cop Killer," the albums already in stores would not be removed.

But Warner Brothers said otherwise. "The new version of 'Body Count' will be put into production on an A.S.A.P basis and should be available to customers within the next few weeks," the company said. "Instructions have been given to WEA Corporation., the sales and distribution company for our products, to inform all music retailers that we would like them to imediately return all unsold 'Body Count' CD's and cassettes for full credit."

Mr. Merlis said that about 500,000 copies of the albums had been shipped to stores. He said the label did not pressure the rapper to crop the song and instead was "quite surprised" when Ice-T offered to do so.

"We showed him various news clippings and explained what the reaction was to his TV appearances and so on," Mr Merlis said. "It was a fairly brief encounter He came up with this suggestion pretty early in the meeting." Ice-T said that his next album would be even more controversial. "Wait till you hear the next [illegible]."

THE WALL STREET JOURNAL 7/29/92

Time Warner to Cut Controversial Song From Ice-T Album

By JOHNNIE L. ROBERTS
Staff Reporter of THE WALL STREET JOURNAL

NEW YORK – Time Warner Inc. said it would immediately begin withdrawing the controversial song "Cop Killer," after rapper Ice-T asked the entertainment giant to drop the recording from his latest album.

But in complying with Ice-T's request, Time Warner yesterday continued to steadfastly defend the song and its distribution as a First Amendment issue, in the face of mounting criticism of the recording as a call for assassination of police.

Yesterday's surprising development didn't appear to offer an immediate end to the prolonged dispute. The Combined Law Enforcement Association of Texas, which spearheaded the opposition to Time Warner, said it wouldn't back off until it receives an apology from the company, as it has demanded all along.

Ice-T told an afternoon news conference in Los Angeles that he had asked Time Warner's Warner Bros. label to remove "Cop Killer" and release a revised version of the album, "Body Count." He claimed that police officers had made threats to Warner Bros. records and also implied that Time Warner executives also had been threatened.

Time Warner wouldn't comment on the claim, and a spokesman for the record label said that it had received two bomb threats since the controversy erupted, but had no knowledge that police were responsible.

In dropping "Cop Killer," the Warner Bros./Sire label said it would ask record stores to return all current copies of the Ice-T album for full credit. A new release, sans the controversial song and related cover art, would be shipped to stores within weeks.

But while critics applauded the action, some said it didn't go far enough. Ron DeLord, president of the police group Cleat, said, "We wanted an apology from Time Warner [admitting] that they made a mistake." He added: "We still want it. Our priority is half over. The simple part would be for them to stand up and say they are going to be good corporate citizens."

In addition to alleged death threats to employees of the entertainment company, Ice-T also said he was dropping the song because his fight was becoming Time Warner's. "It's not a Warner Bros. fight. It's my fight," he said.

ATTACHMENT 2

TIME WARNER SOCIAL RESPONSIBILITY REPORT

ATTACHMENT 3

COMMUNITY SERVICE OVERVIEW

ATC - WARNER CABLE COMMUNICATIONS, INC - HOME BOX OFFICE

Working Together From Coast to Coast

American Television and Communications Corporation (ATC), the second-largest cable television operator currently serves 4 5 million basic customers in 33 states

ATC and its employees are involved as members of the community in every part of the nation–from Maine to Hawaii and from large urban areas such as New York City to small towns such as Montevideo Minn , and Boonville, Mo In each community, regardless of size, its systems contribute in a variety of ways–through community service, through support of the arts, education, health and government and through special programming

Impacting The Community

The following are some of the many ways ATC works with and for the communities where it does business

As a company, ATC provides contributions to local organizations both in Stamford, Conn , home of the corporate office, and in numerous cities throughout the nation Contributions emphasize education, human welfare, arts and culture

ATC employees may receive contributions from the company in the form of matching grants, which match the employee s contribution, dollar for dollar, to worthy organizations, or Volunteer Fund Grants, which provide up to $1,000 in support of specific volunteer projects in which employees are involved

In 1989, the combined total of contributions alone by ATC's corporate and division offices was more than $850,000 That figure has increased by 63 percent from 1985, when the combined total contributions were close to $523,000 These figures do not reflect large amounts of dollars donated annually by divisions and systems to special marketing campaigns for charity

Cable TV and Communities–Relying On Each Other

The Oceanic Cablevision Foundation in ATC's Hawaii Division is an outstanding example of community service The foundation supports programs that address the health and well-being of children and senior citizens, improvements in public education, adult illiteracy and the preservation of culture and the arts

In 1988, a start-up fund of $100,000 was provided by Oceanic Cablevision to its Foundation for disbursement during the year Charitable disbursements over the first two years were $165,957

Another community project supported by most ATC divisions and systems is fund-raising for the needy during the holidays Money raised provides presents, food or recreation In telethons held during the past five years, the Shreveport, La , Division has raised nearly $150,000 for the needy at Christmas

ATC cable offices are involved in community events, such as the Scenic River Days Festival in Reading, Pa , which attracts more than 150,000 visitors to the area annually The Portland, Maine, Division co-sponsored Main Street '90, a community pride parade ATC is seen in local parades across the country, providing local cable coverage, by sponsoring a float or by arranging cable programming "characters" to be present.

ATC Supports The Arts

ATC believes a healthy cultural environment enriches the quality of life for all Americans

Art museums in Miami New York City and Denver held special exhibits of Hollywood Legend and Reality," produced by the Smithsonian Institute and underwritten by Time Inc Nearby ATC cable systems sponsored special events when the exhibit appeared in their areas

Zoos are also supported by many ATC cable companies The Erie, Pa system airs items needed by the Erie Zoo, helps secure donations, and has videotaped a series of commercials about the zoo that recently won an Academy For Cable Excellence (ACE) Award The Greensboro, N C , Division is also an underwriter of the local zoo

In 1989, the Brooklyn/Queens Division gave $10,000 to the Queens Symphony Orchestra to sponsor a free public concert in Cunningham Park

Improving The Quality Of Life

ATC is committed to improving the quality of life in the communities where its customers and employees work and live through education, training and special projects

Literacy is a high priority of Time Warner and its ATC Divisions Many secondary schools now use the Time Education Project, which uses Time magazines to cover current events and to supplement teacher's programs ATC underwrites the cost of the 40-week program

In several divisions, ATC employees serve as tutors for the Time To Read adult literacy program, which uses Time Inc , publications Some of the divisions involved with Time To Read include Charlotte, N C , San Diego, Calif , Memphis, Tenn , Savannah Ga , and Central Florida

The Tampa Bay, Fla , system has been applauded for the Enterprise Village program, which allows gradeschoolers to learn about free enterprise Several divisions, including Portland, Maine, and Indianapolis, are involved with Junior Achievement The San Diego Division has a Business-Education Partnership with the Jean Farb Middle School

Several locations also offer internships to college students, usually in the programming, marketing or public affairs departments Other internships target minorities and the handicapped A program developed by the Brooklyn/Queens Division awards $20,000 each year to two deaf students ATC's National Division seeks out minorities in the engineering field for three internships each year

Training is another important way ATC provides opportunities for citizens The company offers information and training at job fairs, particularly in depressed economic areas, to help displaced people get back on their feet

The Indiana Black Expo Youth Telecommunication Workshop, sponsored by the Indianapolis Division, not only benefitted from the cable company's initial $10,000 cash contribution, but also continues to utilize $70,000 worth of equipment donated by the cable operation for program production and training

Local Productions Spotlight Local Interests

For the first time in the history of television in the United States cable television offers the individual citizen direct access and the ability to focus on interests and concerns often ignored by the traditional media

In most of the communities in which ATC operates its customers have access to television production equipment, studios and the expertise of trained personnel ATC employees train citizens to produce programs dedicated to community service which are televised on local cable channels This training and access is provided at little or no cost

The Indianapolis Division, serving over 71,000 customers, estimates the cost of running its facilities, including salaries, administration, repairs utilities and legal fees totals almost $350 000 annually

Similarly, the Champaign/Urbana, Ill , system has increased community access programming by 447 percent in the past 10 years With four access channels available for community government and educational use, the system offered 4,944 hours of programming in 1989

The array of programming is varied, depending upon local interests and issues Two important types of programming have been volunteer-a-thons and local news operations

Volunteer-a-thons are similar to telethons but their purpose is to recruit volunteers instead of raise money Various community groups appear, explaining the projects for which they need support Viewers call in to donate their time

In ATC's National Division, two systems have started local news operations to provide community news In Council Bluffs, Iowa, and Ithaca, N Y, local community news was rarely featured on the broadcast stations The local programs are an integral part of the system and rate highly with customers

Every community has special needs In the Brooklyn/Queens area, where a large portion of the customer base is Korean, the system conducted a special voter registration program directed to the Korean community Many communities, including Independence, Kan , develop programs and public service announcements for Black History Month In the Appleton/Green Bay Wis , area, a live Roman Catholic mass, televised daily, has proven popular

Awareness on Issues

ATC has discovered through surveys that more than one-third of its customers who watch community programming are involved in local government, issues and organizations This percentage is much higher than represented in the average broadcast audience

Many cities offer programs that allow viewers to talk to both federal and state legislators Local politics are equally important to cable television viewers ATC meets their needs with candidate forums, debates, panels, city council meetings and voter return information

Programs on health and safety issues, areas that are important to ATC customers have been well-received

For example, the Manhattan, N Y, Division has chosen AIDS as its corporate issue Its support, since 1986, has included cablecasting condom advertisements and public service announcements, distributing AIDS awareness literature wiring an AIDS hospice for cable and donating funds to an AIDS organization An AIDS volunteer-a-thon recruited volunteers for 15 AIDS organizations

ATC divisions support local blood drives and hospitals The Austin Texas, Division hosted a major stop smoking program during the Great American Smokeout The Portland, Maine, and Monroeville, Pa , divisions produced two local programs in conjunction with the HBO special, "How To Prevent A Heart Attack"

ATC recognizes that each day its customers judge the quality of service and programming delivered into their homes, and each month they choose whether to remain customers To maintain the confidence of its consumers the company emphasizes high quality service, products and responsiveness to their diverse needs To maintain the right to do business, ATC strives to create goodwill in the communities it serves

Helping Communities Reach Their Potential

"We believe there is a vital interdependence between the corporation and the community One can not prosper without the other The well being of our company – of our shareholders, employees, customers and suppliers – depends directly on the health of the communities in which we do business, on the strength of the schools on the human and environmental resources that sustain and nurture us all "

These thoughts, expressed in Time Warner Inc s 1990 Corporate Social Responsibility Report, represent the continued commitment to community involvement of the parent company and its Warner Cable subsidiary Established in 1972, Warner Cable currently owns cable systems serving more than 1 7 million customers in 21 states across the country During its 18-year history, the company has consistently responded to opportunities for public service

The 1980s: Providing Inestimable Value In Public Service Initiatives

During the past decade, Warner Cable provided an inestimable total value in public service initiatives in the more than 600 communities served by its systems

Reflective of cable s role as a multi-faceted communications and entertainment media, Warner Cable s community contributions ranged from annual telethons for local charities to collecting more than 150,000 cans of food each year for local shelters in over 60 United States cities Warner Cable systems have also served as the conduit for providing lifesaving health and safety information, through cablecasting public service announcements and co-sponsoring community presentations with local organizations and cable networks, such as HBO's "Drunk and Deadly," and Lifetime Television's "Gangs Not My Kid"

Cause-Related Marketing: Raising Consciousness and Dollars

One of Warner Cable's traditional – and highly-valued – means of community support has been allocating a portion of marketing revenue, as much as $5 per sale, for a national or local cause One of the top beneficiaries of this program has been the Muscular Dystrophy Association Warner Cable was one of the founders of "Cable Cares about MDA," an industry-wide promotion An estimated $1 5 million has been raised for the MDA by Warner Cable systems

Another national cause-related campaign for the company has been its fall Holiday Food Harvest, which collected more than 150,000 cans of food for local food shelters in 1988 alone Recognizing that food drives are less commonplace other times of the year, a number of Warner Cable systems also offer discounted cable installations in exchange for non-perishable food during the spring and early summer

Annual Toys For Tots campaigns have been a mainstay at Warner Cable systems for more than a decade Similar to the food drives, free or discounted installations are given to customers who bring a toy or gift valued at $10 Although it is possible to measure the aggregate value of the tens of thousands of toys that have been collected by Warner Cable systems during these campaigns, it is impossible to put a price tag on the joy felt by homeless or orphaned children when they receive a toy

Pay-per-view programming has provided an additional avenue for supporting local and national charities For example, participating Warner Cable systems contributed their net proceeds from the 1989 Moscow Music Festival, which raised over $25,000 for local drug prevention programs in Warner communities

In addition to the actual contributions received by these charitable groups the promotions serve to increase public awareness about each campaign s beneficiary and the services it provides to the community

Public Service Programming—Forum For Awareness And Education

An ongoing vehicle for increasing public awareness about local service groups and issues is the local community programming that is produced and/or cablecast by Warner systems From complex issues, such as the political impact of annexing a subdivision, to straightforward coverage of high school sports, Warner Cable has served as a true community antenna system During the 1980s, a number of locally-produced series have become a resource for bringing news and events into the homes of area residents, combining cable s ability to receive news from around the world with its ability to disseminate community information

In addition to community TV programs, Warner Cable systems allocate a significant percentage of advertising time for carriage of public service announcements Not only does this provide a community-based network for increasing awareness about local organizations and events they sponsor, it also serves as a contemporary "town crier" for encouraging voter registration and participation in community events

Although cable systems didn't install advertising insertion equipment until the second half of the decade, Warner Cable systems have ad or public service announcement insertion capability on eight to 15 channels By allocating several 30 or 60-second spots per day to a local organization, the systems provide it with a monthly exposure ratio valued at more than $10,000 in larger markets All told, public service announcements for local organizations exceed an annual $1 million value in Warner Cable markets

Complimentary Cable Service

Like most cable operators, Warner Cable provides complimentary service to certain public facilities in the communities it serves These often include police and fire stations, emergency shelters and recreational centers for senior citizens The value of this service exceeds the cost of constructing the cable plant, installing the equipment and providing ongoing maintenance It includes the importance of this communications network, particularly for monitoring severe weather situations and natural disasters, such as earthquakes and hurricanes Emergency alert override systems and other communications services provided by the company enable local disaster teams to warn residents about impending crisis

Cable In The Classroom

Warner Cable also provides complimentary service to local schools The availability of "Cable in the Classroom" has taken on added importance during the past several years, thanks to the commitment of most cable networks to curriculum-driven television programming, including "C-SPAN in the Classroom," "Assignment Discovery," and "CNN Newsroom"

In the fall of 1989 Warner Cable published and distributed more than 25,000 cable in the classroom guides to local educators As a member of the Cable Alliance for Education (CAFE), the company will continue to assist schools in optimizing the value of their Warner Cable connection through the increased availability of curriculum guide materials and by purchasing video equipment

Event Sponsorships—Catalyst For Community Activities

Warner Cable s commitment to community service extends beyond the reach of its cable system through sponsoring a wide variety of community programs Telethons, walk-a-thons bike-a-thons, 10-K s, duck races and even canine walks number among the fundraising activities the company sponsors to benefit local groups Warner Cable systems also have demonstrated a sound appetite for sponsoring breakfasts, luncheons and dinners to assist local causes in meeting their goals

In addition to participating in established community events, Warner Cable has been a catalyst for developing new programs that encourage "Kids on the Cusp" to stay in school, promote literacy, build libraries, gymnasiums, and ice arenas, fund canoe trips and other outings for disadvantaged youths, and provide college scholarships The proud sponsors of July fourth fireworks and annual holiday lighting ceremonies, Warner Cable systems shed light for community groups and events all year long

The 1990s: Maximizing The Impact

If the 1980s have served as the decade of discovering the cable medium s tremendous public service potential, the 1990s will be the decade when these resources are maximized Full-time personnel, charged with identifying and implementing community involvement programs, serve on the staffs of Warner Cable's division offices and larger systems This commitment of local management, coupled with a strong spirit of volunteerism among all Warner Cable associates, will help energize local programs that combat illiteracy, promote education, aid the homeless, prevent substance abuse and provide vital support for thousands of health, education and human services organizations across the country Warner Cable will continue "to support the human and environmental resources that sustain and nurture us all "

Focus on Worldwide Concerns

Home Box Office (HBO) is a 24-hour broad-appeal pay-television service distinguished by the quality and diversity of its commercially-uninterrupted programming Launched in November 1972 by Home Box Office, Inc the pay-TV programming and marketing subsidiary of Time Warner Inc HBO is the oldest and largest pay-TV service in the United States

HBO is vitally concerned with the most crucial issues of our time That concern is exhibited through its production of provocative, award-winning original programming which is broadcast to more than 23 million subscribers (HBO and CINEMAX combined) HBO programming, however, has an even larger audience through 10 regional offices and its nationwide community outreach network

With a corporate philosophy dedicated to excellence in original programming, a commitment to community outreach projects, a generous corporate contributions policy, and the volunteer efforts of HBO employees, HBO has established a 17-year history of corporate concern and responsibility

Programming/Original Productions

HBO original productions have been consistent award-winners not only because of technical theatrical excellence, but because their programming has tackled some of society's most difficult issues

Through big event concerts with musicians and comedians, the HBO spotlight has been focused on worldwide concerns Prominent comedians have lent their talents to *Comic Relief*, which has raised more than $16 million in the past four years for the cause of homelessness in America One hundred percent of the pledged donations to *Comic Relief* have been allocated to health care and related services that provide assistance to more than 250,000 homeless Americans

In 1988, during an *HBO Worldstage* performance in cities around the world to commemorate the 40th anniversary of the United Nations Universal Declaration of Human Rights, musical giants like Bruce Springsteen, Peter Gabriel, Sting and Youssou N'Dour sang to raise worldwide awareness of the work of Amnesty International

Welcome Home, a concert broadcast in 1987 from Washington, D C , was one of the first entertainment industry events to heighten awareness and raise much-needed funds for Vietnam veteran issues and hospitals

The heartbreaking condition of AIDS was documented through the stories of five victims and their loved ones in *Common Threads Stories From The Quilt* Other HBO dramas, *Tidy Endings* and *Suzi's Story*, have also tackled personal stories of the AIDS plague In *Dear America Letters Home From Vietnam*, which won both Peabody and Emmy awards, the humanity of American soldiers in Vietnam was seen through their home movies and letters sent to loved ones

Important informational specials on AIDS and smoking have featured former Surgeon General Dr C Everett Koop answering key questions America Undercover documentaries on mental illness, drug abuse, battered women and advice on raising street-smart and drug-free children have provided practical information for HBO families and viewers

Powerful biographies on Nelson Mandela (*Mandela*), Simon Wiesenthal (*The Simon Wiesenthal Story*), Andrei Sakharov (*Sakharov*) and John F Kennedy (*JFK In His Own Words*) have been seen by millions of viewers and have shed light on their international influences on modern history The productions have won Peabody, ACE (Academy for Cable Excellence) and Emmy awards

Programming Outreach

The broad reach of HBO's public service programming is facilitated by the work of regional offices through an effective community outreach system Screenings of HBO productions for hospitals, civic organizations and business groups have assisted these organizations in getting their message out to the public

The HBO *America Undercover* special *Battered* was used at a fundraiser for a Denver shelter *AIDS Everything You And Your Family Need To Know* was made available to more than 8,000 members of businesses, hospitals, schools, libraries and community groups to assist in health education programs

Concern about our nation s drug problems generated widespread interest in two HBO original productions *How To Raise A Drug-Free Child* and *Crack USA County Under Siege* Both programs were shown extensively throughout the country to community groups In many instances, law enforcement officials, doctors and professionals involved in drug treatment were gathered to address issues raised by the documentaries

Screenings of *Common Threads Stories From The Quilt* have been held across the country in conjunction with the San Francisco Names project, and prints of the film were donated for its use in fundraising

Project Knowledge, an after-market distribution system for some of HBO's high quality programming, is a new venture for HBO Study guides prepared by HBO enhance the educational value of each program for use in schools and libraries

Human Resources

While exemplary benefits for Time Warner employees have received national recognition, two programs for HBO employees deserve special mention Both innovations recognize that HBO employees must balance work with family concerns The HBO human resource policy assists in that balancing act

The Eldercare Connection provides counseling, referrals, educational materials and workshops for HBO employees and their elder dependents

Assistance with child care arrangements and child care resources is another benefit extended to all HBO employees Emergency child care is a resource available to New York-based employees

HBO's visible commitment to innovative human resources policies has set an example for the corporate community In New York City, for example, HBO joined forces with the human resources departments of other businesses to pool resources and develop solutions to the emergency child care program Cooperation with other businesses to tackle common employee needs is another HBO innovation which benefits the business community at large

Employee Contributions/Volunteerism

HBO employees display exemplary compassion in their volunteer efforts Many HBO offices around the country have organized volunteer activities such as the Time To Read program Coordinated by Time Warner Inc Time To Read is a reading skills tutorial program for high schools students

In New York, 25 employees volunteer at Covenant House, a nationwide refuge for disenfranchised teenagers, by holding monthly job hunting skills workshops Covenant House was the 1989 recipient of the President s Award for Voluntarism The HBO program was specifically cited as an outstanding example of corporate-community cooperation

In Atlanta HBO employees support the March of Dimes and the Juvenile Diabetes Foundation by helping with fundraising efforts and chairing benefits Atlanta employees donate hotel amenities collected on business trips to a shelter for the homeless The office also donates used furniture to non-profit theatre groups

A group of New York employees was the third-largest fundraising team for AIDSWALK 1989

The Fort Lauderdale HBO office donates premiums and toys to local children s shelters and contributes business expertise to local universities

The Denver HBO office has lent its talents to provide public service announcements for local causes in Colorado

More than 50 percent of all HBO employees donate a day s pay to the annual United Way campaign

Clothing drives are held yearly in the New York and Philadelphia offices, with donations made to shelters for the abused, abandoned or neglected The Philadelphia office conducted an annual holiday gift exchange, with donations made to the American Red Cross Disaster Relief Fund Valentine packages were sent to a local orphanage

In a joint sponsorship, HBO has supported the efforts of the Literacy Volunteers of America project with an informational poster campaign

Good corporate citizenship also extends to support of professional and trade associations HBO executives sit on the national boards of Women In Film, Women In Cable, the Cable Television Advertising and Marketing Society, the Cable Television Public Affairs Association and many others Serving as a national officer for an organization demands a significant contribution of one s time and energy HBO employees have traditionally offered their services to support industry-wide standards of excellence

Corporate Contributions/Sponsorships

HBO has become a significant contributor to many areas of social concern Homelessness, AIDS cultural institutions veterans issues, hospitals libraries, museums and universities all receive support through its generous corporate contribution network

Two scholarship funds have been established in the names of former employees The Samuel Newman Scholarship Fund at Columbia University School of Law, and the Charles Samu Scholarship Fund for the New York Foundation for the Arts

The corporate headquarters of HBO has one of New York City s most comprehensive corporate recycling programs From paper to newspapers, bottles cans and plastic, along with the purchase of recycled products HBO continues its commitment to the environment through in-house programs that contribute to a healthier planet The Denver office has also instituted paper recycling, while the Fort Lauderdale office joins the New York office through its elimination of styrofoam in the workplace

ATTACHMENT 4

1989 ATC ANNUAL REPORT EXCERPT

ATC's Charlotte Division
Employee Volunteers

value of the company's service to the consumers and businesses in the communities we serve The groundbreaking identity and image campaign, introduced in a few divisions in 1988 was rolled out in 1989 in all ATC divisions It incorporates two separate themes, All the Things We Are and Coming Through" Each division selects the one best suited to its local needs The campaign was recognized with several top awards from industry groups It is the foundation for an intensive, coordinated local advertising and promotion effort Tailored to each division and system, it is building customer loyalty, spurring advertising sales and increasing the perception of the value of cable to customers and potential customers

Advertising Sales

Quality programming and a larger customer base also attract national and local advertisers Increasing advertising sales is a high priority in every ATC division As an additional revenue stream increased advertising dollars can help counter the cost pressures from ever-increasing programming expense In 1989, national industry-wide cable advertising sales were about $2 billion, a 30 percent jump from 1988 ATC accounted for $33 million of that total and exceeded the exceptional 30 percent gain nationally However compared with the total dollars spent annually in television advertising, cable's share is still relatively small As a result, this is an area of great opportunity for ATC, and increasing our slice of the advertising pie is a major objective for 1990 and the years ahead

Programming

As the telecommunications universe becomes larger, more complex and more competitive cable operators must become more innovative creative and precedent-breaking As the business changes ATC not only is adapting but leading

In September 1989, ATC s Rochester N Y Division, Greater Rochester

Joyce Deason of the Charlotte Division has for many years been a Red Cross team leader When Hurricane Hugo devastated the Charlotte area last September, Deason helped organize relief efforts in nearby Union County Her Red Cross unit served more than 8 000 meals and provided shelter for many local residents who were left homeless She was joined by many other Charlotte Division employees who worked on disaster relief efforts Meanwhile ATC technical staffers from as far away as upstate New York and San Diego converged on Charlotte to rebuild the cable system quickly restoring service to customers

CANAD
CHARLOTTE
MASS
CONN
NJ
DEL.
MD.
Norfolk
2 P M
Friday
Raleigh
CAPE
HATTERA
Wilmington
Myrtle
Beach
Hurricar
Hugo
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American
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VOLUNTEER
Hugo V
Thousands R
By LIZ CHANDLER,
ELIZABETH LELANT
And LOLO PENDER
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ton and surroun
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ATTACHMENT 5

CABLEVISION OF CHARLOTTE

Community Service Overview

COMMUNITY SERVICE

While Cablevision's first goal is providing quality cable television, it is equally important that we serve our community through cultural, educational and civic involvement. Through this involvement, we are able to contribute to the community's quality of life. Following are a few examples of the projects and organizations Cablevision supports.

Time To Read -- This is a reading improvement program that uses Time magazine and volunteer tutors. Time To Read was introduced as an adult literacy program in 1985 and as an adolescent program in 1989. Each year, the program helps almost 200 adults and 100+ Charlotte-Mecklenburg school students improve their reading skills. Tutors include college students and Cablevision employees. Cablevision provides work release time for employee volunteers and underwrites the cost of the program. Cities In Schools, a dropout prevention program, coordinates access to the schools and provides on-site support.

Safe Place -- Children who are frightened or in trouble can get help at any Cablevision vehicle marked by a Safe Place decal. Safe Place is a network of businesses and volunteers who are available to help children in crisis situations. Cablevision vehicles are the city's first "mobile" Safe Place sites and are easily accessible since the vehicles are in neighborhoods every day where children are likely to need help. The program is coordinated by The Relatives, a non-profit organization providing crisis counseling and emergency shelter to youth from age 7-17. After a child approaches the vehicle, the Cablevision representative contacts The Relatives which send a specially trained volunteer counselor to meet with the child and decide what action should be taken.

Charlotte Film and Video Festival -- As a major sponsor of Charlotte's Film and Video Festival, we are able to support the development of quality programming on the local level. The festival, organized by the Mint Museum, features independent films and videos by artists throughout the United States. Public screenings are held in several locations. As a corporate sponsor, Cablevision contributes funds for the festival, advertising space on the cable channels, and in 1991 aired many of the entries on Cablevision's TV15.

CNN Newsroom -- One of the unique parts of our business is the educational resources available through cable TV. One of the leaders in this area has been CNN. CNN Newsroom is a 15-minute news program developed by CNN for use in junior and senior high schools. The program is augmented by a daily teacher's guide that schools receive by computer. Cablevision purchased the equipment for the 22 junior and senior high schools in our service area that allows them to receive the daily teacher's guide. In addition, when the program was introduced in 1990, Cablevision held a training session that was attended by 64 teachers and media specialists.

Time Education Program -- This program provides 35 subscriptions to Time magazines for the 11 senior high schools. The program also includes support materials and suggested classroom materials. Cablevision began providing this program in 1984.

Cable In The Classroom -- Cable television is a valuable educational resource for the classroom. Many program services, such as Discovery Channel, Arts & Entertainment, CNN and Bravo, have developed special commercial-free programming blocks specifically for classroom use. This programming has been cleared of copyright restrictions, and in many cases is augmented by teacher guides and suggested lesson plans. We have worked through the Education Center to make teachers aware of the educational resources available on cable television. In addition, we buy 240 subscriptions of The Educator's Guide To Cable Television. Each school (even those not in our service area) receives at least one copy.

School/Business Partnership

Cablevision and Ashley Park Elementary School have formed a partnership. Among other things, we will be providing technical assistance to the school on the production of an in-school news program.

Other groups which receive corporate contributions, underwriting or sponsorship:

* WTVI
* Discovery Place
* WFAE
* SpringFest
* JazzCharlotte
* The Mint Museum
* Arts & Science Council
* Charlotte Symphony
* Spirit Square
* MDA (Muscular Dystrophy Association)
* United Cerebral Palsy
* United Way
* Charlotte-Mecklenburg Schools

CONVENTION AND VISITORS BUREAU BOARD OF DIRECTORS

(2 Members)

Two appointments by City Council to this Board of Directors to provide citizen input as the Bureau continues to work to develop community awareness, involvement and pride in Charlotte as a convention and travel destination.

APPLICATION FOR BOARDS, COMMISSIONS AND COMMITTEES
CHARLOTTE CITY COUNCIL

RECEIVED
AUG 14 1992
OFFICE OF CITY CLERK

Please complete each section

FULL NAME Carl David Birdwell (please print or type) Mr ✓ Mrs ____ Ms ____ Miss ____

HOME ADDRESS 4639 Deer Cross Trail Charlotte NC ZIP 28269

BUSINESS ADDRESS 5821 Fairview 115 Charlotte NC ZIP 28209

HOME PHONE (704) 598 1001 BUSINESS PHONE (704) 554 1705

SPOUSE'S NAME Caprice SPOUSE'S EMPLOYER UNCC Student

SPOUSE'S TITLE ____

PLEASE INDICATE Council District # Mecklenburg Date of Birth 11-19-39

MALE ✓ BLACK ____ BOARDS/COMMISSIONS/COMMITTEES I AM MOST INTERESTED IN

FEMALE ____ WHITE ✓ Convention + Visitors Bureau Board

SINGLE ____ INDIAN ____

MARRIED ✓ HISPANIC ____

OTHER ____

EDUCATION (including degrees completed) B.S Economics, Wayne State University
CLU, CHFC, American College

CURRENT EMPLOYER Jefferson Pilot

TITLE Financial Planner YEARS IN CURRENT POSITION 3

DUTIES Provide financial planning services for businesses and individuals in the areas of asset security, retirement and estate planning

OTHER EMPLOYMENT HISTORY 20 years of retail merchandising and management. Extensive domestic and foreign travel that provided exposure to the world's finest cities. Served as President of large NC retail operation 1985-1988.

DO NOT SUBMIT RESUMES

(over)

INTERESTS/SKILLS/AREAS OF EXPERTISE Interested in serving community and making Charlotte the best city in the South Skills include communication, organization, and leadership.

CURRENT PROFESSIONAL ORGANIZATIONS, CIVIC, RELIGIOUS AND POLITICAL ACTIVITIES

President Statesville Road Elementary PTA 1991-92

NALU

PAST PROFESSIONAL ORGANIZATIONS, CIVIC, RELIGIOUS AND POLITICAL ACTIVITIES

COMMENTS I believe my current and past experience and my genuine interest in the development of the Charlotte community would allow me to make a positive contribution to the Convention and Visitors Bureau.

AFFIRMATION OF ELIGIBILITY

To your knowledge, has any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction?

Yes_____ No ✓ If Yes, please attach explanation

Is there any possible conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your futies as an appointee of the City Council?

Yes_____ No ✓ If yes, please attach explanation of the nature of the conflict

I certify that the facts contained in this application are true and correct to the best of my knowledge I authorize investigation of all statements contined herein and the references listed above to give you any and all information concerning my qualifications and any pertinent information they may have, personal or otherwise, and release all parties from all liability for any damages that may result from furnishing the same to you

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A personal contact with a City Councilmember is recommended

RETURN COMPLETED FORM TO

Office of the City Clerk
600 East Fourth Street
Charlotte, NC 28202-2857

Signature C Del Brickwood

Date 8-14-92

DO NOT SUBMIT RESUMES

APPLICATION FOR BOARDS, COMMISSIONS AND COMMITTEES
CHARLOTTE CITY COUNCIL

RECEIVED
AUG. 14 1992
OFFICE OF CITY CLERK

Please complete each section

FULL NAME Deloris C Boone (please print or type) Mr ____ Mrs ____ Ms. ____ Miss ____

HOME ADDRESS 7605 Edgeworth Court ZIP 28213

BUSINESS ADDRESS 4601 Park Road ZIP 28209

HOME PHONE (704) 597-9976 BUSINESS PHONE (704) 554-5467

SPOUSE'S NAME ____ SPOUSE'S EMPLOYER ____

SPOUSE'S TITLE ____

PLEASE INDICATE Council District # 4 Date of Birth July 11, 1951

MALE ____ BLACK X

FEMALE X WHITE ____

SINGLE X INDIAN ____

MARRIED ____ HISPANIC ____

OTHER ____

BOARDS/COMMISSIONS/COMMITTEES I AM MOST INTERESTED IN
The Convention and Visitors Bureau Board of Directors

EDUCATION (including degrees completed) Myers Park High School Graduate - 1969, B.S in Mathematics - N C A&T State University - 1973; MBA in Finance - Indiana University - 1981

CURRENT EMPLOYER IBM Corporation

TITLE Mgr., Workflow & Image Consulting YEARS IN CURRENT POSITION 8 mos.

DUTIES Management of a technology/application unit that markets and implements solutions in customer environments

OTHER EMPLOYMENT HISTORY Employed by IBM for 19 years in various locations and capacities, mostly technical marketing activities

DO NOT SUBMIT RESUMES

(over)

INTERESTS/SKILLS/AREAS OF EXPERTISE Skill Promotion/development of groups I'm involved with
Interest Promotion of our city, my hometown to affect continued growth and that allows inclusion of more of the city residents. Other Have traveled quite a bit and participated in convention activities in many cities

CURRENT PROFESSIONAL ORGANIZATIONS, CIVIC, RELIGIOUS AND POLITICAL ACTIVITIES

President, Queen City Chapter - N.C A&T Alumni Association, Member of United Way, Dover Development Board, Advisor - CREW (Youth Group at Friendship Missionary Baptist Church)

PAST PROFESSIONAL ORGANIZATIONS, CIVIC, RELIGIOUS AND POLITICAL ACTIVITIES

Nat'l 2nd Vice President, N.C A&T Alumni Association, Member of National Annual Giving Committee Member of Delta Sigma Theta Sorority;

COMMENTS

AFFIRMATION OF ELIGIBILITY

To your knowledge, has any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction?

Yes_____ No X If Yes, please attach explanation

Is there any possible conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the City Council?

Yes_____ No X If yes, please attach explanation of the nature of the conflict

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Office of the City Clerk
600 East Fourth Street
Charlotte, NC 28202-2857

Signature Delores C Boone

Date 8/14/92

DO NOT SUBMIT RESUMES

APPLICATION FOR BOARDS, COMMISSIONS AND COMMITTEES
CHARLOTTE CITY COUNCIL

RECEIVED
AUG 14 1992
OFFICE OF CITY ...

Please complete each section

FULL NAME Davis, Franklin Eugene (please print or type) Mr X Mrs ____ Ms ____ Miss ____

HOME ADDRESS Box 728, 10701 Washam Potts Rd, Cornelius, NC ZIP 28031

BUSINESS ADDRESS ____ ZIP ____

HOME PHONE (704) 892-0436 BUSINESS PHONE ( ) ____

SPOUSE'S NAME Jean P Davis SPOUSE'S EMPLOYER retired teacher

SPOUSE'S TITLE ____

PLEASE INDICATE Council District # Mecklenburg Co. #1 Date of Birth 10-02-40

MALE X BLACK ____ BOARDS/COMMISSIONS/COMMITTEES I AM MOST INTERESTED IN

FEMALE ____ WHITE X Convention and Vistors Bureau Board

SINGLE ____ INDIAN ____

MARRIED X HISPANIC ____

OTHER ____

EDUCATION (including degrees completed) Ed.S School Administration UNC-CH
MA > Appalachian State University
BS

CURRENT EMPLOYER Charlotte-Meck Schools (retiring 10-31-92)

TITLE Principal - Davidson Elem School (YEARS IN CURRENT POSITION 23 yrs

DUTIES (as school principal - 7yrs
teaching

OTHER EMPLOYMENT HISTORY —

DO NOT SUBMIT RESUMES

(over)

INTERESTS/SKILLS/AREAS OF EXPERTISE administration, personnel relations,

CURRENT PROFESSIONAL ORGANIZATIONS, CIVIC, RELIGIOUS AND POLITICAL ACTIVITIES

N. Meck Chamber of Commerce, Lake Norman YMCA Board & Volunteer, Lions Club — local & district offices —, Phi Delta Kappa, First Baptist Church of Huntersville —

PAST PROFESSIONAL ORGANIZATIONS, CIVIC, RELIGIOUS AND POLITICAL ACTIVITIES

NCAE - NEA Division of Principals/Administrators, Metrolina Assoc. for the Blind Board, Davidson-Cornelius Day Care Board

COMMENTS upon retiring from Charlotte-Meck Schools in October, 1991 I want to remain active in community affairs -

AFFIRMATION OF ELIGIBILITY

To your knowledge, has any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction?

Yes_____ No X *If Yes, please attach explanation*

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Yes_____ No X If yes, please attach explanation of the nature of the conflict

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Office of the City Clerk
600 East Fourth Street
Charlotte, NC 28202-2857

Signature J Eugene Davis

Date 8-13-92

DO NOT SUBMIT RESUMES

APPLICATION FOR BOARDS, COMMISSIONS AND COMMITTEES
CHARLOTTE CITY COUNCIL

AUG 17 1992

Please complete each section

OFFICE OF CITY CLERK

FULL NAME Ann S Duckett (please print or type) Mr ____ Mrs ✓ Ms ____ Miss ____

HOME ADDRESS 5442 Five Knolls Dr, Char NC ZIP 28226

BUSINESS ADDRESS CPCC. PO Box 35009, Char, NC ZIP 28235

HOME PHONE (704) 542-7049 BUSINESS PHONE (704) 342-6698

SPOUSE'S NAME Albert E. Duckett Jr. SPOUSE'S EMPLOYER DuPont

SPOUSE'S TITLE Purchasing Agent

PLEASE INDICATE Council District # ____ Date of Birth 6/3/40

MALE ____ BLACK ____ BOARDS/COMMISSIONS/COMMITTEES I AM MOST INTERESTED IN

FEMALE ✓ WHITE ✓ Visitor + Convention Bureau

SINGLE ____ INDIAN ____

MARRIED ____ HISPANIC ____

OTHER ____

EDUCATION (including degrees completed) AS.

CURRENT EMPLOYER CPCC- Corpr Cont. Ed

TITLE Program Coordinator YEARS IN CURRENT POSITION 7 mos

DUTIES Hiring instructors for Cont Ed courses, working w business to meet training needs - coordinate public seminars

OTHER EMPLOYMENT HISTORY

ZEAD Assoc Inc - 10 yrs - training coordinator, sales, mktg - outplacement service coordinator

DO NOT SUBMIT RESUMES

(over)

INTERESTS/SKILLS/AREAS OF EXPERTISE Main interest – promoting Char – a great place to live (21 yrs) sales, mktg experience Have spoken w Susan Rapely of CVB

CURRENT PROFESSIONAL ORGANIZATIONS, CIVIC, RELIGIOUS AND POLITICAL ACTIVITIES

ASTD (Amer Society Training + Dev.) Member of Parish Council – St Matthew Church – volunteer Perf. Arts Center Vol – C.V.B

PAST PROFESSIONAL ORGANIZATIONS, CIVIC, RELIGIOUS AND POLITICAL ACTIVITIES

NAPS – Nat'l Assoc Professional Saleswomen. Girl Scout leader (5 yrs)

COMMENTS Would like to get more involved in community – very interested in CVB – Tourism & promoting Char for conventions etc.

AFFIRMATION OF ELIGIBILITY

To your knowledge, has any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction?

Yes_____ No ✓ If Yes, please attach explanation

Is there any possible conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your futies as an appointee of the City Council?

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Office of the City Clerk
600 East Fourth Street
Charlotte, NC 28202-2857

Signature Ann S. Duckett

Date 8/14/92

DO NOT SUBMIT RESUMES

APPLICATION FOR BOARDS, COMMISSIONS AND COMMITTEES
CHARLOTTE CITY COUNCIL

RECEIVED AUG 17 1992

OFFICE OF CITY CLERK

Please complete each section

FULL NAME Kathlee C. Hicks (please print or type) Mr ____ Mrs ✓ Ms ____ Miss ____

HOME ADDRESS 5612 D Kingsgate Pl ZIP 28270

BUSINESS ADDRESS retired Principal Ascension Luth. School ZIP ____

HOME PHONE (704) 366-0984 BUSINESS PHONE ( ) ____

SPOUSE'S NAME deceased SPOUSE'S EMPLOYER ____

SPOUSE'S TITLE ____

PLEASE INDICATE Council District # 6th Date of Birth 4/8 Charlotte

MALE ____ BLACK ____ BOARDS/COMMISSIONS/COMMITTEES I AM MOST INTERESTED IN

FEMALE ✓ WHITE ✓ The Convention and Visitors Bureau

SINGLE ____ INDIAN ____ Board

MARRIED ____ HISPANIC ____

OTHER ____

EDUCATION (including degrees completed) Queens - East Carolina - Womans College (UNCG) UNCC - Winthrop - even CPCC

CURRENT EMPLOYER ____

TITLE Principal \ DCE YEARS IN CURRENT POSITION 40

DUTIES Teaching - Director - School VBS - Sun Sc. etc - ~~Etc~~ Docent 7 yrs Charlotte History Museum - Alex House - Charlotte \ Mecklenburg Tours (Local and Visiting groups) Red Cross Volunteer (Water safety - 1st aid - Youth Training) P.T.A. President - 3 schoo

OTHER EMPLOYMENT HISTORY N. C. State Committees (~~Safety - Driver Educat~~) Early Childhood Consultan Southeastern District (Lutheran Ch) Asked to run for School Board (Charlotte \ Mecklenburg twice) Archivist \ Historian - Carolinas - Invited Int'l group (L.W.M.C. Luth Women Missionary League) twice - each time - Int'l Committee com'tted on the presentatio and visit (But old Civic Center could not "hold" but 6500 - Now 1996 we will have the Convention here with the new Center - expecting 8 to . Thous

Involved in D.A.R - U.D.C. Docent for Ramsen Hut 4 months

DO NOT SUBMIT RESUMES

e Meck. Geneology Society - Volunteer Library (Carolina Room) etc

(over)

I'm sorry - I didn't know this was required ...

INTERESTS/SKILLS/AREAS OF EXPERTISE A Great Love + Knowledge of Charlotte + Area HISTORY - LOVE Telling Groups ABOUT OUR HISTORY ...

CURRENT PROFESSIONAL ORGANIZATIONS, CIVIC, RELIGIOUS AND POLITICAL ACTIVITIES
Past Pres. Womens Group (CWMC) Carolinas District - Int'l Board of Directors 4yrs. - Republican (not active) Community Concert Membership

PAST PROFESSIONAL ORGANIZATIONS, CIVIC, RELIGIOUS AND POLITICAL ACTIVITIES
3 yr. Regent Mecklenburg D.AR (also Good Citizen Awards for Hi School) Southern History for Stonewall Jackson UDC History Essay for 5th - 8th grade) sec Olde Meck Genealogical Society - Past Program Chairman + Tour Planner + Guide

COMMENTS I have very involved now - But I am at the stage of my life - I "Do" what which is "of the" most interesting for me!
Organized + 1st Pres Charlotte Meck Early Childhood Committee
Present - Coordinator of Volunteers for Fraternal Insurance Company AAL + North Carolina

AFFIRMATION OF ELIGIBILITY

To your knowledge, has any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction?

Yes_____ No ✓ If Yes, please attach explanation

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RETURN COMPLETED FORM TO

Office of the City Clerk
600 East Fourth Street
Charlotte, NC 28202-2857

Signature Lottie C. Hicks

Date August 13, 1992

DO NOT SUBMIT RESUMES

APPLICATION FOR BOARDS, COMMISSIONS AND COMMITTEES
CHARLOTTE CITY COUNCIL

AUG 14 1992

OFFICE OF CITY CLERK

Please complete each section

FULL NAME Gerald W. (Jerry) King (please print or type) Mr ✓ Mrs ____ Ms ____ Miss ____

HOME ADDRESS 719 Ashmeade Rd Charlotte NC ZIP 28211

BUSINESS ADDRESS 2915 Providence Rd Suite 300 Charlotte NC ZIP 28211

HOME PHONE (704) 364-6960 BUSINESS PHONE (704) 366-1685

SPOUSE'S NAME Dorothy SPOUSE'S EMPLOYER Honeychile

SPOUSE'S TITLE Clerk

PLEASE INDICATE Council District # ____ Date of Birth May 23, 1932

MALE ✓ BLACK ____ BOARDS/COMMISSIONS/COMMITTEES I AM MOST INTERESTED IN

FEMALE ____ WHITE ✓ ✓ The Convention and Visitors Bureau

SINGLE ____ INDIAN ____ The Storm Water Services Advisory Comm

MARRIED ✓ HISPANIC ____

OTHER ____

EDUCATION (including degrees completed) BS Business Administration - Marketing
University of North Carolina at Chapel Hill

CURRENT EMPLOYER King Career Consultants

TITLE Exec VP YEARS IN CURRENT POSITION 3

DUTIES Consult with clients on career changes and job searches

OTHER EMPLOYMENT HISTORY WBT-WBTV-Jefferson Pilot Communications
Vice President/Treasurer for 28 years

DO NOT SUBMIT RESUMES

(over)

INTERESTS/SKILLS/AREAS OF EXPERTISE Finance, marketing, selling, personnel, personnel placement

CURRENT PROFESSIONAL ORGANIZATIONS, CIVIC RELIGIOUS AND POLITICAL ACTIVITIES
Chamber of Commerce, Central Branch YMCA

PAST PROFESSIONAL ORGANIZATIONS, CIVIC, RELIGIOUS AND POLITICAL ACTIVITIES
BOD Amethyst Corp, Chairman Heart Association, Chairman Central YMCA, Junior Achievement, Mercy Hospital Foundation

COMMENTS

AFFIRMATION OF ELIGIBILITY

To your knowledge, has any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction?

Yes_____ No ✓ If Yes, please attach explanation

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Office of the City Clerk
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Charlotte, NC 28202-2857

Signature Gerald W. King

Date August 13, 1992

DO NOT SUBMIT RESUMES

APPLICATION FOR BOARDS, COMMISSIONS AND COMMITTEES
CHARLOTTE CITY COUNCIL

AUG 14 1992

OFFICE OF CITY CLERK

Please complete each section

FULL NAME Donna Lee Lockhart (please print or type) Mr ____ Mrs ✓ Ms ____ Miss ____

HOME ADDRESS 7312 Rudwick Lane Charlotte NC ZIP 28226

BUSINESS ADDRESS PO Box 32861 Charlotte NC ZIP 28232

HOME PHONE (704) 366 3266 BUSINESS PHONE (704) 355-5042

SPOUSE'S NAME Charles Lockhart SPOUSE'S EMPLOYER Lockhart Insurance Agency

SPOUSE'S TITLE President

PLEASE INDICATE Council District # 5 Date of Birth 5-21-47

MALE ____ BLACK ____ BOARDS/COMMISSIONS/COMMITTEES I AM MOST INTERESTED IN

FEMALE ____ WHITE ✓ Convention And Tourism

SINGLE ____ INDIAN ____

MARRIED ✓ HISPANIC ____

OTHER ____

EDUCATION (including degrees completed) B.S. Nursing University of S.C.
Post Graduate Courses Queens College, Charlotte NC

CURRENT EMPLOYER Charlotte Mecklenburg Hospital Authority

TITLE Assistant Vice President YEARS IN CURRENT POSITION 14

DUTIES Direct In-House Travel Agency; Responsible for All Physician and Nurse Recruitment for Hospital Authority - Coordinate All Out-of Town Applicants Visits - Including Introducing to City and Hospital facilities

OTHER EMPLOYMENT HISTORY Held various nursing administrative positions at Carolinas Medical Center from 1978-1986 prior to promotion to current position

DO NOT SUBMIT RESUMES

(over)

INTERESTS/SKILLS/AREAS OF EXPERTISE Promotion of City/County, Recruitment of out of town applicants

CURRENT PROFESSIONAL ORGANIZATIONS, CIVIC, RELIGIOUS AND POLITICAL ACTIVITIES

NC Nurses Association; Sigma Theta Tau; Chair CMHA United Way campaign
National Association of Female Executives
Member Carmel Presbyterian Church

PAST PROFESSIONAL ORGANIZATIONS, CIVIC, RELIGIOUS AND POLITICAL ACTIVITIES

Chair Charlotte Mecklenburg Hospital Authority
United Way campaign 1988-1990. Presbyterians are three years.

COMMENTS

AFFIRMATION OF ELIGIBILITY

To your knowledge, has any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction?

Yes_____ No ✓ If Yes, please attach explanation

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Office of the City Clerk
600 East Fourth Street
Charlotte, NC 28202-2857

Signature Anne Lockhart

Date 8/13/92

DO NOT SUBMIT RESUMES

APPLICATION FOR BOARDS, COMMISSIONS AND COMMITTEES
CHARLOTTE CITY COUNCIL

CONVENTION AND VISITORS BUREAU BOARD OF DIRECTORS

Please complete each section

FULL NAME Peggie Earley Plott (please print or type) Mr ____ Mrs X Ms ____ Miss ____

HOME ADDRESS 3937 Brookwood Road, Charlotte, N. C. ZIP 28215

BUSINESS ADDRESS 600 E. Fourth Street, Charlotte, N. C. ZIP 28202-2859

HOME PHONE (704) 596-4181 BUSINESS PHONE (704) 336-3311

SPOUSE'S NAME Billy Ray Plott SPOUSE'S EMPLOYER Plott's Lawn Service (Self-employed)

SPOUSE'S TITLE Owner

PLEASE INDICATE Council District # ____ Date of Birth 12-14-31

MALE ____ BLACK ____ BOARDS/COMMISSIONS/COMMITTEES I AM MOST INTERESTED IN

FEMALE X WHITE X CONVENTION AND VISITORS BUREAU BOARD OF DIRECTORS

SINGLE ____ INDIAN ____

MARRIED X HISPANIC ____

OTHER ____

EDUCATION (including degrees completed) High School Graduate and one year Business Administration

CURRENT EMPLOYER Community Development Department, City of Charlotte

TITLE Office Assistant V YEARS IN CURRENT POSITION 8

DUTIES Secretarial duties for Administrative Staff. Attend numerous meetings and record and compose minutes.

OTHER EMPLOYMENT HISTORY City of Charlotte Manager and Mayor's Office - 1978 to 1983 - Administrative Sec. Food Brokerage Business - 16 years * Federal Reserve Bank - 5-1/2 years

DO NOT SUBMIT RESUMES

(over)

INTERESTS/SKILLS/AREAS OF EXPERTISE Along with my secretarial duties, I have attended numerous meetings and have developed an awareness of various needs, therefore, I feel that I would and could contribute to this community thru membership in this committee. I work closely with economic development (loans, etc.) in the Charlotte area. I have worked with the Charlotte Certified Development Corp. since its inception in 1982.

CURRENT PROFESSIONAL ORGANIZATIONS, CIVIC, RELIGIOUS AND POLITICAL ACTIVITIES

Church - Eastway Drive Church of God

PAST PROFESSIONAL ORGANIZATIONS, CIVIC, RELIGIOUS AND POLITICAL ACTIVITIES

Previous Sunday School Teacher and other church activities (Plaza Baptist Church)

Member of Bond Drive Committee during drive to build a new church.

COMMENTS I feel that this would be a very interesting endeavor in which to participate.

AFFIRMATION OF ELIGIBILITY

To your knowledge, has any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction?

Yes_____ No X *If Yes, please attach explanation*

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RETURN COMPLETED FORM TO

Office of the City Clerk
600 East Fourth Street
Charlotte, NC 28202-2857

Signature Peggie E Platt

Date 8-14-92

DO NOT SUBMIT RESUMES

APPLICATION FOR BOARDS, COMMISSIONS AND COMMITTEES
CHARLOTTE CITY COUNCIL

RECEIVED
AUG 12 1992
OFFICE OF CITY CLERK

Please complete each section

FULL NAME Jackie K. Roche (please print or type) Mr ____ Mrs (✓) Ms ____ Miss ____

HOME ADDRESS 5300 Lancelot Drive ZIP 28270

BUSINESS ADDRESS 2901 Providence Road ZIP 28211

HOME PHONE (704) 846-4462 BUSINESS PHONE (704) 366-8791

SPOUSE'S NAME Thomas Geddings Roche Jr. SPOUSE S EMPLOYER Signode Corp.

SPOUSE'S TITLE Sales Representative

PLEASE INDICATE Council District # 7 (Mangum) Date of Birth 3-10-41

MALE ____ BLACK ____

FEMALE ✓ WHITE ✓

SINGLE ____ INDIAN ____

MARRIED ✓ HISPANIC ____

OTHER ____

BOARDS/COMMISSIONS/COMMITTEES I AM MOST INTERESTED IN
The Convention & Visitors Bureau Board of Directors

EDUCATION (including degrees completed) High School - Myers Park
College - Peace College, Raleigh -

CURRENT EMPLOYER Flowhouse McClave Realtors

TITLE Realtor/Broker YEARS IN CURRENT POSITION 1

DUTIES Sell real estate in Charlotte vicinity.

OTHER EMPLOYMENT HISTORY Vice President - Penn Properties; Fashion Consultant - Carlisle; Realtor - Merrill Lynch; Artist

DO NOT SUBMIT RESUMES

(over)

INTERESTS/SKILLS/AREAS OF EXPERTISE Real Estate, Entertaining (Floral Designs) Art, like to travel. (have been to 13 European countries - Hawaii - Virgin Islands - Bermuda)

CURRENT PROFESSIONAL ORGANIZATIONS, CIVIC, RELIGIOUS AND POLITICAL ACTIVITIES
Member Board of Directors American Lung Association - active member Carmel Presbyterian Church

PAST PROFESSIONAL ORGANIZATIONS, CIVIC, RELIGIOUS AND POLITICAL ACTIVITIES
V.P. Board of Trustees - Mint Museum of Art; Precinct #91 Registrar, President Mint Auxiliary

COMMENTS I think this would be exciting - interesting volunteer position.

AFFIRMATION OF ELIGIBILITY

To your knowledge, has any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction?

Yes_____ No ✓ If Yes, please attach explanation

Is there any possible conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the City Council?

Yes_____ No ✓ If yes, please attach explanation of the nature of the conflict

I certify that the facts contained in this application are true and correct to the best of my knowledge I authorize investigation of all statements contined herein and the references listed above to give you any and all information concerning my qualifications and any pertinent information they may have, personal or otherwise, and release all parties from all liability for any damages that may result from furnishing the same to you

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A personal contact with a City Councilmember is recommended

RETURN COMPLETED FORM TO

Office of the City Clerk
600 East Fourth Street
Charlotte, NC 28202-2857

Signature Jackie H. Roche

Date August 12, 1992

DO NOT SUBMIT RESUMES

APPLICATION FOR BOARDS, COMMISSIONS AND COMMITTEES
CHARLOTTE CITY COUNCIL

RECEIVED
AUG 14 1992
OFFICE OF CITY CLERK

Please complete each section

FULL NAME PAUL JAMES SIMON (please print or type) Mr ✓ Mrs ____ Ms ____ Miss ____

HOME ADDRESS 748 HEMPSTEAD PL. ZIP 28207

BUSINESS ADDRESS 1027 PROVIDENCE Rd ZIP 28207

HOME PHONE ( ) 333-0085 BUSINESS PHONE ( ) 372-6842

SPOUSE S NAME MARCIA SIMON SPOUSE S EMPLOYER Self

SPOUSE S TITLE ____

PLEASE INDICATE Council District # ____ Date of Birth 2/2/46

MALE ✓ BLACK ____ BOARDS/COMMISSIONS/COMMITTEES I AM MOST INTERESTED IN

FEMALE ____ WHITE ✓ VISITORS & CONVENTION BUREAU

SINGLE ____ INDIAN ____

MARRIED ✓ HISPANIC ____

OTHER ____

EDUCATION (including degrees completed) BS - Sociology - Syracuse Univ
MS Hotel Admin Cornell Univ

CURRENT EMPLOYER Paul Simon Co

TITLE Pres. YEARS IN CURRENT POSITION 17

DUTIES ____

OTHER EMPLOYMENT HISTORY Hotel MGR. 3 yrs
San Francisco, CA

DO NOT SUBMIT RESUMES

(over)

INTERESTS/SKILLS/AREAS OF EXPERTISE HAVE WORKED IN HOSPITALITY INDUSTRY and with San Francisco Bureau.

CURRENT PROFESSIONAL ORGANIZATIONS CIVIC, RELIGIOUS AND POLITICAL ACTIVITIES

Board - Opera Carolina - Temple Beth El -

PAST PROFESSIONAL ORGANIZATIONS, CIVIC, RELIGIOUS AND POLITICAL ACTIVITIES

COMMENTS

AFFIRMATION OF ELIGIBILITY

To your knowledge, has any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction?

Yes_____ No_____ If Yes, please attach explanation

Is there any possible conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your futies as an appointee of the City Council?

Yes_____ No_____If yes, please attach explanation of the nature of the conflict

I certify that the facts contained in this application are true and correct to the best of my knowledge I authorize investigation of all statements contined herein and the references listed above to give you any and all information concerning my qualifica tions and any pertinent information they may have, personal or otherwise, and release all parties from all liability for any damages that may result from furnishing the same to you

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RETURN COMPLETED FORM TO

Office of the City Clerk
600 East Fourth Street
Charlotte, NC 28202-2857

Signature Paul Simon

Date 8/14/92

DO NOT SUBMIT RESUMES

APPLICATION FOR BOARDS, COMMISSIONS AND COMMITTEES
CHARLOTTE CITY COUNCIL

RECEIVED
AUG 14 1992
OFFICE OF CITY CLERK

Please complete each section

FULL NAME SUSAN TEPPER (please print or type) Mr ____ Mrs ____ Ms ____ Miss ____

HOME ADDRESS 6627 WOODMONT PL CHLT ZIP 28211

BUSINESS ADDRESS 1326 WOODWARD AVE CHLT ZIP 28234

HOME PHONE (704) 366-6333 BUSINESS PHONE (704) 372 3010

SPOUSE'S NAME N/A SPOUSE'S EMPLOYER ____

SPOUSE'S TITLE ____

PLEASE INDICATE Council District # 5 Date of Birth 1-17-43

MALE ____ BLACK ____

FEMALE ✓ WHITE ✓

SINGLE ✓ INDIAN ____

MARRIED ____ HISPANIC ____

OTHER ____

BOARDS/COMMISSIONS/COMMITTEES I AM MOST INTERESTED IN

THE CONVENTION AND VISITORS BUREAU BOARD OF DIRECTORS

EDUCATION (including degrees completed)

U.N.C.C. B.A DEGREE

CURRENT EMPLOYER CHARLOTTE AREA FUND, INC

TITLE JOB DEVELOPER YEARS IN CURRENT POSITION 5

DUTIES DEVELOP JOB OPPORTUNITIES FOR CLIENTS BY CONTACTING LOCAL BUSINESSES AND INDUSTRIES.

OTHER EMPLOYMENT HISTORY SELF EMPLOYED CATERER.

DO NOT SUBMIT RESUMES

(over)

INTERESTS/SKILLS/AREAS OF EXPERTISE KNOWLEDGEABLE ABOUT THE CITY AND ITS PEOPLE. LONG TIME INTEREST IN HELPING CHARLOTTE GROW INTO A VIBRANT CITY.

CURRENT PROFESSIONAL ORGANIZATIONS, CIVIC, RELIGIOUS AND POLITICAL ACTIVITIES
(PRESIDENT) NETWORKING ROUNDTABLE, BOARD MEMBER N.A.P.S. WOMANREACH - FACILITATOR, ETC.

PAST PROFESSIONAL ORGANIZATIONS, CIVIC, RELIGIOUS AND POLITICAL ACTIVITIES
CPCC ALUMNI ASS. WOMEN REPRESENTING WOMEN (V.P.) MEMBER LEAGUE OF WOMEN VOTERS - CHAMBER - SM BUSINESS ACTIVITIES.

COMMENTS LONG TERM DESIRE TO SERVE ON THIS COMMITTEE TO BETTER UTILIZE MY PERSONAL SKILLS AND ENTHUSIASM. ABOUT CHARLOTTE.

AFFIRMATION OF ELIGIBILITY

To your knowledge, has any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction?

Yes_____ No ✓ If Yes, please attach explanation

Is there any possible conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your futies as an appointee of the City Council?

Yes_____ No ✓ If yes, please attach explanation of the nature of the conflict

I certify that the facts contained in this application are true and correct to the best of my knowledge I authorize investigation of all statements contined herein and the references listed above to give you any and all information concerning my qualifications and any pertinent information they may have, personal or otherwise, and release all parties from all liability for any damages that may result from furnishing the same to you

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RETURN COMPLETED FORM TO

Office of the City Clerk
600 East Fourth Street
Charlotte, NC 28202-2857

Signature Susan Tepper

Date Aug 14, 1992

DO NOT SUBMIT RESUMES

APPLICATION FOR BOARDS, COMMISSIONS AND COMMITTEES
CHARLOTTE CITY COUNCIL

RECEIVED
AUG 14 1992

Please complete each section

FULL NAME JACQUELINE F ULMAN (please print or type) Mr ____ Mrs ____ Ms ✓ Miss ____

HOME ADDRESS 10520 PACER AVE #1124 ZIP 28105

BUSINESS ADDRESS N/A (AT PRESENT) ZIP ____

HOME PHONE (704) 845-2716 BUSINESS PHONE ( ) N/A

SPOUSE S NAME N/A (ENGAGED) SPOUSE S EMPLOYER TRANSAMERICA REINSURA

JOHN DOHNER SPOUSE S TITLE V.P. SYSTEMS

PLEASE INDICATE Council District # MECKLENBERG Date of Birth 08/14/53

MALE ____ BLACK ____ BOARDS/COMMISSIONS/COMMITTEES I AM MOST INTERESTED IN

FEMALE ✓ WHITE ____ VISITORS & CONVENTIONS

SINGLE ✓ INDIAN ____

MARRIED ____ HISPANIC ____

OTHER ____

EDUCATION (including degrees completed) ASSOCIATES - BUSINESS ADMIN.

CURRENT EMPLOYER LOOKING FOR EMPLOYMENT PRESENTLY

TITLE ____ YEARS IN CURRENT POSITION ____

DUTIES ____

OTHER EMPLOYMENT HISTORY TRANSAMERICA - LOS ANGELES - OPERATIONS MGR. - 4 YRS FORD MOTORSPORT & FORD MOTOR LAND DEV - DETROIT - 11 YRS. - PUBLIC RELATIONS -

DO NOT SUBMIT RESUMES

(over)

INTERESTS/SKILLS/AREAS OF EXPERTISE PUBLIC RELATIONS, PLAN, ORGANIZE, BUDGET SPECIAL EVENTS, CONVENTION SVCS.

CURRENT PROFESSIONAL ORGANIZATIONS, CIVIC, RELIGIOUS AND POLITICAL ACTIVITIES

BOMA (BUILDING OWNERS & MANAGERS ASSOC.), NFPA (NATIONAL FIRE PREVENTION ASSOC), SPP (SOCIETY OF PROPERTY PROFESSIONALS)

PAST PROFESSIONAL ORGANIZATIONS, CIVIC, RELIGIOUS AND POLITICAL ACTIVITIES

ASIS (AMERICAN SOCIETY INDUSTRIAL SECURITY); INTERNATIONAL ASSN OF ARSON INVESTIGATORS; LAPD POLICE BOOSTERS BOARD,

COMMENTS METRO DETROIT CONVENTION BUREAU.

AFFIRMATION OF ELIGIBILITY

To your knowledge has any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction?

Yes_____ No ✓ If Yes, please attach explanation

Is there any possible conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your futies as an appointee of the City Council?

Yes_____ No ✓ If yes, please attach explanation of the nature of the conflict

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Office of the City Clerk
600 East Fourth Street
Charlotte NC 28202-2857

Signature Jacqueline J. Ullman

Date 08/14/93

DO NOT SUBMIT RESUMES

3 Appointed by Mayor
5 Appointed by City Council

HISTORIC DISTRICT COMMISSION - CHARLOTTE
(8 Members)

Membership - One member shall represent the Charlotte-Mecklenburg Planning Commission and shall be recommended for appointment by that Commission. Each of the historic districts - Fourth Ward and Dilworth - shall be represented by one residential property owner (Council appointments). The membership will be expanded by one (a property owner) for each newly designated district. The Board of Directors of the neighborhood association of each district shall recommend nominations for their position in compliance with the association's by-laws, but such recommendations shall not be binding on the City Council.

In addition, the Dilworth Historic District, because of its make-up, shall be represented by the operator of a business in that district (a mayoral appointment). Business operators in Dilworth may submit no more than three names for consideration, but these recommendations shall not be binding on the Mayor.

If either of the district representatives ceases to be in the respective historic district, that appointee shall not be permitted to continue in his position if more than fifty (50) percent of his term has not been served.

A majority of the membership shall have demonstrated special interest, experience, or education in history or architecture; and all must reside within the corporate limits of the City of Charlotte - both criteria required by State statute. Terms are for three years and no member may serve on the Commission for more than two full consecutive terms.

Responsibilities - To ensure the preservation of any areas, structures, site and objects that are significant elements of the cultural, social, economic, political, or architectural history of Charlotte; to safeguard the heritage of the City through the preservation and conservation of historical areas for the education, pleasure, and enhancement of the residents of the City.

MEMBER & QUALIFICATION	DIST.	ORIGINAL APPTMT.	RE-APPTMT.	TERM	EXPIRES
(C)Sylvia Tarlton W/F FW	2	04/24/89	04/13/92	3 yrs.	06/30/95
(M)Sara S. Spencer W/F PC		06/18/90	07/08/92	3 yrs.	06/30/95
(C)Kevin Pfahl W/M	4	04/24/89	04/13/92	3 yrs.	06/30/95
(C)George C. Warren W/M ROD	6	08/06/90	04/13/92	3 yrs.	06/30/95
(M)William G. Monroe W/M	6	12/04/89	07/08/92	3 yrs.	06/30/95
(C)Timothy N. Hamilton W/M BOD		08/06/90		3 yrs.	06/30/93
(C)Mollie C. Davis W/F	3	06/27/88	03/25/91	3 yrs.	06/30/94
(M)*Bruce Keith W/M	2	01/11/89	10/23/91	3 yrs.	06/30/94

Legend:
Planning Commission Rep. - PC
Fourth Ward - FW
Resident/Owner Dilworth - ROD
Business/Owner/Operator Dilworth - BOD

*Chairman
Staff Advisor - John Rogers - 2205

Revised 07/14/92

APPLICATION FOR BOARDS, COMMISSIONS AND COMMITTEES
CHARLOTTE CITY COUNCIL

RECEIVED
JUL 17 1992
OFFICE OF CITY CLERK

Please complete each section

FULL NAME MICHAEL K. GARNER (please print or type) Mr ✓ Mrs ____ Ms ____ Miss ____

HOME ADDRESS 2100 THE PLAZA ZIP 28205

BUSINESS ADDRESS SAME ZIP ____

HOME PHONE (704) 376-5836 BUSINESS PHONE (704) 333-6441

SPOUSE'S NAME ____ SPOUSE'S EMPLOYER ____

SPOUSE'S TITLE ____

PLEASE INDICATE Council District # 1 Date of Birth 10-17-45

MALE ✓ BLACK ____ BOARDS/COMMISSIONS/COMMITTEES I AM MOST INTERESTED IN

FEMALE ____ WHITE ✓ HISTORIC DISTRICT COMMISSION

SINGLE ____ INDIAN ____

MARRIED ____ HISPANIC ____

OTHER ____

EDUCATION (including degrees completed) JURIS DOCTOR - UNIVERSITY of S.C. LAW CENTER 5/74, B.A. - POLITICAL SCIENCE 8/68
NAT. TRUST FOR HISTORIC PRESERVATION SHORT COURSE 9/83

CURRENT EMPLOYER GARNER - McKENZIE REALTORS

TITLE OWNER, BROKER YEARS IN CURRENT POSITION 8

DUTIES SALE of RESIDENTIAL REAL ESTATE

OTHER EMPLOYMENT HISTORY FOREIGN STUDENT ADVISOR - SACRED HEART COLLEGE, REHABILITATION SUPERVISOR - Dowd RENTAL AND CONST. Co. (COLA, S.C.) SOCIAL WORKER (CHARLOTTE)

DO NOT SUBMIT RESUMES

(over)

INTERESTS/SKILLS/AREAS OF EXPERTISE 13 yr. RESIDENT of THIS DIST., LOCAL & NAT. EXPERIENCE IN Neigh. PRESERVATION & [redacted] REVITALIZATION 14 yrs. IN REAL ESTATE IN CHARLOTTE

CURRENT PROFESSIONAL ORGANIZATIONS, CIVIC, RELIGIOUS AND POLITICAL ACTIVITIES

PLAZA-Midwood NEIGHBORHOOD ASSOC., NAT. TRUST FOR HISTORIC PRESERVATION

PAST PROFESSIONAL ORGANIZATIONS, CIVIC, RELIGIOUS AND POLITICAL ACTIVITIES

PLAZA-Midwood NEIGH. ASSOC BOARD 1983 86, PLAZA-Midwood DEV CORP BOARD 1984-86, NEIGH HOUSING [redacted] SER. of CHARLOTTE, BOARD 1986-87 - PRES. NAT. ADVISORY COM. 1984-1986 1983-86, NEIGHBORHOOD REINVESTMENT CORP (WASH, D.C.) REG. " " 1983 1987

COMMENTS I HAVE TAKEN SOMETHING of A BREAK IN COMMUNITY SERVICE FOR THE PAST 3 YRS., BUT WOULD BE HONORED TO AGAIN SERVE MY NEIGHBORHOOD AND CITY IN THIS AREA of SPECIAL INTEREST TO ME.

AFFIRMATION OF ELIGIBILITY

To your knowledge, has any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction?

Yes_____ No ✓ If Yes, please attach explanation

Is there any possible conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your futies as an appointee of the City Council?

Yes_____ No ✓ If yes, please attach explanation of the nature of the conflict

I certify that the facts contained in this application are true and correct to the best of my knowledge I authorize investigation of all statements contined herein and the references listed above to give you any and all information concerning my qualifications and any pertinent information they may have, personal or otherwise, and release all parties from all liability for any damages that may result from furnishing the same to you

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A personal contact with a City Councilmember is recommended

RETURN COMPLETED FORM TO

Office of the City Clerk
600 East Fourth Street
Charlotte, NC 28202-2857

Signature [signature]

Date July 16, 1992

DO NOT SUBMIT RESUMES

APPLICATION FOR BOARDS, COMMISSIONS AND COMMITTEES
CHARLOTTE CITY COUNCIL

FOR OFFICE USE ONLY
Appointed to
Date

MAY 29 1992

OFFICE OF CITY CLERK

Please complete each section

FULL NAME J David Parke (please print or type) Mr ✓ Mrs ___ Ms ___ Miss ___

HOME ADDRESS 1820 Thomas Ave / Charlotte NC ZIP 28205

BUSINESS ADDRESS 220 N Tryon St / Suite 300 / Charlotte NC ZIP 28202

HOME PHONE (704) 332-4781 BUSINESS PHONE (704) 332-7004

SPOUSE'S NAME Meave C. Parke SPOUSE'S EMPLOYER First Union Mortgage Corp

SPOUSE'S TITLE Loan Officer

PLEASE INDICATE Voting Precinct # 015 District # 1 (city Council) Date of Birth 10.23.57

MALE ✓ BLACK ___ BOARDS/COMMISSIONS/COMMITTEES I AM MOST INTERESTED IN

FEMALE ___ WHITE ✓ Historic District Commission

SINGLE ___ INDIAN ___

MARRIED ✓ HISPANIC ___

OTHER ___

EDUCATION (including degrees completed)

1979 - B.A. UNC-Charlotte

1980 - Bachelor of Architecture UNC Charlotte

CURRENT EMPLOYER The FWA Group, P.A.

TITLE Associate Architect YEARS IN CURRENT POSITION 12

DUTIES Project Architect, Project Manager, Designer

OTHER EMPLOYMENT HISTORY

(over)

INTERESTS/SKILLS/AREAS OF EXPERTISE Architecture, Historic Preservation

CURRENT PROFESSIONAL ORGANIZATIONS, CIVIC, RELIGIOUS AND POLITICAL ACTIVITIES

American Institute of Architects, 1983 - present

PAST PROFESSIONAL ORGANIZATIONS, CIVIC, RELIGIOUS AND POLITICAL ACTIVITIES

1991 - Vice President, Plaza-Midwood Neighborhood Ass'n Board of Directors

COMMENTS

AFFIRMATION OF ELIGIBILITY

To your knowledge, has any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction?

Yes_____ No ✓ If Yes, please attach explanation.

Is there any possible conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the City Council?

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RETURN COMPLETED FORM TO

Office of the City Clerk
600 East Fourth Street
Charlotte, NC 28202-2857

Signature

Date 22 April 1992

PLEASE DO NOT SUBMIT RESUMES

APPLICATION FOR BOARDS, COMMISSIONS AND COMMITTEES
CHARLOTTE CITY COUNCIL

FOR OFFICE USE ONLY

Appointed to

Date

JUL 29 1992

OFFICE

Please complete each section

FULL NAME Ralph Nichols Strayhorn, III (please print or type) Mr X Mrs ____ Ms ____ Miss ____

HOME ADDRESS 2201 Rhododendron Court ZIP 28205

BUSINESS ADDRESS P.O. Box 31727, Charlotte, NC ZIP 28231

HOME PHONE (704) 347-1234 BUSINESS PHONE (704) 335-4073

SPOUSE'S NAME Keiran Margaret Strayhorn SPOUSE'S EMPLOYER N/A

SPOUSE'S TITLE N/A

PLEASE INDICATE Voting Precinct # 44 District # ____ Date of Birth 11/24/54

MALE X BLACK ____ BOARDS/COMMISSIONS/COMMITTEES I AM MOST INTERESTED IN

FEMALE ____ WHITE X Historical District Commission

SINGLE ____ INDIAN ____

MARRIED ____ HISPANIC ____

OTHER ____

EDUCATION (including degrees completed) J.D. UNC-CH School of Law 1981

CURRENT EMPLOYER First Citizens Bank

TITLE Vice President and Manager Corporate Banking Group YEARS IN CURRENT POSITION ____

DUTIES Extend and supervise loans to individuals, partnerships and corporations primarily for business purposes.

OTHER EMPLOYMENT HISTORY 1981 - 1987 NCNB Corporation (1982 - 1985 International Division - 1985 - 1987 Private Banking Group)

(over)

INTERESTS/SKILLS/AREAS OF EXPERTISE general business/real estate

CURRENT PROFESSIONAL ORGANIZATIONS CIVIC, RELIGIOUS AND POLITICAL ACTIVITIES

Member - N.C. Bar Association, N.C. State Bar - Board of Visitors - Mercy Hospital

RP Foundation Celebrity Tournament Board

PAST PROFESSIONAL ORGANIZATIONS, CIVIC, RELIGIOUS AND POLITICAL ACTIVITIES

Former Senior Warden - St. Timothy's Anglican Church

COMMENTS

AFFIRMATION OF ELIGIBILITY

To your knowledge, has any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction?

Yes_____ No X If Yes, please attach explanation.

Is there any possible conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the City Council?

Yes_____ No X If yes, please attach explanation of the nature of the conflict

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RETURN COMPLETED FORM TO:

Office of the City Clerk
600 East Fourth Street
Charlotte, NC 28202-2857

Signature: [illegible]

Date 7/27/92

PLEASE DO NOT SUBMIT RESUMES

N/O

5 Recommended by City Council for approval by the County
15 Appointed by County Commission

WASTE MANAGEMENT ADVISORY COMMITTEE
(20 Members)

Membership - The City Council is to recommend five (5) members for approval by the County Commission. Represented are to be the following groups: (1) Medical-Scientific; (2) Legal; (3) Planning Organization; (4) Chamber of Commerce; (5) Charlotte Clean City Committee. Terms are for three years and appointees must be residents of Mecklenburg County.

Responsibilities - Evaluate all decisions to construct additional waste-to-energy facilities in the future and consult and advise the City and County governing bodies on the merits and cost efficiencies of such decisions prior to the time they are made.

Member & QUALIFICATION	DIST.	ORIG. APPTMT.	RE-APPTMT.	TERM	EXPIRATION
City					
Robert Smith (Medical-Scientific)	3	02/20/89		3 yrs.	09/30/92
Russell J. Schwartz (Legal)		06/18/90		Unexp.	09/30/92
Mahlon Adams W/F (Planning Organization)		07/27/92		3 yrs.	09/30/95
Gregory Simmons W/M (Chamber of Commerce)		10/02/89	07/27/92	3 yrs.	09/30/95
John Spegal W/M (Clean City Committee)	7	05/07/90	07/27/92	3 yrs.	09/30/95
County					
J. Carson Cato W/M		09/19/90		Unexp.	09/30/91
Kimberlee Scott W/F		02/18/91		Unexp.	09/30/92
William Jones W/M		09/21/87	09/08/89	3 yrs.	09/30/92
Joseph V. Hamilton W/M (MH/Matthews/P'Ville)		02/05/90		3 yrs.	09/30/92
Michael Lascara W/M (Duke Powers Co.)		10/17/88	09/24/91	3 yrs.	09/30/94
Hugh K. Reid W/M		09/19/90		Unexp.	09/30/92
Robert L. Race		04/20/92		Unexp.	09/30/92
Nancy B. Wiggins W/F (Civic/Community Org.)		12/19/90	09/24/91	3 yrs.	09/30/94
H. Lynn Phillips W/M (Heritage Environmental Svs.)		05/20/91		Unexp.	09/30/92
*Charles Willis W/M (Engineering - Technical)		11/16/87	09/24/91	3 yrs.	09/30/94
E. Kenneth Hoffman W/M (Engineer)		09/16/91		3 yrs.	09/30/94
Andrew Stoner W/M (Sierra Club)		01/22/91		Unexp.	09/30/93
Brian Schick W/M		12/19/88	09/18/89	3 yrs.	09/30/92
Davis Martin W/M		12/19/86	09/24/91	3 yrs.	09/30/94
Linda Kissinger W/F		11/16/87	09/18/89	3 yrs.	09/30/92

*Chairman

Revised 07/30/92

APPLICATION FOR BOARDS, COMMISSIONS AND COMMITTEES
CHARLOTTE CITY COUNCIL

AUG 12 1992

OFFICE OF CITY CLERK

Please complete each section

FULL NAME Albert VanDeventer Carr, Jr. Mr X Mrs ____
(please print or type) Ms ____ Miss ____

HOME ADDRESS 1850 Sterling Road, Charlotte, NC ZIP 28209

BUSINESS ADDRESS Legal Dept., Duke Power Co,, 422 S. Church St. Charlotte, NC ZIP 28242

HOME PHONE (704) 333-1350 BUSINESS PHONE (704) 382-8129

SPOUSE'S NAME Gail SPOUSE'S EMPLOYER Children's Theater of Charlotte

SPOUSE'S TITLE Office Manager

PLEASE INDICATE Council District # ____ Date of Birth 9/23/42

MALE X BLACK ____ BOARDS/COMMISSIONS/COMMITTEES I AM MOST INTERESTED IN

FEMALE ____ WHITE X Waste Management Advisory Committee

SINGLE ____ INDIAN ____

MARRIED ____ HISPANIC ____

OTHER ____

EDUCATION (including degrees completed) BA - English VMI, 1966
JD - Washington & Lee University, School of Law, 1971

CURRENT EMPLOYER Duke Power Company

TITLE Associate General Counsel YEARS IN CURRENT POSITION 11

DUTIES Electric Utility regulatory work, power contracts, nuclear licensing

OTHER EMPLOYMENT HISTORY 1971-73, Attorney, Federal Power Commission; 1973-75, Attorney, Atomic Energy Commission/Nuclear Regulatory Commission; 1975-1981, Private Practice, Washington DC.; 1981-present, Legal Department, Duke Power Co

DO NOT SUBMIT RESUMES

(over)

INTERESTS/SKILLS/AREAS OF EXPERTISE Regulatory environment in which electric utilities operate

CURRENT PROFESSIONAL ORGANIZATIONS, CIVIC, RELIGIOUS AND POLITICAL ACTIVITIES

North Carolina State Bar, Virginia State Bar, District of Columbia Bar Association; Christ Episcopal Church, member; Registered Republican

PAST PROFESSIONAL ORGANIZATIONS, CIVIC, RELIGIOUS AND POLITICAL ACTIVITIES

Same

COMMENTS

AFFIRMATION OF ELIGIBILITY

To your knowledge, has any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction?

Yes_____ No___X___ If Yes, please attach explanation

Is there any possible conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your futies as an appointee of the City Council?

Yes_____ No___X___ If yes, please attach explanation of the nature of the conflict

I certify that the facts contained in this application are true and correct to the best of my knowledge I authorize investigation of all statements contined herein and the references listed above to give you any and all information concerning my qualifications and any pertinent information they may have, personal or otherwise, and release all parties from all liability for any damages that may result from furnishing the same to you

This form will be retained on file for one year and must be updated after that otherwise, it will be removed from the active file

A personal contact with a City Councilmember is recommended

RETURN COMPLETED FORM TO

Office of the City Clerk
600 East Fourth Street
Charlotte, NC 28202-2857

Signature

Date August 11, 1992

DO NOT SUBMIT RESUMES

APPLICATION FOR BOARDS, COMMISSIONS AND COMMITTEES
CHARLOTTE CITY COUNCIL

Please complete each section.

FULL NAME Thomas N. Griffin, III (please print or type) Mr. X Mrs ____ Ms. ____ Miss ____

HOME ADDRESS 2815 Wamath Drive - Charlotte, NC ZIP 28210

BUSINESS ADDRESS 2600 Charlotte Plaza - Charlotte, NC ZIP 28244

HOME PHONE (704) 552-7325 BUSINESS PHONE (704) 372-9000

SPOUSE'S NAME Nancy W. Griffin SPOUSE'S EMPLOYER YMCA

SPOUSE'S TITLE Instructor

PLEASE INDICATE: Council District # ____ Date of Birth 6/15/58

MALE X BLACK ____ BOARDS/COMMISSIONS/COMMITTEES I AM MOST INTERESTED IN:

FEMALE ____ WHITE X Waste Management Advisory Committee

SINGLE ____ INDIAN ____

MARRIED ____ HISPANIC ____

OTHER ____

EDUCATION (including degrees completed) University of Virginia (J.D. 1983); Wake Forest University (B.A. Economics - 1980)

CURRENT EMPLOYER Parker, Poe, Adams & Bernstein

TITLE Partner YEARS IN CURRENT POSITION 1

DUTIES Environmental Law

OTHER EMPLOYMENT HISTORY Associate at Parker, Poe -- approximately 2.5 years; associate at Jenner & Block -- 1987 to 1989; Office of the Chief Counsel; United States Army Corps of Engineers, Honors Attorney in Environmental Law and Regulatory Programs -- 1983-1987

DO NOT SUBMIT RESUMES

(over)

INTERESTS/SKILLS/AREAS OF EXPERTISE Environmental Law

CURRENT PROFESSIONAL ORGANIZATIONS, CIVIC, RELIGIOUS AND POLITICAL ACTIVITIES

North Carolina Bar Association, American Bar Association, Member of North Carolina Bar, District of Columbia Bar and Virginia Bar

PAST PROFESSIONAL ORGANIZATIONS, CIVIC, RELIGIOUS AND POLITICAL ACTIVITIES

COMMENTS:

AFFIRMATION OF ELIGIBILITY:

To your knowledge, has any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction?

Yes_____ No__X__ If Yes, please attach explanation.

Is there any possible conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the City Council?

Yes_____ No_____ If yes, please attach explanation of the nature of the conflict *Please see attached.

I certify that the facts contained in this application are true and correct to the best of my knowledge. I authorize investigation of all statements contined herein and the references listed above to give you any and all information concerning my qualifications and any pertinent information they may have, personal or otherwise, and release all parties from all liability for any damages that may result from furnishing the same to you.

This form will be retained on file for one year and must be updated after that; otherwise, it will be removed from the active file.

A personal contact with a City Councilmember is recommended.

RETURN COMPLETED FORM TO:

Office of the City Clerk
600 East Fourth Street
Charlotte, NC 28202-2857

Signature: [signature]

Date: 8/17/92

DO NOT SUBMIT RESUMES

DATE: June 22, 1992

PETITION NO.: 92-24

PETITIONER(S): Charlotte-Mecklenburg Planning Commission (Northeast District Plan).

REQUEST: Change from Institutional and B-1 to R-3.

LOCATION: Approximately 147 acres located along the easterly side of U.S. 29 and the northerly side of Mallard Creek Church Road.

ACTION: The Zoning Committee recommends that this petition be approved.

VOTE: Yeas: Baker, Byrne, Fenning, McClure and Spencer.

Nays: Lassiter and Tabor.

REASONS

This petition proposes rezoning from Institutional and B-1 to R-3. The petition had previously been deferred in order to obtain clarification on UNCC's position on the petition. (UNCC has provided the attached letter of clarification).

The majority viewed the requested residential zoning as more compatible with the nearby existing residential development. Therefore, the Zoning Committee recommends that this petition be approved.

MINORITY OPINION

A minority of the Zoning Committee viewed the requested residential zoning as inappropriate for the area and noted UNCC's opposition to the request.

STAFF OPINION

The staff agrees with the recommendation of the Zoning Committee.

PETITIONER: Charlotte Mecklenburg Planning Commission

PETITION NO.: 92-24 HEARING DATE: April 20, 1992

ZONING CLASSIFICATION, EXISTING: Institutional and B-1

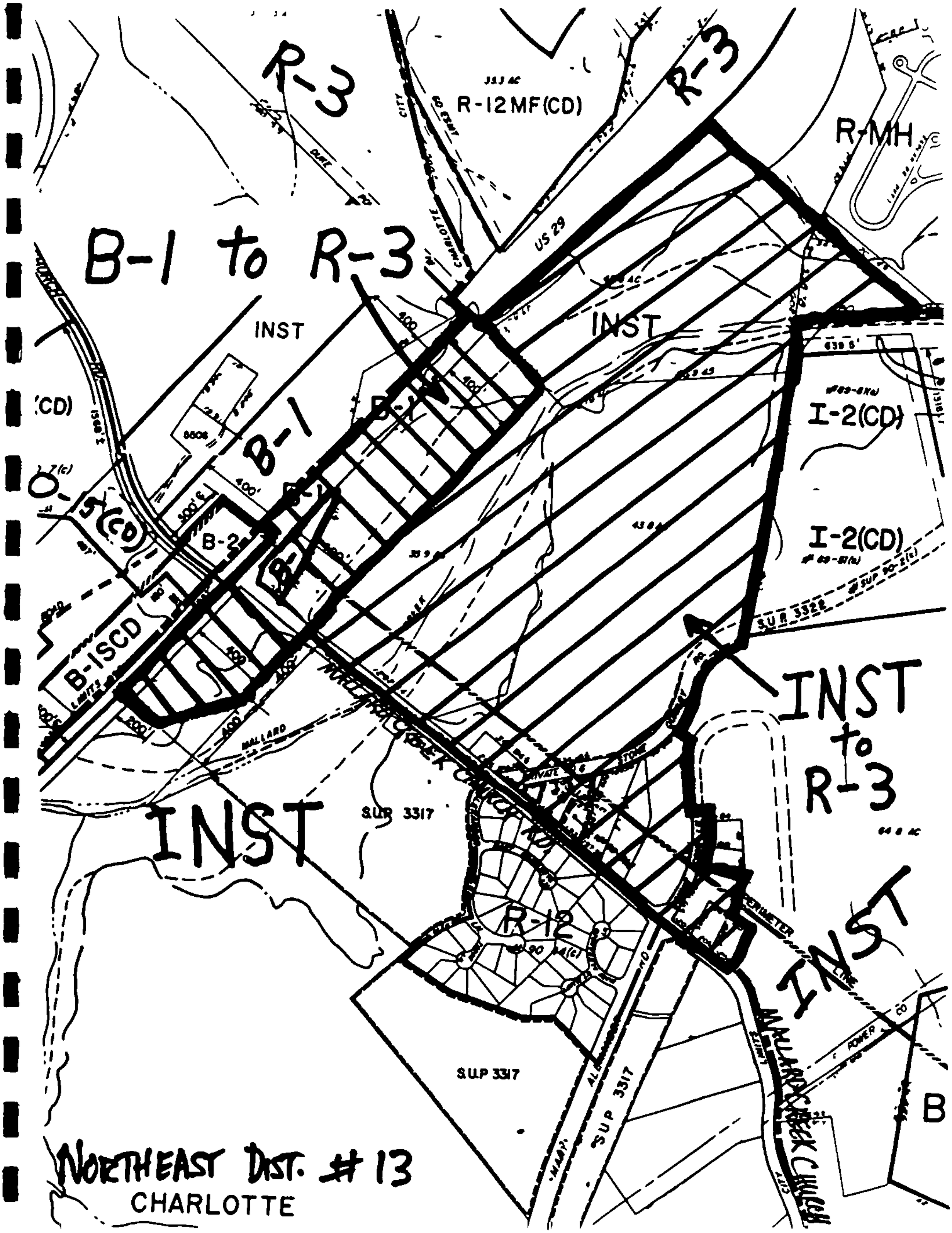
ZONING CLASSIFICATION, REQUESTED: R-3

LOCATION: Approximately 147 acres located along the easterly side of U.S. 29 at Mallard Creek Church Road.

SEE ATTACHED MAP

ZONING MAP NO(s).: 57 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE


R-3
R-12MF(CD)
R-3
R-MH
B-1 to R-3
US 29
INST
INST
I-2(CD)
I-2(CD)
B-1
B-2
B-1SCD
INST
INST to R-3
INST
S.U.P. 3317
R-12
INST
S.U.P. 3317
S.U.P. 3317
B
NORTHEAST DIST. #13
CHARLOTTE

UNC CHARLOTTE
The University of North Carolina at Charlotte
Charlotte N C 28223

June 12, 1992

Office of the Chancellor
704/547 2201

Mr Walter G Fields, III
Land Development Manager
Charlotte-Mecklenburg Planning Commission
600 E Fourth Street
Charlotte, North Carolina 28202-2853

Dear Mr Fields

This is in response to your letter of May 28, 1992, which requested clarification regarding UNC Charlotte's position on Rezoning Petition No 92-24

The resolution expressing support for the Northeast District Plan approved by the UNC Charlotte Board of Trustees in March 1990 was a general endorsement of the plan as a framework for future development in the area surrounding the University When that resolution was enacted, we were not aware that it contemplated the rezoning of a portion of the University campus from institutional to residential use For the reasons stated in my letters of May 8, 1992, we are opposed to such rezoning of campus property

After further consideration, I now propose that the Northeast District Plan be amended to retain institutional zoning for the approximately 44 acres of land owned by The University of North Carolina at Charlotte/the State of North Carolina which is included in Rezoning Petition No 92-24

Also, because of the growing activity in rezoning petitions for retail sites in the Northeast District, there may be a need for a new look at that aspect of the Northeast District Plan I therefore recommend that the Planning Commission consider sponsoring a process to reevaluate sites for potential retail use in the core of the Northeast District, with a view to appropriate amendment of the Northeast District Plan

Sincerely yours,

J H Woodward
Chancellor

JHW/rf

DATE: June 22, 1992

PETITION NO.: 92-30

PETITIONER(S): Charlotte-Mecklenburg Planning Commission (Grier Heights Special Project Plan)

REQUEST: Change from R-5 to R-8.

LOCATION: Approximately 44.7 acres located between Monroe Road and Randolph Road just south of Briar Creek.

ACTION: The Zoning Committee recommends that this petition be approved.

VOTE: Yeas: Baker, Byrne, Fenning, Lassiter, McClure, Spencer and Tabor.

Nays: None.

REASONS

This petition proposes rezoning from R-5 to R-8 in accordance with the Grier Heights Special Project Plan. The petition was previously deferred in order to allow Zoning Committee time to review a report prepared by staff that compared the number of nonconforming lots under the existing R-5 category, the R-6 category and the proposed R-8 category. Upon evaluation of the report, the Zoning Committee viewed the proposed R-8 category as the most appropriate one for the area and recommends approval of this petition.

STAFF OPINION

The staff agrees with the recommendation of the Zoning Committee.

PETITIONER: Charlotte-Mecklenburg Planning Commission

PETITION NO.: 92-30 HEARING DATE: May 18, 1992

ZONING CLASSIFICATION, EXISTING: R-5

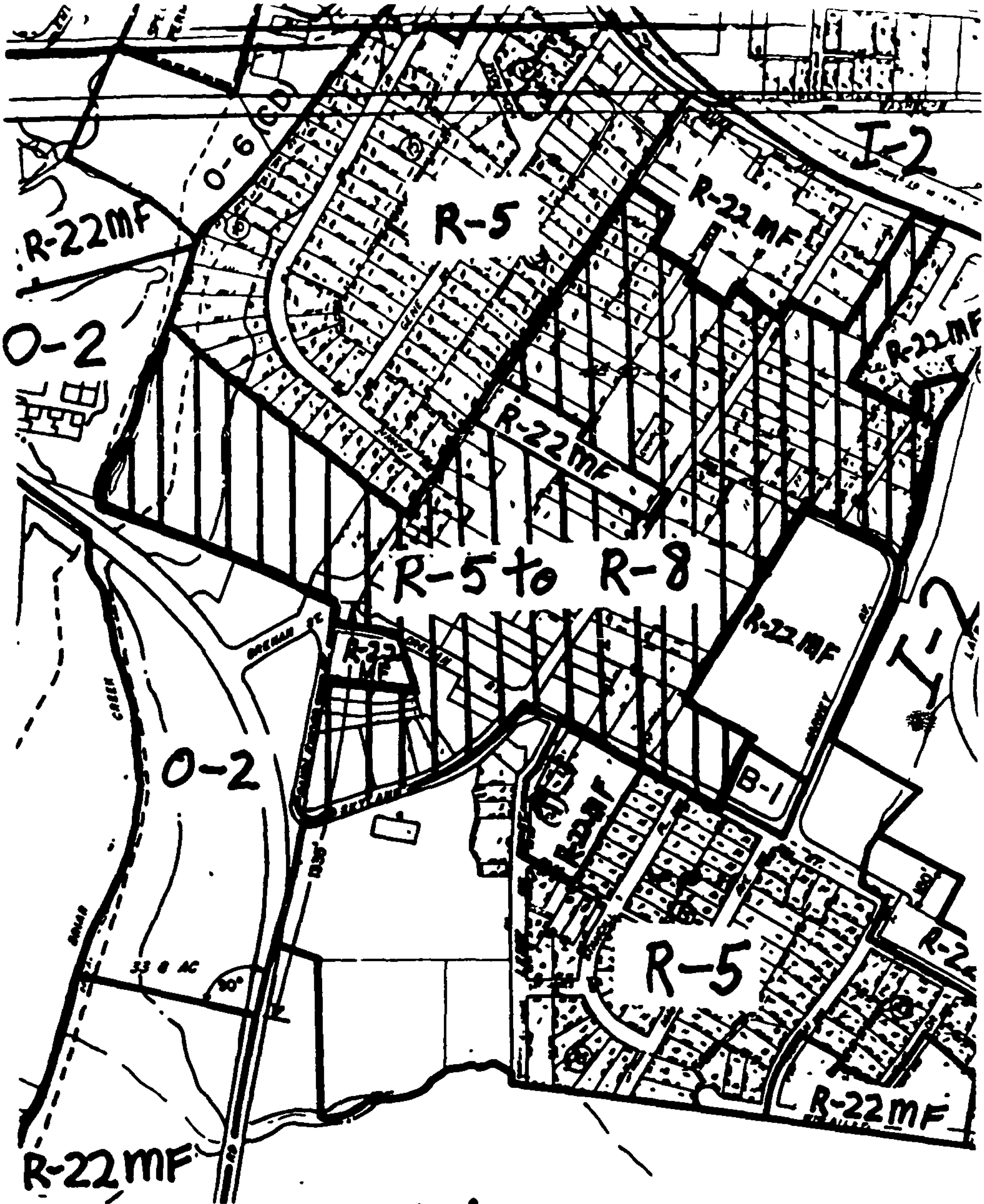
ZONING CLASSIFICATION, REQUESTED: R-8

LOCATION: Approximately 44.7 acres generally bounded by Marney Ave., Briar Creek, the Duke Power right-of-way, and Skyland Avenue (Grier Heights #4).

SEE ATTACHED MAP

ZONING MAP NO(s).: 112 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE



GRIER HTS #4
R-5 to R-8 O-1

DATE: June 22, 1992

PETITION NO.: 92-31

PETITIONER(S): Charlotte-Mecklenburg Planning Commission (Grier Heights Special Project Plan)

REQUEST: Change from R-5 to R-8

LOCATION: Approximately 29 acres generally located off of the north side of Wendover Road west of Latrobe Drive.

ACTION: The Zoning Committee recommends that this petition be approved.

VOTE: Yeas: Baker, Byrne, Fenning, Lassiter, McClure, Spencer and Tabor.

Nays: None.

REASONS

This petition proposes rezoning from R-5 to R-8 in accordance with the Grier Heights Special Project Plan. The petition was previously deferred in order to allow Zoning Committee time to review a report prepared by staff that compared the number of nonconforming lots within the petitioned area under R-5, R-6 and R-8 zoning classifications. Upon evaluation of the report, the Zoning Committee viewed the R-8 category as most appropriate for the area and recommends approval of the petition as submitted.

STAFF OPINION

The staff agrees with the recommendation of Zoning Committee.

PETITIONER: Charlotte-Mecklenburg Planning Commission

PETITION NO.: 92-31 HEARING DATE: May 18, 1992

ZONING CLASSIFICATION, EXISTING: R-5

ZONING CLASSIFICATION, REQUESTED: R-8

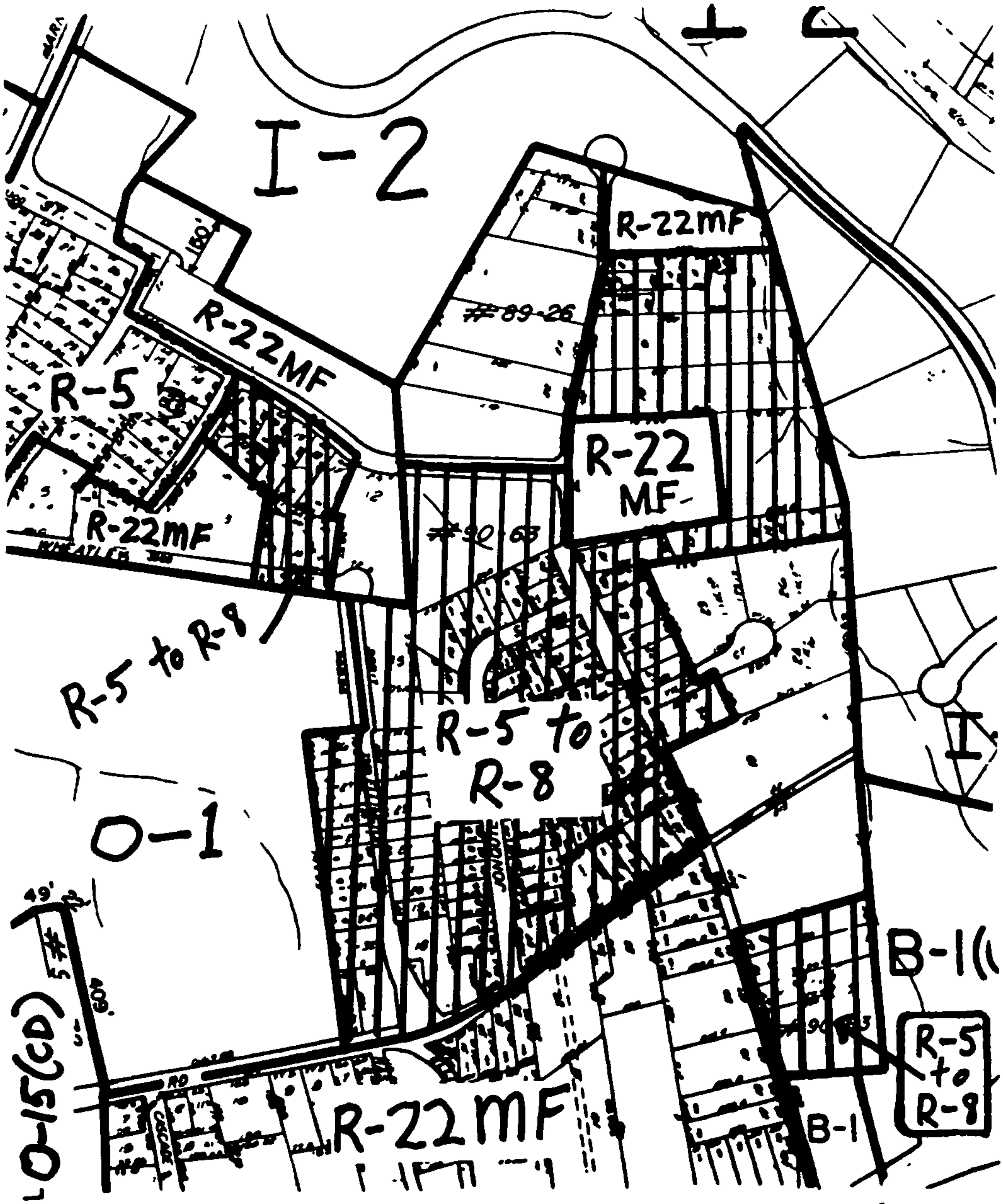
LOCATION: Approximately 29 acres generally located off of the north side of Wendover Road, west of LaTrobe Drive (Grier Heights #5).

SEE ATTACHED MAP

ZONING MAP NO(s).: 112 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

Revised



GR. HTS #5

MATCH TO SHEET N

DATE: July 27, 1992

PETITION NO.: 92-32

PETITIONER(S): Harry G. Kostopoulos

REQUEST: Change from R-3 to R-3(CD) and B-1(CD).

LOCATION: A 3.6 acre site located on the north side of Albemarle Road east of Jamison Place.

ACTION: The Zoning Committee recommends that this petition be approved as modified.

VOTE: Yeas: Baker, Fenning, James, McClure, Tabor, and Whelchel.

Nays: None.

(Commissioner Byrne absent)

REASONS

This petition proposes rezoning from R-3 to a combination of B-1(CD) and R-3(CD) to allow the development of a new 3,600 square foot retail convenience facility on the front portion of the site abutting Albemarle Road and five single family lots to the rear. The Zoning Committee had deferred action on the petition previously in order to allow time for the petitioner to consider the possibility of a reduction in the number of driveway connections to Albemarle Road. The petitioner has now submitted a revised site plan which reduces the number of driveway connections to Albemarle Road to one driveway connection for the convenience center and one new public street connection. The Zoning Committee viewed the petition as appropriate for approval as modified. However, it was also noted by at least one commissioner that the reduction in the number of driveways is unnecessary because traffic flow for the convenience store would be smoother with the two right turns only driveways.

STAFF OPINION

The staff notes that the commercial component of the petition is inconsistent with adopted land use plans for the area.

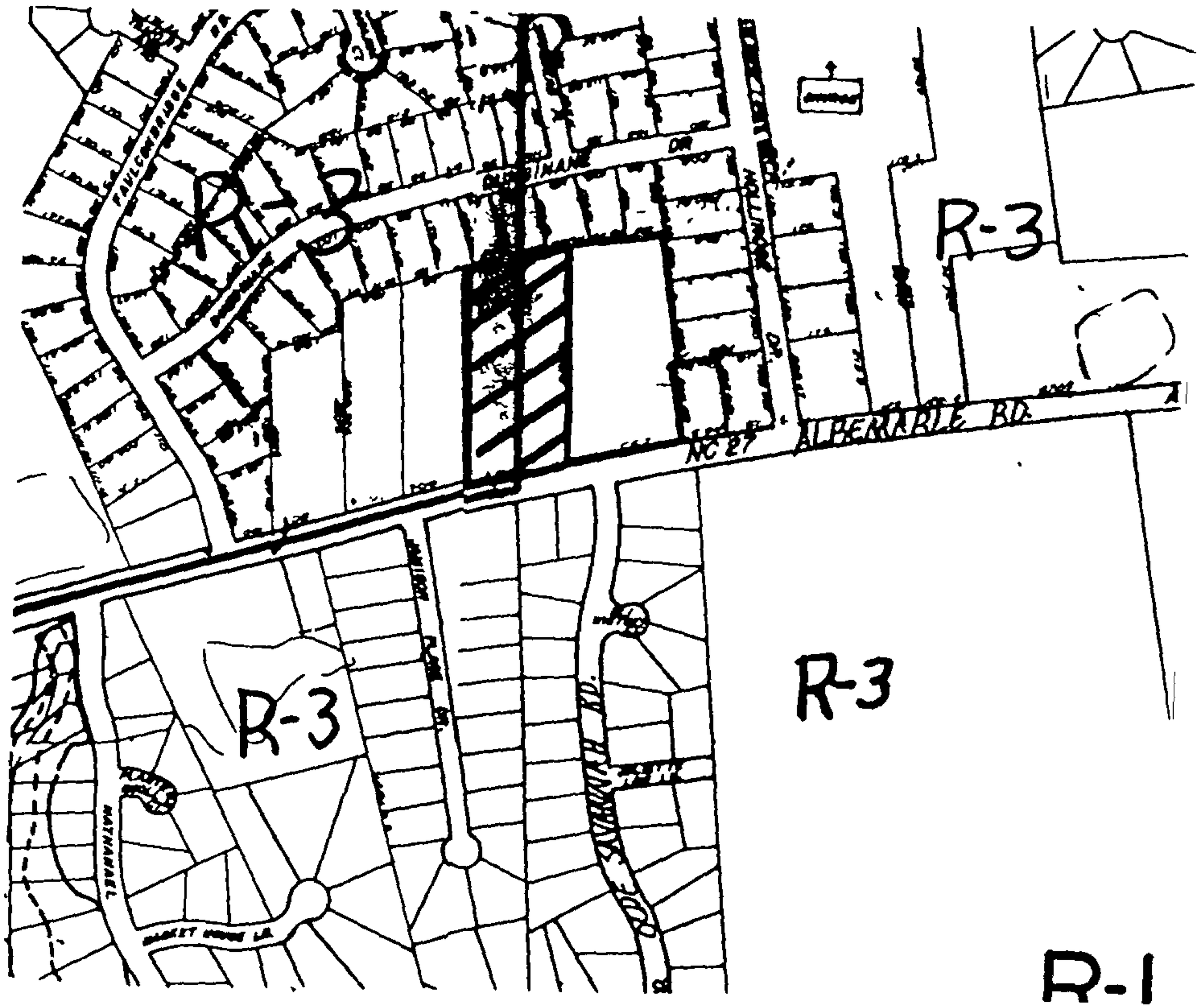
PETITIONER: Harry G. Kostopoulos & Pete Kanellopoulos

PETITION NO.: 92-32 HEARING DATE: June 15, 1992

ZONING CLASSIFICATION, EXISTING: R-3

ZONING CLASSIFICATION, REQUESTED: R-3(CD) and B-1(CD)

LOCATION: Approximately 3.6 acres located on the north side of Albemarle Road, east of Jamison Place Drive.



ZONING MAP NO(s).: 114 & 115 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

DATE: June 22, 1992

PETITION NO.: 92-34

PETITIONER(S): Charlotte-Mecklenburg Planning Commission (Southwest District Plan)

REQUEST: Change from I-1 to B-1

LOCATION: Approximately 6.3 acres located on the westerly side of York Road at Sandy Porter Road.

VOTE: Yeas: Baker, Byrne, Fenning, Lassiter, McClure, Spencer and Tabor.

Nays: None.

REASONS

This petition proposes rezoning from I-1 to B-1 in accordance with the Southwest District Plan. The district plan proposes the B-1 category for the subject property in order to more closely align the zoning with the established use of the property. The Zoning Committee viewed the petition as appropriate for the area and recommends its approval.

STAFF OPINION

The staff agrees with the recommendation of the Zoning Committee.

PETITIONER: Charlotte-Mecklenburg Planning Commission

PETITION NO.: 92-34 HEARING DATE: June 15, 1992

ZONING CLASSIFICATION, EXISTING: I-1

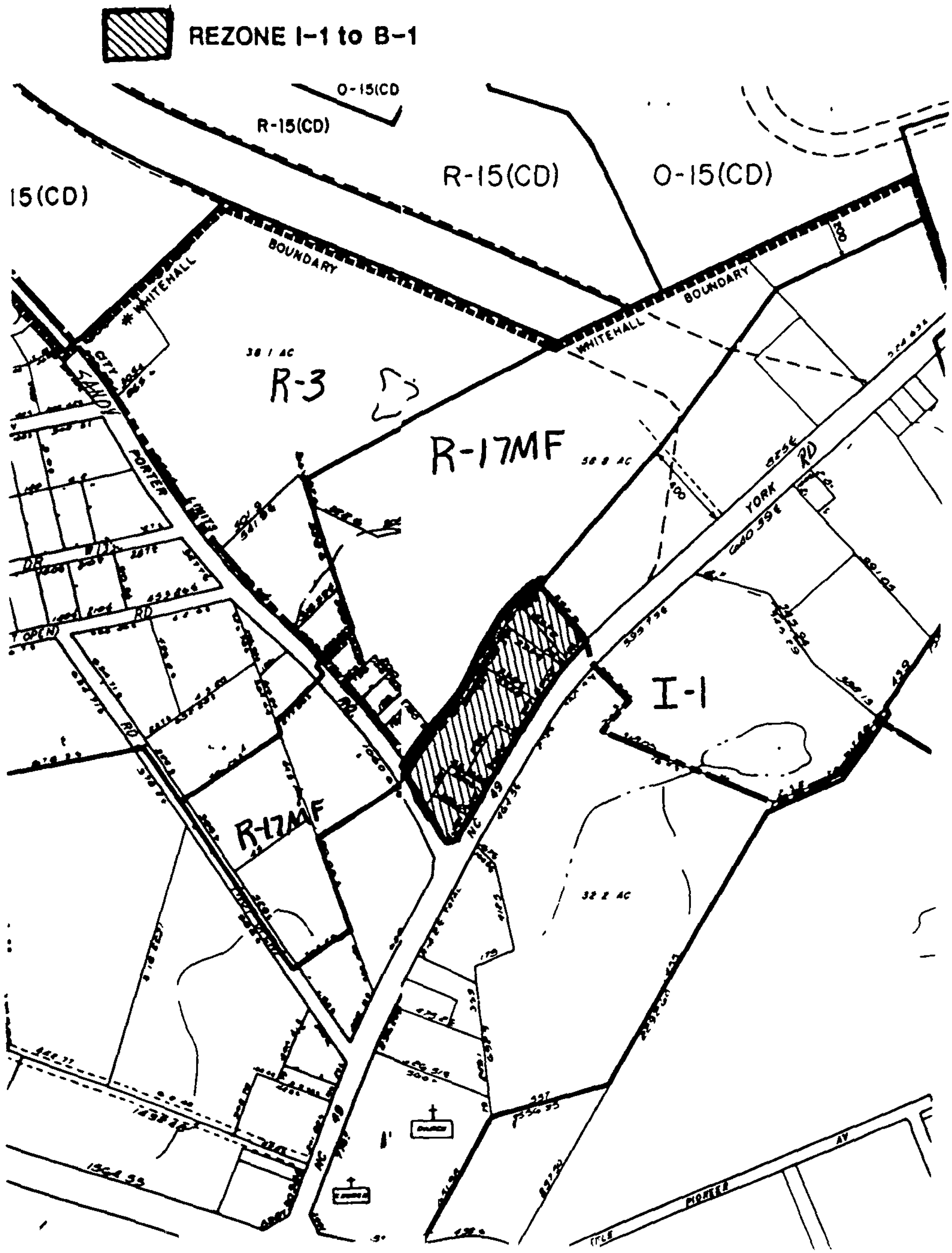
ZONING CLASSIFICATION, REQUESTED: B-1

LOCATION: Approximately 6.3 acres located on the westerly side of York Road at Sandy Porter Road.

SEE ATTACHED MAP

ZONING MAP NO(s).: _____ SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE


REZONE I-1 to B-1
O-15(CD)
R-15(CD)
R-15(CD)
O-15(CD)
15(CD)
BOUNDARY
WHITEHALL
BOUNDARY
WHITEHALL
R-3
R-17MF
R-17MF
I-1
YORK
RD
PORTER
RD
RD
PIONEER
AV

DATE: July 27, 1992

PETITION NO.: 92-35

PETITIONER(S): Charter Properties, Inc.

REQUEST: Consideration of a text amendment to the City of Charlotte Zoning Ordinance to allow optical, medical, and dental clinics as a permitted use in the research district.

ACTION: The Zoning Committee recommends that this petition be approved.

VOTE: Yeas: Baker, Fenning, James, McClure, Tabor, and Whelchel.

Nays: None.

(Commissioner Byrne absent)

REASONS

This amendment proposes to permit optical, medical, and dental clinics as principal uses in both the research districts without the present restriction of being permitted only as accessory uses. The Zoning Committee viewed the petition as appropriate and recommends its approval.

STAFF OPINION

The staff agrees with the recommendation of the Zoning Committee.

ORDINANCE NO _____

AN ORDINANCE AMENDING APPENDIX A OF THE CITY CODE - ZONING ORDINANCE

AN ORDINANCE AMENDING THE CITY CODE WITH RESPECT TO THE ZONING ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE

Section 1 Appendix a, "Zoning" of the Code of the City of Charlotte is hereby amended as follows

1 Amend Section 9 602 by changing paragraph (12) which reads as follows

(12) Optical , dental and medical laboratories

to read

(12) Optical, dental and medical laboratories and clinics

2 Amend Section 9 603 by changing the title of paragraph (14) and subparagraph (c) which reads as follows

(14) Retail establishments, restaurants, medical, optical and dental clinics, provided that

(c) Retail establishments restaurants, and medical and dental clinics, will occupy no more than 10 percent of the gross floor area of all buildings on the lot and under no circumstances exceed 25 percent of the ground floor area except a restaurant use may occupy up to 50 percent of the ground floor

to read

(14) Retail establishments and restaurants provided that

(c) Retail establishments and restaurants will occupy no more than 10 percent of the gross floor area of all buildings on the lot and under no circumstances exceed 25 percent of the ground floor area except a restaurant use may occupy up to 50 percent of the ground floor.

_____
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the _____ day of _____, 19___ The reference having been made in Minute Book _____, and recorded in full in Ordinance Book _____, at page _____

_____
Brenda Freeze City Clerk

DATE: July 27, 1992

PETITION NO.: 92-36

PETITIONER(S): Richard and Constance Keffer

REQUEST: Change from I-2 to I-1.

LOCATION: Approximately 1 acre located on the southwesterly corner of the intersection of Tyvola Road and Old Pineville Road.

ACTION: The Zoning Committee recommends that this petition be approved.

VOTE: Yeas: Baker, Fenning, James, McClure, Tabor, and Whelchel.

Nays: None.

(Commissioner Byrne absent)

REASONS

This petition proposes rezoning from the general industrial category to the light industrial category in order to accommodate an auto sales facility on the subject property. The new zoning ordinance requires B-2 or I-1 zoning for automobile sales. The Zoning Committee viewed the petition as appropriate and recommends its approval.

STAFF OPINION

The staff agrees with the recommendation of the Zoning Committee.

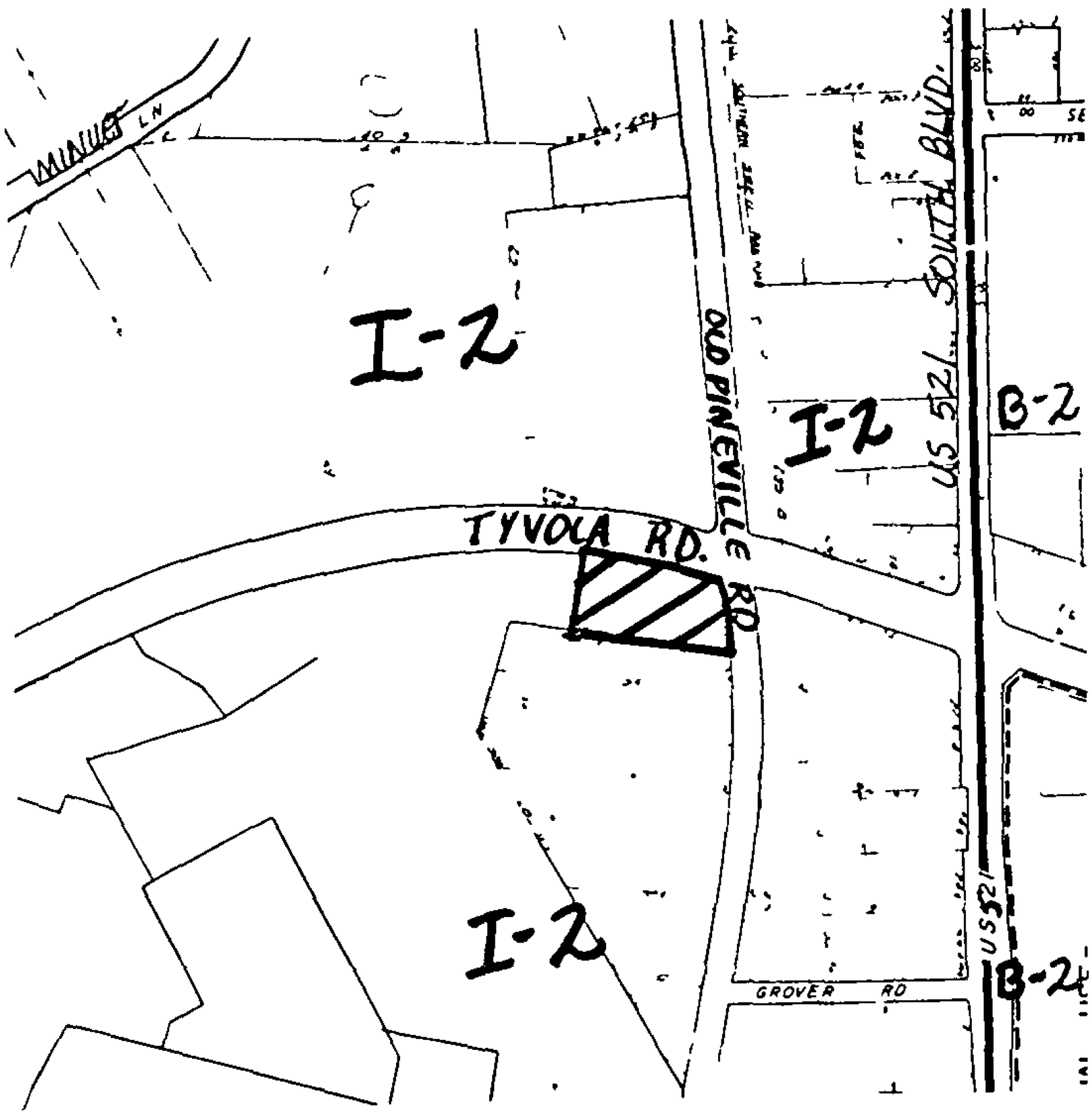
PETITIONER: Richard and Constance Keffer

PETITION NO.. 92-36 HEARING DATE: July 20, 1992

ZONING CLASSIFICATION, EXISTING: I-2

ZONING CLASSIFICATION, REQUESTED: I-1

LOCATION: Approximately 1.03 acres located on the southwest corner of Tyvola Road and Old Pineville Road.



ZONING MAP NO(s).: 126 & 134 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

DATE: July 27, 1992

PETITION NO.: 92-38

PETITIONER(S): Essie B. Shipp

REQUEST: Change from R-4 with a special use permit for a day care center to R-8MF(CD).

LOCATION: A .575 acre site located on the west side of Nations Ford Road north of Colony Acres Drive.

ACTION: The Zoning Committee recommends that this petition be approved.

VOTE: Yeas: Baker, Fenning, James, McClure, Tabor, and Whelchel.

Nays: None.

(Commissioner Byrne absent)

REASONS

This petition proposes a rezoning to a conditional multi-family category in order to accommodate an expansion of the existing day care center. The Zoning Committee discussed the issue which arose at the public hearing on this request regarding the neighborhood's concern about the introduction of a multi-family zoning category on the westerly side of Nations Ford Road. While Zoning Committee understood and acknowledged the neighborhood's concern, it was also noted that the sole uses permitted by the site plan are an expansion of the existing day care center or a single family residence if the day care closes. The Zoning Committee viewed the conditional zoning plan as adequate and substantial protection for the neighborhood and, therefore, recommends its approval.

STAFF OPINION

The staff agrees with the recommendation of the Zoning Committee.

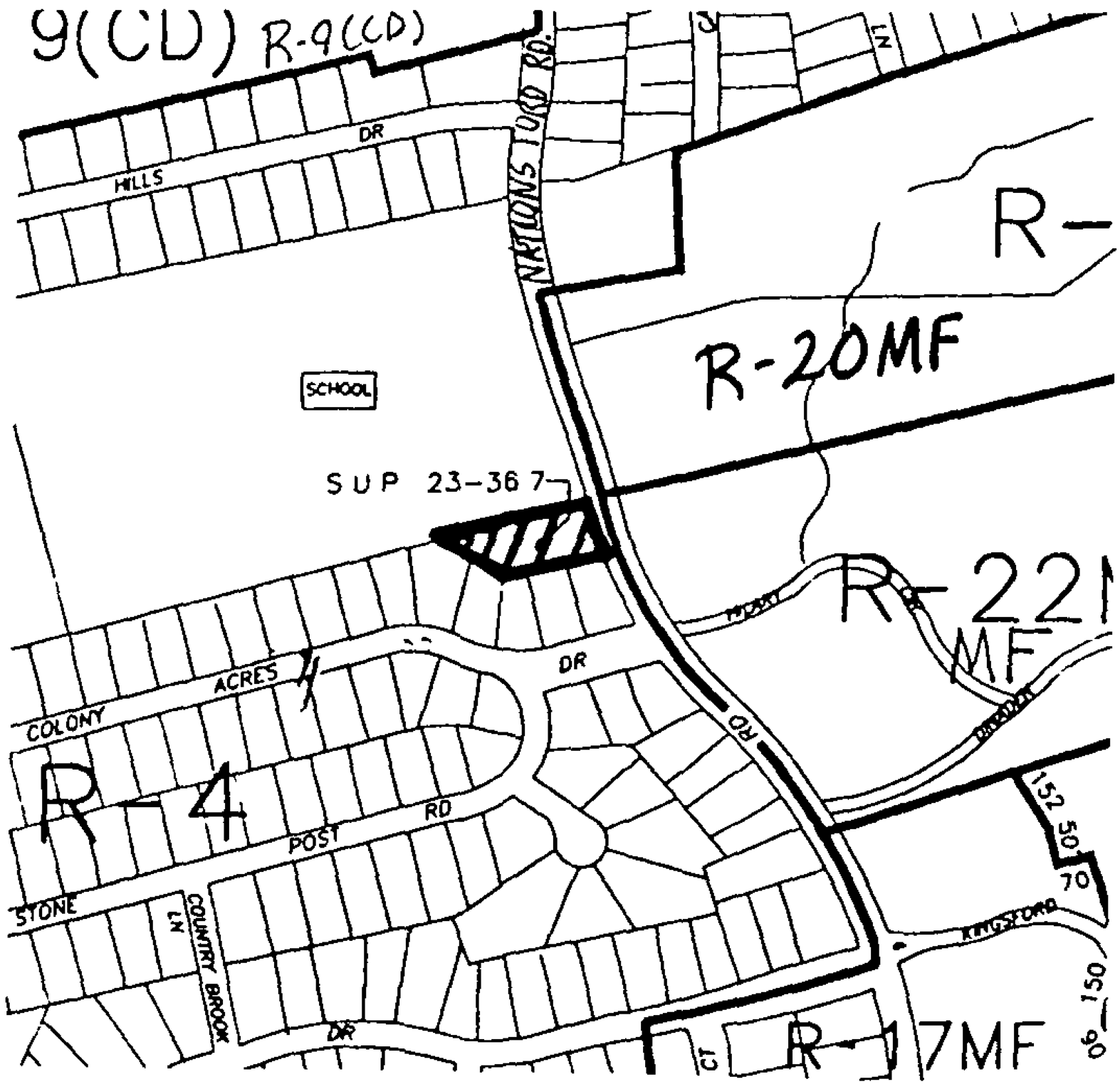
PETITIONER. Essie B. Shipp

PETITION NO.: 92-38 HEARING DATE: July 20, 1992

ZONING CLASSIFICATION, EXISTING: R-4 with SUP for a day care center

ZONING CLASSIFICATION, REQUESTED: R-8MF(CD) and termination of SUP

LOCATION: Approximately .575 acres located on the west side of Nations Ford Road, north of Colony Acres Drive.



ZONING MAP NO(s).: 148 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

DATE: July 27, 1992

PETITION NO.: 92-39

PETITIONER(S): J. H. Heafner Company, Inc.

REQUEST: Change from I-1 and R-22MF to I-1(CD).

LOCATION: A 4.18 acre site located on the northwest corner of Tipton Drive and Beasley Lane.

ACTION: The Zoning Committee recommends that this petition be approved.

VOTE: Yeas: Baker, Fenning, James, McClure, Tabor, and Whelchel.

Nays: None.

(Commissioner Byrne absent)

REASONS

This petition proposes rezoning from a combination of industrial and residential categories to a conditional industrial district. Publicly adopted plans for the area recognize it as one with potential for light industrial/business park uses. Therefore, the Zoning Committee recommends this petition be approved.

STAFF OPINION

The staff agrees with the recommendation of the Zoning Committee.

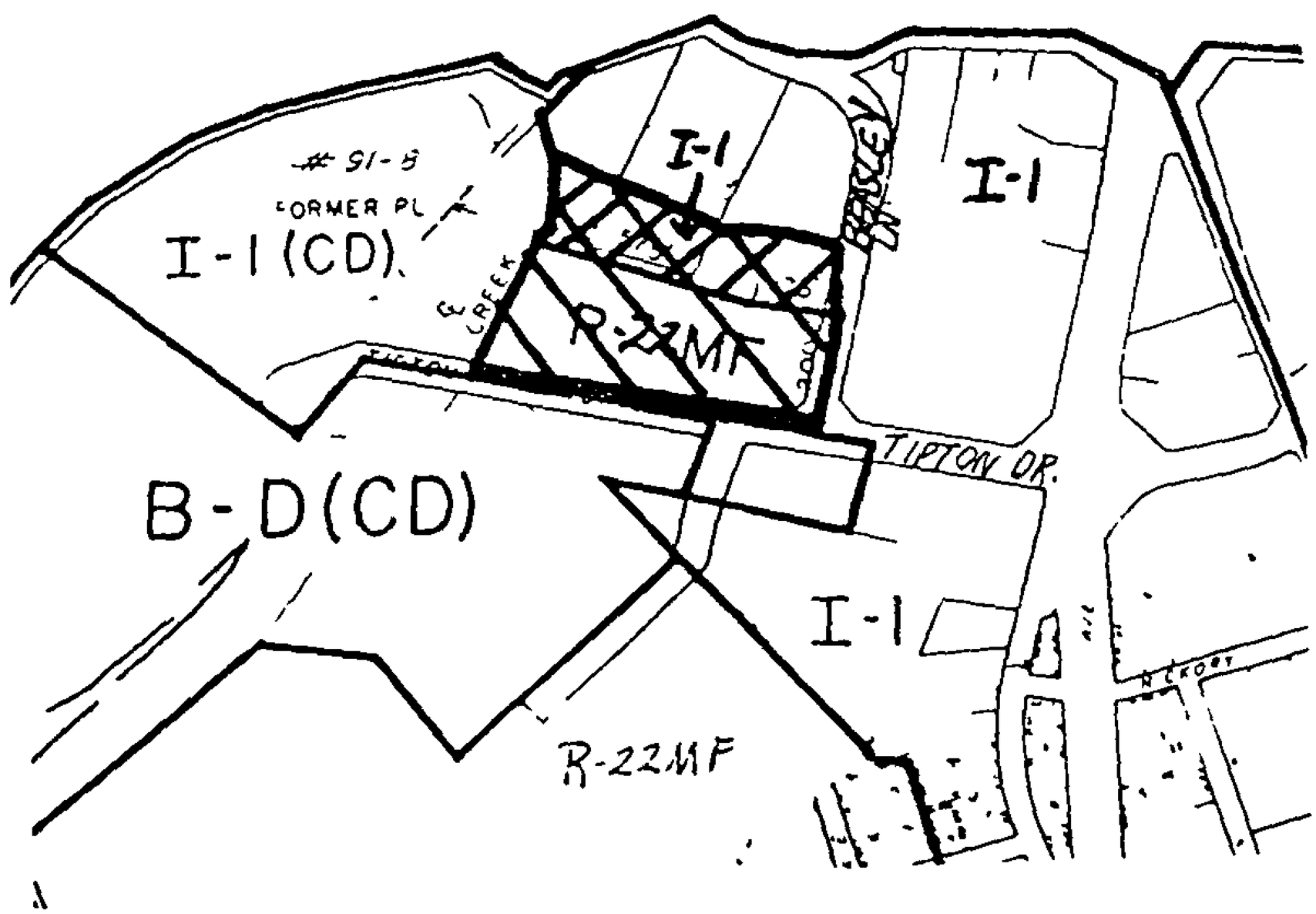
PETITIONER J. H. Heafner

PETITION NO.: 92-39 HEARING DATE: July 20, 1992

ZONING CLASSIFICATION, EXISTING: I-1 and R-22MF

ZONING CLASSIFICATION, REQUESTED: I-1(CD)

LOCATION Approximately 4 18 acres located on the northwest corner of Tipton Drive Beasley Lane.



ZONING MAP NO(s).: 79 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

DATE: July 27, 1992

PETITION NO.: 92-40

PETITIONER(S): CSCEC-U.S., Inc.

REQUEST: Change from R-15MF PUD to R-4.

LOCATION: A 55.21 acre site located on the east side of Providence Road south of McAlpine Creek.

ACTION: The Zoning Committee recommends that this petition be approved.

VOTE: Yeas: Baker, Fenning, James, McClure, Tabor, and Whelchel.

Nays: None.

(Commissioner Byrne absent)

REASONS

This petition proposes rezoning from a planned unit development for a retirement community to a conventional single family residential category. The requested zoning classification conforms to pending and adopted land use plans for the area. Therefore, the Zoning Committee recommends approval of this petition.

STAFF OPINION

The staff agrees with the recommendation of the Zoning Committee.

PETITIONER: CSCEC - U.S., Inc.

PETITION NO.: 92-40 HEARING DATE: July 20, 1992

ZONING CLASSIFICATION, EXISTING: R-15MF(PUD)

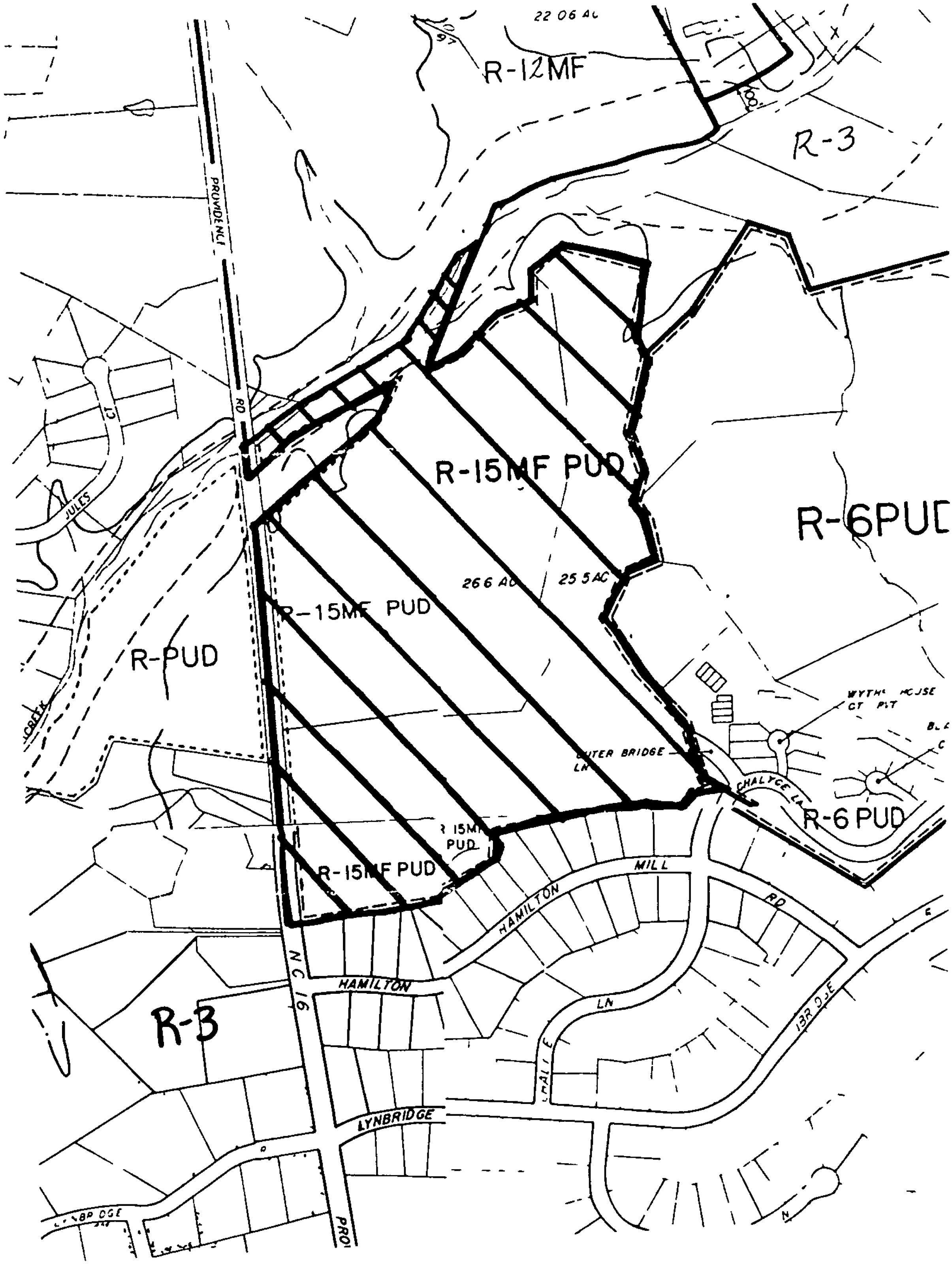
ZONING CLASSIFICATION, REQUESTED: R-4

LOCATION: Approximately 55.21 acres located on the east side of Providence Road (N.C. 16), south of McAlpine Creek.

SEE ATTACHED MAP

ZONING MAP NO(s).: 145,146,159,& 160 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE


22 06 AC
R-12MF
R-3
PROVIDENCE RD
R-15MF PUD
R-6PUD
JULES
26 6 AC
25 5 AC
R-15MF PUD
R-PUD
WYTHE HOUSE CT PLT
BUTTER BRIDGE LN
CHALYCE LA
R-6 PUD
R-15MF PUD
R-15MF PUD
MILL
HAMILTON
RD
HAMILTON
R-3
LN
LYNBRIDGE

DATE: July 27, 1992

PETITION NO.: 92-41

PETITIONER(S): St. Paul Baptist Church Trustees

REQUEST: Change from R-5 to O-2(CD).

LOCATION: A 5.37 acre site located on Harrill, Allen, and Pegram Streets between 16th and 18th Streets.

ACTION: The Zoning Committee recommends that this petition be approved.

VOTE. Yeas: Baker, Fenning, James, McClure, Tabor, and Whelchel.

Nays: None.

(Commissioner Byrne absent)

REASONS

This petition proposes rezoning from a single family residential category to a conditional office district to accommodate an expansion of the existing church with an ultimate seating capacity of 1,800 seats. The Zoning Committee discussed the one site plan issue noted by staff regarding the need to establish East 17th and East 18th Streets as standard 50 foot rights-of-way. Ultimately, however, the Zoning Committee viewed the additional right-of-way as not a critical issue particularly since other portions of those streets are substandard and would likely remain substandard for years to come. The Zoning Committee also commended the church for remaining within the Belmont neighborhood and for making the substantial commitment to the neighborhood that this expansion represents.

STAFF OPINION

The staff agrees with the recommendation of the Zoning Committee.

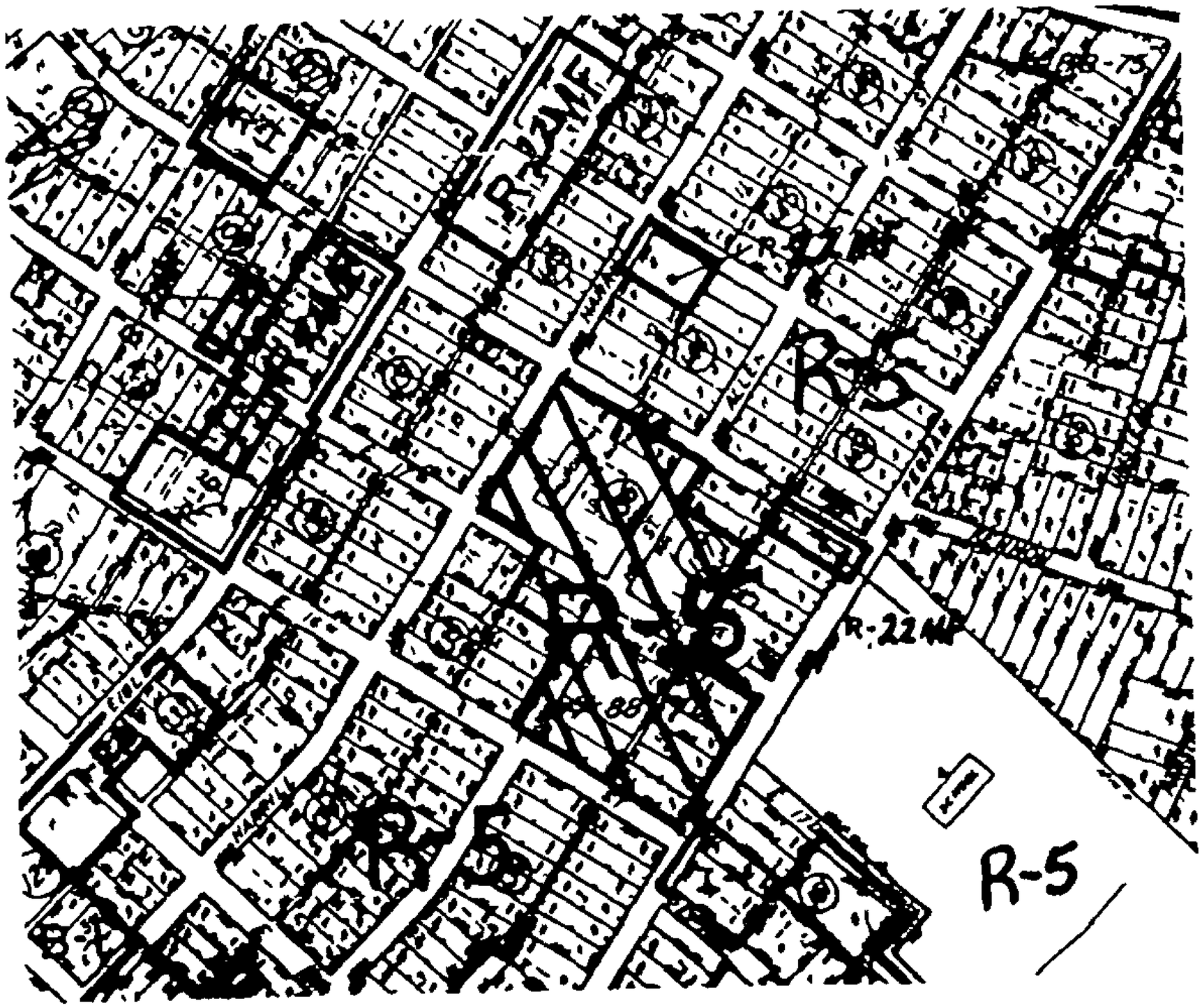
PETITIONER: St. Paul Baptist Church Trustees

PETITION NO.: 92-41 HEARING DATE: July 20, 1992

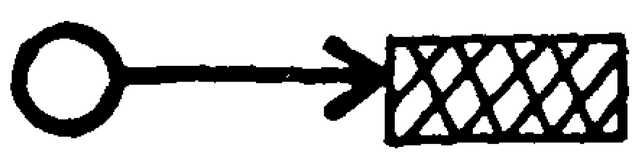
ZONING CLASSIFICATION, EXISTING: R-5

ZONING CLASSIFICATION, REQUESTED: O-2(CD)

LOCATION: Approximately 5.37 acres located on Harrill, Allen, and Pegram Streets between 16th and 18th Streets.



ZONING MAP NO(s).: 101 SCALE 1" = 400'



PROPERTY PROPOSED FOR CHANGE

DATE: July 27, 1992

PETITION NO.: 92-42

PETITIONER(S). Paul D. Weeks

REQUEST: Consideration of a text amendment to the City of Charlotte Zoning Ordinance to add language that would give the Planning Director the authority to consider allowing additional uses to an approved conditional zoning site plan.

ACTION: The Zoning Committee deferred action on this petition to their next work session (September 28).

VOTE: Yeas: Baker, James, Tabor, and Whelchel.

Nays: Fenning and McClure.

(Commissioner Byrne absent)

REASONS

This petition proposes an amendment to the zoning ordinance to insert language that would grant the Planning Director the authority to consider additional uses to an approved conditional zoning site plan. The Zoning Committee expressed substantial concern about the proposal's lack of notification of adjoining property owners and Zoning Committee and its potential for abuse. The petitioner's agent agreed to a deferral to explore alternatives that would potentially address these concerns.

DATE: July 27, 1992

PETITION NO.: 92-43

PETITIONER(S): City of Charlotte Community Development Department

REQUEST: Change from R-5 and B-1(CD) to O-3(CD) and R-22MF.

LOCATION: A .916 acre site located on the northeast corner of Oaklawn Avenue and Wayt Street and an .81 acre site located on the south side of Oaklawn Avenue west of Wayt Street.

ACTION: The Zoning Committee recommends that this petition be approved.

VOTE: Yeas: Baker, Fenning, James, McClure, Tabor, and Whelchel.

Nays: None.

(Commissioner Byrne absent)

REASONS

This petition proposes rezoning from a combination of single family residential and conditional commercial to a combination of conditional office and a conventional multi-family category. The proposed O-3(CD) portion of the petition involves the creation of an accessory parking lot for Community Outreach Church. It was noted that the requested variances associated with the proposed parking lot had been obtained from the Board of Adjustment waiving required buffers and allowing parking within the setback and side yard. The Zoning Committee discussed the potential for a better parking lot layout but ultimately viewed the petition as worthy of approval. Therefore, the Zoning Committee recommends that this petition be approved.

STAFF OPINION

The staff agrees with the recommendation of the Zoning Committee.

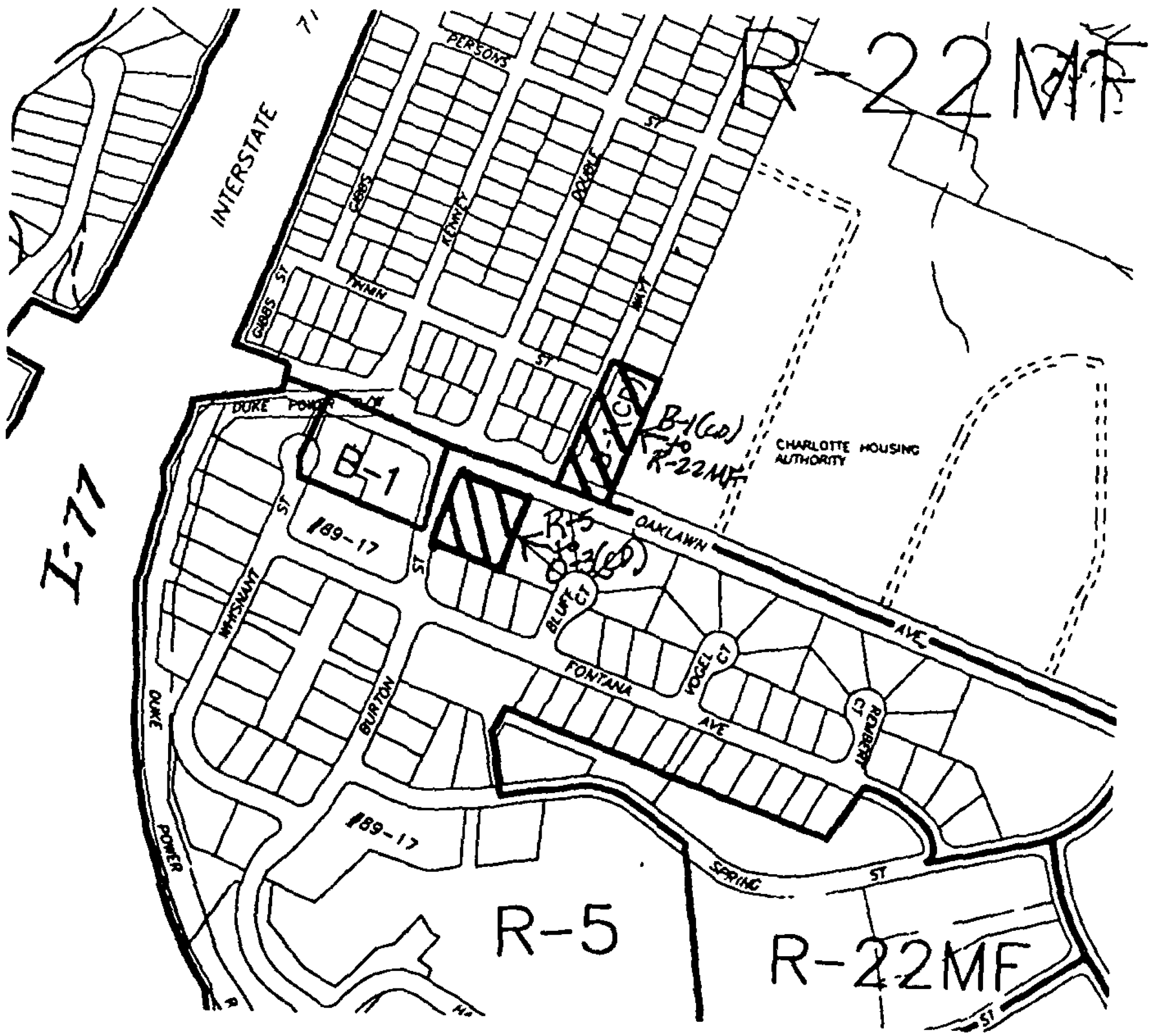
PETITIONER: City of Charlotte Community Development Department

PETITION NO.: 92-43 HEARING DATE. July 20, 1992

ZONING CLASSIFICATION, EXISTING: R-5 & B-1(CD)

ZONING CLASSIFICATION, REQUESTED: O-3(CD) & R-22MF

LOCATION: Approximately .916 acres located on the northeast corner of Oaklawn Avenue and Wayt Street; and approximately .81 acres located on the south side of Oaklawn Avenu west of Wayt Street.



ZONING MAP NO(s).: 68 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

CHARLOTTE

Request for Council Action

August 24, 1992

To the City Council from the City Manager

Action Requested

Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling located at 1400 North Davidson Street aka 601 East 17th Street.

Responsible Department

Community Development

This request should be organized according to the following categories
Background Explanation of Request Source of Funding Clearances Bibliography

What is Council being asked to approve?
Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling located at 1400 North Davidson Street owned by Eli Eliassi aka Eli Mohari.

Why is the City doing this?
The dwelling was inspected on August 6, 1990 as a result of a field observation and was found to be in violation of the Housing Code. The owner was ordered to demolish the structure since the estimated cost to repair the structure is more than 65% of the estimated value. The owner did not comply with the Order to demolish the structure by September 11, 1991; therefore, City Council is being asked to adopt an ordinance to use the In Rem Remedy to demolish the structure.

As part of the Acquisition/Disposition Program (ADP), an analysis has been performed by CD staff (see Exhibit A). It has been determined it is not feasible to preserve this structure. In this case, demolition is being recommended because: (1) the estimated In Rem Repair cost is $16,650, which is 115% of the $14,462 tax value of the structure and (2) the estimated cost of $68,998 to acquire and rehabilitate the structure makes it not economically feasible to do.

What are Council's options?
N/A

How much will this cost?
The estimated cost to demolish this dwelling is $3,000. Funds for the demolition of 1400 North Davidson Street aka East 17th Street are available in the General Fund-In Rem Account. A lien will be placed against the property for the cost incurred.

What is citizen input on this issue?
The owner will be notified of this In Rem Action being presented to City Council on August 24, 1992.

Background:
See Attachment

Clearances:
Community Development Department

Bibliography:
Housing Code of the City of Charlotte as amended; case file on 1400 North Davidson Street aka 601 East 17th Street.

BACKGROUND

- Property Address: 1400 North Davidson Street aka 601 East 17th Street

- Owner: Eli Eliassi aka Eli Mohari

- Census Tract: #7

- Council District: #1

- Neighborhood: Optimist Park

- Date of Inspection: 8/6/90

- The code enforcement of this case was suspended because the owner applied for rental rehabilitation assistance. Code enforcement resumed since rental rehabilitation assistance was not obtained.

- Title search received in February 1990 revealed parties in interest to the property.

- Complaint & Notice of Hearing and Findings of Fact and Order were advertised in the Mecklenburg Times because the owner and parties in interest could not be served by certified mail.

- Owner and Parties in Interest Notified of Hearing: 7/19/91

- Hearing Held: 7/29/91

- Owner and Parties in Interest Ordered to Demolish Dwelling by: 9/11/91

- Structure Occupied: Yes (Tenant added to relocation workload and will be relocated prior to demolition)

- Repairs include major structural, mechanical and electrical.

- Feasibility to Save or Demolish Structure:

  As part of the Acquisition/Disposition Program (ADP), an analysis has been performed by CD staff (see Exhibit A). It has been determined it is not feasible to preserve this structure. In this case, demolition is being recommended because: (1) the estimated In Rem Repair cost is $16,650, which is 115% of the $14,462 tax value of the structure and (2) the estimated cost of $68,998 to acquire and rehabilitate the structure makes it not economically feasible to do.

EXHIBIT A

DATE 5-20-92

NEIGHBORHOOD DEVELOPMENT DIVISION
ACQUISITION/DISPOSITION PROGRAM EVALUATION GUIDE
ADP ANALYSIS

ADDRESS 1400 N Davidson St. (081 103 07) Census Tract # 7
(A K A 601 E 17th St)

I. CODE ENFORCEMENT COST REVIEW (to be completed by HRS II)

Code Order: In Rem Repair ____
Demolition ✓

Effective Year
Structure Built 1945
Style duplex
Bedrooms 3
Sq. Ft. (House) 1892
Civil Penalty
Amount 2610
Date 5-20 92

A. Current Tax Value of Structure $14,462
B. Land Value $2500
SUB-TOTAL TAX VALUE $16,962
C. Estimated Cost to In Rem Repair to Code Standards $16,650
TOTAL $33,612

D. % of C divided by A 115 %
< 65% of Value Yes ____ No ✓

E. Once HRS II completes above, forward to NDS.

F. Comments/Mitigative Concerns

Name M. Jones
Date Completed 5-20-92

II. Estimate of Cost to Acquire & Rehabilitate Property

Information received from HRS II Date _____

1. Negotiated Acquisition or Tax Value or Loans $ 0
2. Rehabilitation (Substantial) (based on average cost of CD rehabilitation x sq.ft. in house) 1892 sq.ft. x $27.00 per sq.ft. $ 51,084
3. Delinquent Taxes (if any) $ 413.63
4. Outstanding Loans/Liens (if any) $ 17,500

Sub-Total $ 68,997.63

Outstanding Loans/Liens - 17,500

TOTAL $ 51,497.63

Is Total > $50,000 Yes ✓ No ____

III. Amount of Civil Penalties $ 3150

IV. Course of Action

A. Proposed recommendation(s) (to be completed by NDS)

	Yes	No
1. Acquire	____	X
If checked yes, forward to Rehabilitation Chief for work write-up and cost estimate.		
2. In Rem Repair	____	X
3. Demolish	X	____

If either #2 or #3 is checked yes, return to appropriate HRS II.

If either #2 or #3 is checked yes, the process is completed unless we are interested in acquiring the land. If we are interested in acquiring the land, the two processes (code and acquisition) simultaneously continue.

Name C Wallace

Date Completed 7-13-92

B. Proposed Use (to be completed by NDS)

1. Sell to Interested Purchaser Externally ____ X

2. Retain for Use Internally ____ X

3. Explain Proposed Internal Use of House
NONE.

4. Explain Proposed External Sale of House
Property referred to Belmont CDC, but the organization is not interested in buying property or vacant lot.

D. Comments
Property appeared to be occupied during drive by on 5-15-92. Not successful in attempts to contact owner, Eli Monau (a.k.a. Eli Elaou). Richard Ricozzi, maker of note, has not returned telephone messages left on his answering machine.

Name C Wallace
Date Completed 7-13-92

V. Rehabilitation Feasibility/New Construction

A. Rehabilitation Chief advises NDS of cost to rehabilitate house. (to be completed by Rehabilitation Chief)

1. Cost to Rehabilitate $_____
2. Negotiated Acquisition $_____
3. Delinquent Taxes (if any) $_____
4. Outstanding Loans/Liens (if any) $_____

TOTAL $_____

Is it feasible to rehabilitate? Yes _____ No _____
If yes, complete the following section.

B. Cost to Replace Vs. Cost to Preserve (to be completed by NDS)

Replacement Value: sq. ft. of structure x replacement cost per sq.ft. (based on average cost of CD new construction)

_____ sq. ft. x $_____ $_____

Plus Land Value $_____

TOTAL $_____

Is it feasible to rehabilitate vs. replacement house cost?

Yes _____ No _ ___

Name _____

Date Completed _____

If yes, NDS notifies the HRS II and the code enforcement process stops.

If no, the acquisition process stops and the code enforcement process is completed.

VI. Community Development Director Approval ✓ Decline ____

Signature 7-14-92

Director's Comment/Concerns:

ORDINANCE NO. _____

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 1400 NORTH DAVIDSON STREET, PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF ELI ELIASSI AKA ELI MOHARI RESIDING AT 2121 COMMONWEALTH AVENUE, CHARLOTTE, NORTH CAROLINA.

WHEREAS, the dwelling located at 1400 North Davidson Street in the City of Charlotte has been found by the Director of the Community Development Department to be unfit for human habitation and the owners thereof have been ordered to vacate and demolish said dwelling, pursuant to the Housing Code of the City of Charlotte and Article 19, Chapter 160A of the General Statutes of North Carolina; and

WHEREAS, said owners have failed to comply with said order served by advertisement on July 19, 1991 and August 30, 1991.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, that the Director of the Community Development Department is hereby ordered to cause the dwellling located at 1400 North Davidson Street in the City of Charlotte to be vacated, and to be demolished and removed, all in accordance with the Housing Code of the City of Charlotte and Article 19, Chapter 160A of the General Statutes of North Carolina.

APPROVED AS TO FORM:

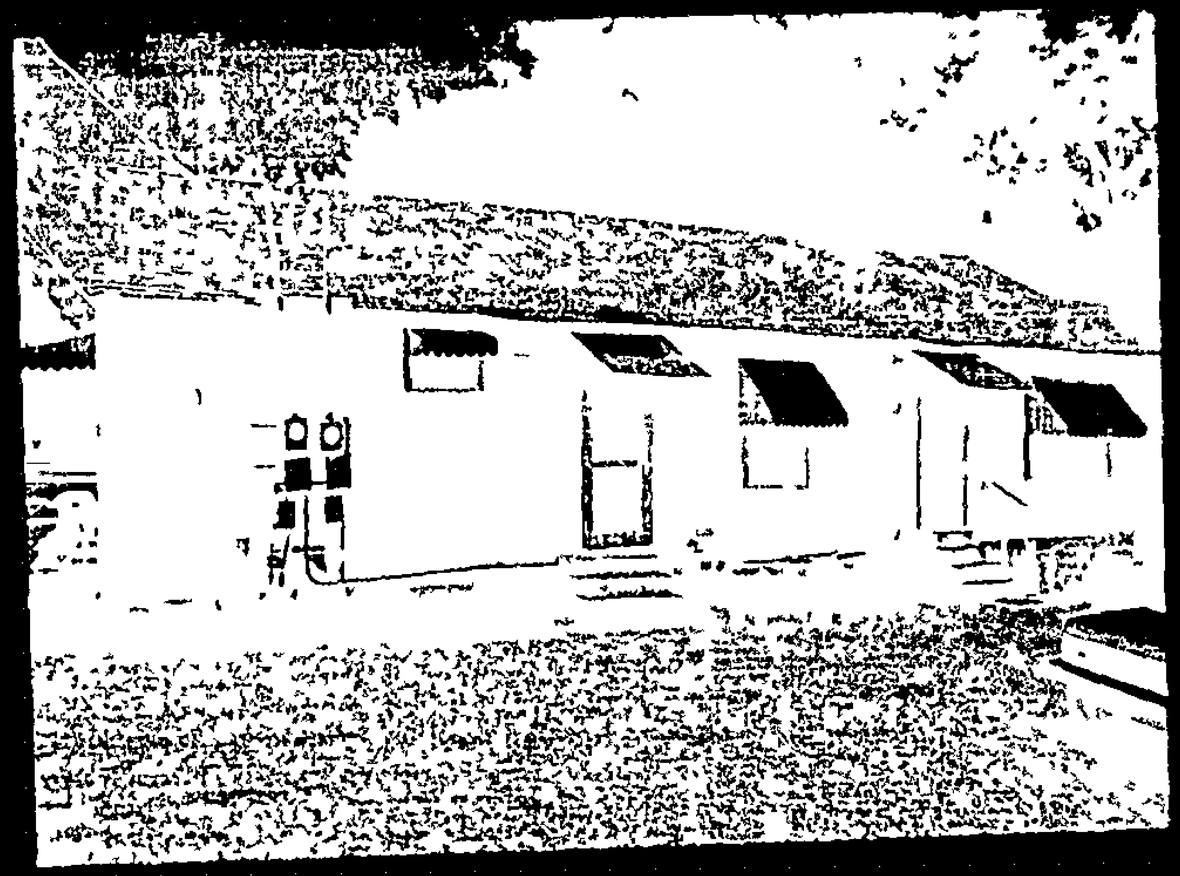
Henry W. Underhill Jr.
CITY ATTORNEY

CERTIFICATION

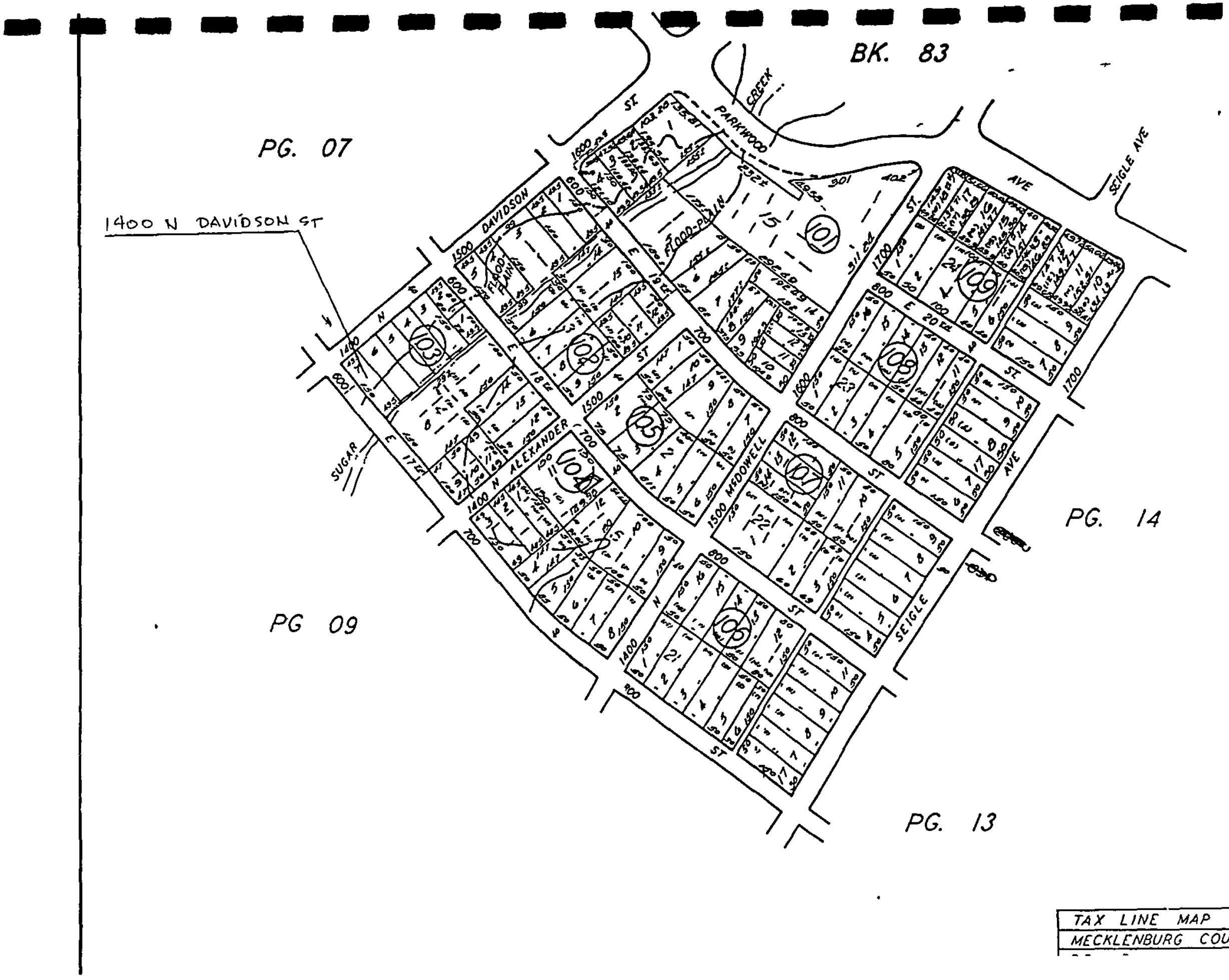
I, BRENDA FREEZE, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the _____ day of _____, 19____, the reference having been made in Minute Book _____, and recorded in full in Ordinance Book _____, at Page(s) _____.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the _____ day of _____, 19 _____.

_____
BRENDA FREEZE, CITY CLERK



1400 N. DAVIDSON ST 7-29-92



TAX LINE MAP
MECKLENBURG COUNTY

CHARLOTTE

Request for Council Action

August 24, 1992

To the City Council from the City Manager

Action Requested Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling located at 805 East 17th Street.

Responsible Department Community Development

This request should be organized according to the following categories: Background, Explanation of Request, Source of Funding, Clearances, Bibliography

What is Council being asked to approve?
Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling located at 805 East 17th Street owned by Eli Eliassi aka Eli Mohari.

Why is the City doing this?
The dwelling was inspected on January 30, 1990 as a result of a field observation in a Concentrated Code Enforcement area and was found to be in violation of the Housing Code. The owner was ordered to demolish the structure since the estimated cost to repair the structure is more than 65% of the estimated value. The owner did not comply with the Order to demolish the structure by May 17, 1991; therefore, City Council is being asked to adopt an ordinance to use the In Rem Remedy to demolish the structure.

As part of the Acquisition/Disposition Program (ADP), an analysis has been performed by CD staff (see Exhibit A). It has been determined it is not feasible to preserve this structure. In this case, demolition is being recommended because the estimated In Rem Repair cost is $7,160, which is 149% of the $4,810 tax value of the structure; and, although the estimated cost of $52,762 to acquire and rehabilitate the structure is slightly above the City replacement cost average, a new house could be constructed with a new 50-year economic life.

What are Council's options?
N/A

How much will this cost?
The estimated cost to demolish this dwelling is $3,500. Funds for the demolition of 805 East 17th Street are available in the General Fund-In Rem Account. A lien will be placed against the property for the cost incurred.

What is citizen input on this issue?
The owner will be notified of this In Rem Action being presented to City Council on August 24, 1992.

Background:
See Attachment

Clearances:
Community Development Department

Bibliography:
Housing Code of the City of Charlotte as amended; case file on 805 East 17th Street.

BACKGROUND

- Property Address: 805 East 17th Street
- Owner: Eli Eliassi aka Eli Mohari
- Census Tract: #8
- Council District: #1
- Neighborhood: Belmont
- Date of Inspection: 1/30/90
- Owner Notified of Hearing: 2/21/90
- Hearing Held: 3/15/90
- Owner Ordered to Repair Dwelling by: 4/15/90
- Property sold to new owner: 5/9/90
- Owner Notified of Hearing: 6/1/90
- Hearing Held: 7/2/90
- Owner Ordered to Repair Dwelling by: 10/14/90 (mail returned unclaimed)
  11/23/90 (mail returned unclaimed)
- Case not followed up on until May 1991.
- Reinspection revealed substantial vandalism had occurred. The estimated repair cost exceeded the tax value by 65%; therefore, the owner was ordered to demolish the dwelling. The Findings of Fact and Order was advertised in the Mecklenburg Times.
- Owner Ordered to Demolish Dwelling by: 5/17/91
- Title search received in May 1991 revealed parties in interest to the property. The parties in interest have been notified of the code enforcement action.
- Structure Occupied: No
- Repairs include major structural, mechanical, electrical and plumbing.

- Feasibility to Save or Demolish Structure:

  As part of the Acquisition/Disposition Program (ADP), an analysis has been performed by CD staff (see Exhibit A). It has been determined it is not feasible to preserve this structure. In this case, demolition is being recommended because the estimated In Rem Repair cost is $7,160, which is 149% of the $4,810 tax value of the structure; and, although the estimated cost of $52,762 to acquire and rehabilitate the structure is slightly above the City replacement cost average, a new house could be constructed with a new 50-year economic life.

EXHIBIT A

DATE 5-26-92

NEIGHBORHOOD DEVELOPMENT DIVISION
ACQUISITION/DISPOSITION PROGRAM EVALUATION GUIDE
ADP ANALYSIS

ADDRESS 805 E. 17th St (081-106-02 Census # 8

I. CODE ENFORCEMENT COST REVIEW (to be completed by HRS II)

Code Order: In Rem Repair ____
Demolition ✓

Effective Year Structure Built	1935
Style	Ranch
# Bedrooms	5
Sq. Ft. (House)	1680
Civil Penalty	
Amount	$3,840
Date	5-26-92

A.	Current Tax Value of Structure	$ 4810
B.	Land Value	$ 2500
	SUB-TOTAL TAX VALUE	$ 7310
C.	Estimated Cost to In Rem Repair to Code Standards	$ 7160
	TOTAL	$ 14,470

D. % of C divided by A 149 %
< 65% of Value Yes ____ No ✓

E. Once HRS II completes above, forward to NDS.

F. Comments/Mitigative Concerns
House is dilapidated, vacant and open.

Name M. Jenkins
Date Completed 5-26-92

II. Estimate of Cost to Acquire & Rehabilitate Property

Information received from HRS II Date _____

1. Negotiated Acquisition or Tax Value $ 7310
2. Rehabilitation (Substantial) (based on average cost of CD rehabilitation x sq.ft. in house) 1680 sq.ft. x $27.00 per sq.ft. $ 45,360
3. Delinquent Taxes (if any) $ 92.06
4. Outstanding Loans/Liens (if any) $ 5000

Sub-Total $ 57,762.06
Outstanding Loans/Liens - 5,000
TOTAL $ 52,762.06

Is Total > $50,000 Yes ✓ No ____

III. Amount of Civil Penalties $ 4270

IV. Course of Action

A. Proposed recommendation(s) (to be completed by NDS)

	Yes	No
1. Acquire	____	X
If checked yes, forward to Rehabilitation Chief for work write-up and cost estimate.		
2. In Rem Repair	____	X
3. Demolish	X	____

If either #2 or #3 is checked yes, return to appropriate HRS II.

If either #2 or #3 is checked yes, the process is completed unless we are interested in acquiring the land. If we are interested in acquiring the land, the two processes (code and acquisition) simultaneously continue.

Name C Wallace Sw
Date Completed 7-8-92

B. Proposed Use (to be completed by NDS)

1. Sell to Interested Purchaser Externally ___X___ _____

2. Retain for Use Internally _____ ___X___

3. Explain Proposed Internal Use of House
NONE.

4. Explain Proposed External Sale of House
Belmont CDC interested in acquiring vacant lot but not structure.

D. Comments
Not able to contact owner, Eli Mohari (aka. Eli Elassi)

Name C. Wallace
Date Completed 7-8-92

V. Rehabilitation Feasibility/New Construction

A. Rehabilitation Chief advises NDS of cost to rehabilitate house. (to be completed by Rehabilitation Chief)

1. Cost to Rehabilitate $_____
2. Negotiated Acquisition $_____
3. Delinquent Taxes (if any) $_____
4. Outstanding Loans/Liens (if any) $_____

TOTAL $_____

Is it feasible to rehabilitate? Yes _____ No _____
If yes, complete the following section.

B. Cost to Replace Vs. Cost to Preserve (to be completed by NDS)

Replacement Value: sq. ft. of structure x replacement cost per sq.ft. (based on average cost of CD new construction)

_____ sq. ft. x $_____ $_____

Plus Land Value $_____

TOTAL $_____

Is it feasible to rehabilitate vs. replacement house cost?

Yes _____ No _____

Name _____

Date Completed _____

If yes, NDS notifies the HRS II and the code enforcement process stops.

If no, the acquisition process stops and the code enforcement process is completed.

VI. Community Development Director Approval ✓ Decline ____

7-14-92

Signature

Director's Comment/Concerns:

_____

_____

_____

_____

_____

_____

ORDINANCE NO. _____

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 805 EAST 17TH STREET, PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF ELI ELIASSI AKA ELI MOHARI RESIDING AT 2121 COMMONWEALTH AVENUE, CHARLOTTE, NORTH CAROLINA.

WHEREAS, the dwelling located at 805 East 17th Street in the City of Charlotte has been found by the Director of the Community Development Department to be unfit for human habitation and the owners thereof have been ordered to vacate and demolish said dwelling, pursuant to the Housing Code of the City of Charlotte and Article 19, Chapter 160A of the General Statutes of North Carolina; and

WHEREAS, said owners have failed to comply with said order served by registered mail on June 1, 1990 and by advertisement on May 7, 1991.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, that the Director of the Community Development Department is hereby ordered to cause the dwellling located at 805 East 17th Street in the City of Charlotte to be vacated, and to be demolished and removed, all in accordance with the Housing Code of the City of Charlotte and Article 19, Chapter 160A of the General Statutes of North Carolina.

APPROVED AS TO FORM:

Henry W. Underhill Jr.
CITY ATTORNEY

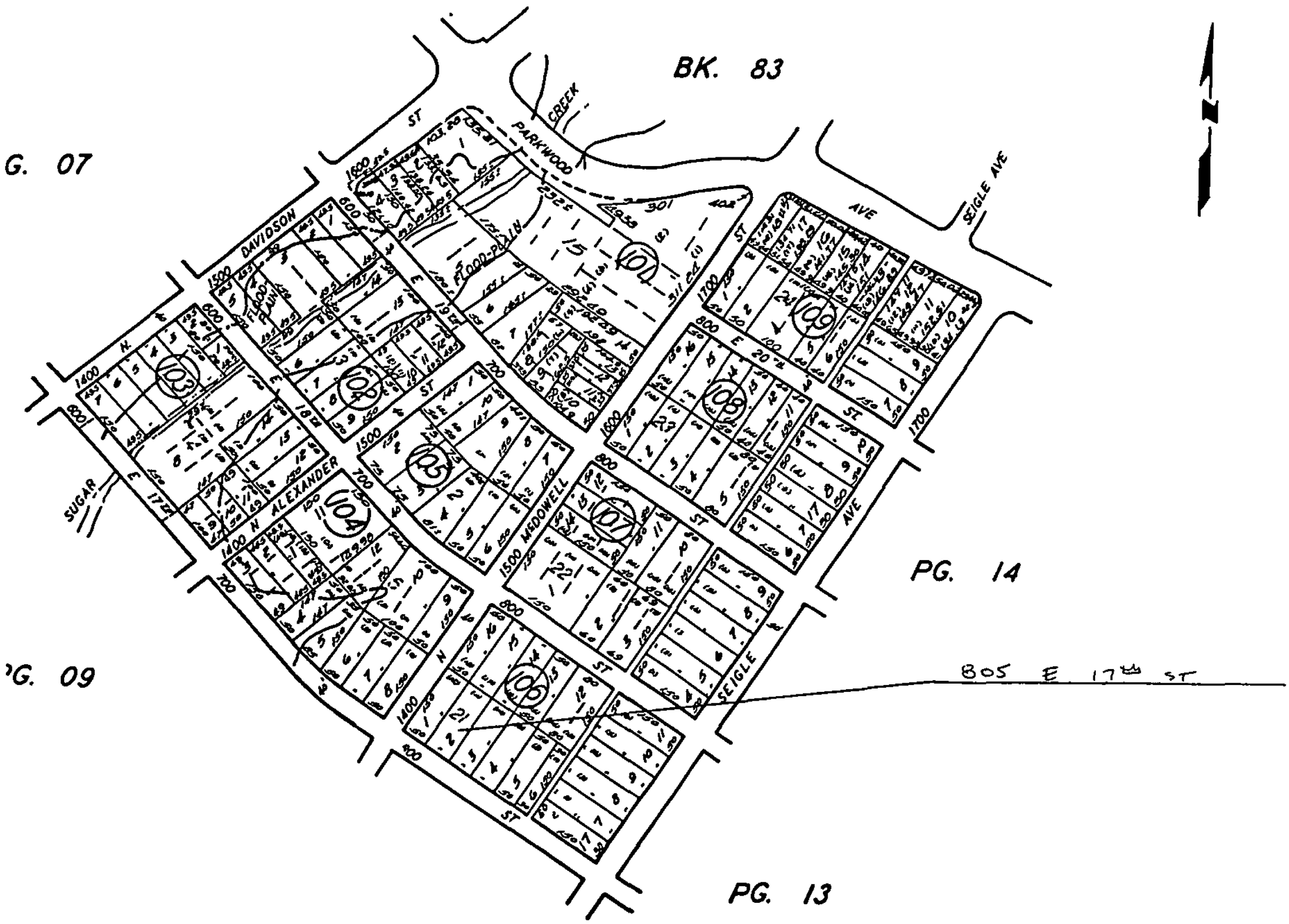
CERTIFICATION

I, BRENDA FREEZE, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the _____ day of _____, 19____, the reference having been made in Minute Book _____, and recorded in full in Ordinance Book _____, at Page(s) _____.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the _____ day of _____, 19 _____.

_____
BRENDA FREEZE, CITY CLERK

BOS E 17th ST 7-29-92



TAX LINE MAP BOOK 81 PAGE 10
MECKLENBURG COUNTY, NORTH CAROLINA

FOR TAX PURPOSES ONLY

CHARLOTTE

Request for Council Action

August 24, 1992

To the City Council from the City Manager

Action Requested **Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling located at 1805 Wayt Street.**

Responsible Department **Community Development**

This request should be organized according to the following categories: Background, Explanation of Request, Source of Funding, Clearances, Bibliography

What is Council being asked to approve?
Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling located at 1805 Wayt Street owned by Frances P. Brown.

Why is the City doing this?
The dwelling was inspected on February 19, 1991 as a result of a fire in a Concentrated Code Enforcement area and was found to be in violation of the Housing Code. The owner was ordered to demolish the structure since the estimated cost to repair the structure is more than 65% of the estimated value. The owner did not comply with the Order to demolish the structure by December 6, 1991; therefore, City Council is being asked to adopt an ordinance to use the In Rem Remedy to demolish the structure.

As part of the Acquisition/Disposition Program (ADP), an analysis has been performed by CD staff (see Exhibit A). It has been determined it is not feasible to preserve this structure. In this case, demolition is being recommended because the estimated In Rem Repair cost is $25,000, which is 138.6% of the $18,040 tax value of the structure; and, although the estimated cost of $39,790 to acquire and rehabilitate the structure is below the City replacement cost average, for an additional $10,300 a new house could be constructed with a new 50-year economic life. Also, this structure contains only 750 square feet.

What are Council's options?
N/A

How much will this cost?
The estimated cost to demolish this dwelling is $3,000. Funds for the demolition of 1805 Wayt Street are available in the General Fund-In Rem Account. A lien will be placed against the property for the cost incurred.

What is citizen input on this issue?
The neighborhood group has complained about this structure.

The owner will be notified of this In Rem Action being presented to City Council on August 24, 1992.

Background:
See Attachment

Clearances:
Community Development Department

Bibliography:
Housing Code of the City of Charlotte as amended; case file on 1805 Wayt Street.

BACKGROUND

- Property Address: 1805 Wayt Street
- Owner: Frances P. Brown
- Census Tract: #50
- Council District: #2
- Neighborhood: Genesis Park
- Date of Inspection: 2/19/91
- The case was delayed because of misleading numbers on the house which initially caused the code enforcement action to be sent to the wrong owner.
- Owner Notified of Hearing: 10/15/91
- Hearing Held: 11/6/91
- Owner Ordered to Demolish Dwelling by: 12/6/91
- Title search received in November 1991 revealed no parties in interest to the property.
- Structure Occupied: No
- Repairs include major structural, mechanical, electrical and plumbing.
- Feasibility to Save or Demolish Structure:

As part of the Acquisition/Disposition Program (ADP), an analysis has been performed by CD staff (see Exhibit A). It has been determined it is not feasible to preserve this structure. In this case, demolition is being recommended because the estimated In Rem Repair cost is $25,000, which is 138.6% of the $18,040 tax value of the structure; and, although the estimated cost of $39,790 to acquire and rehabilitate the structure is below the City replacement cost average, for an additional $10,300 a new house could be constructed with a new 50-year economic life. Also, this structure contains only 750 square feet.

EXHIBIT A

DATE 3-27-92

NEIGHBORHOOD DEVELOPMENT DIVISION
ACQUISITION/DISPOSITION PROGRAM EVALUATION GUIDE
ADP ANALYSIS

ADDRESS 1805 Wayt St Census # 50

I. CODE ENFORCEMENT COST RE'IEW (to be completed by HRS II)

Code Order: In Rem Repair ____
Demolition X

Effective Year
Structure Built 1947
Style Trad./ranch
Bedrooms 2
Sq. Ft. (House) 750
Civil Penalty X
Amount 1210
Date 3-27-92

A. Current Tax Value of Structure $ 18,040
B. Land Value $ 1500
SUB-TOTAL TAX VALUE $ 19,540
C. Estimated Cost to In Rem Repair to Code Standards $ 25,000.
TOTAL $ 44,540

D. % of C divided by A 138.6%
< 65% of Value Yes ____ No X

E. Once HRS II completes above, forward to NDS.

F. Comments/Mitigative Concerns
House fire damaged

Name [signature]
Date Completed

II. Estimate of Cost to Acquire & Rehabilitate Property

Information received from HRS II Date 4-2-92

1. Negotiated Acquisition or Tax Value $ 19,540
2. Rehabilitation (Substantial) (based on average cost of CD rehabilitation x sq.ft. in house) 750 sq.ft. x $27.00 per sq.ft. $ 20,250
3. Delinquent Taxes (if any) $ 0
4. Outstanding Loans/Liens (if any) $ 0

Sub-Total $ 39,790

Outstanding Loans/Liens - 0

TOTAL $ 39,790

Is Total > $50,000 Yes ____ No ✓

III. Amount of Civil Penalties $ 2120

IV. Course of Action

A. Proposed recommendation(s) (to be completed by NDS)

	Yes	No
1. Acquire	____	✓
If checked yes, forward to Rehabilitation Chief for work write-up and cost estimate.		
2. In Rem Repair	____	✓
3. Demolish	✓	____

If either #2 or #3 is checked yes, return to appropriate HRS II.

If either #2 or #3 is checked yes, the process is completed unless we are interested in acquiring the land. If we are interested in acquiring the land, the two processes (code and acquisition) simultaneously continue.

Name C. Wallace

Date Completed 6-26-92

B. Proposed Use (to be completed by NDS)

1. Sell to Interested Purchaser Externally ✓ ____

2. Retain for Use Internally ____ ✓

3. Explain Proposed Internal Use of House
None.

4. Explain Proposed External Sale of House
Habitat wants to buy property if it is donated gratis in lieu of Habitat paying the civil penalties and demolition of structure Habitat will use lot for new construction.

D. Comments
Property severly fire damaged. Reinspected by code stays on 5-29-92 and repairs remained at 60%

Name CWallace
Date Completed 6-26-92

V. Rehabilitation Feasibility/New Construction

A. Rehabilitation Chief advises NDS of cost to rehabilitate house. (to be completed by Rehabilitation Chief)

1. Cost to Rehabilitate $_____
2. Negotiated Acquisition $_____
3. Delinquent Taxes (if any) $_____
4. Outstanding Loans/Liens (if any) $_____

TOTAL $_____

Is it feasible to rehabilitate? Yes _____ No _____
If yes, complete the following section.

B. Cost to Replace Vs. Cost to Preserve (to be completed by NDS)

Replacement Value: sq. ft. of structure x replacement cost per sq.ft. (based on average cost of CD new construction)

_____ sq. ft. x $_____ $_____

Plus Land Value $_____

TOTAL $_____

Is it feasible to rehabilitate vs. replacement house cost?

Yes _____ No _____

Name _____

Date Completed _____

If yes, NDS notifies the HRS II and the code enforcement process stops.

If no, the acquisition process stops and the code enforcement process is completed.

VI. Community Development Director Approval ✓ Decline ____

JWalters 7-9-92

Signature

Director's Comment/Concerns:

_____

_____

_____

_____

_____

_____

ORDINANCE NO. _____

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 1805 WAYT STREET, PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF FRANCES BROWN RESIDING AT 1521 HATERAS AVENUE, CHARLOTTE, NORTH CAROLINA.

WHEREAS the dwelling located at 1805 Wayt Street in the City of Charlotte has been found by the Director of the Community Development Department to be unfit for human habitation and the owners thereof have been ordered to vacate and demolish said dwelling, pursuant to the Housing Code of the City of Charlotte and Article 19, Chapter 160A of the General Statutes of North Carolina; and

WHEREAS, said owners have failed to comply with said order served by registered mail on October 15, 1991 and November 8, 1991.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, that the Director of the Community Development Department is hereby ordered to cause the dwellling located at 1805 Wayt Street in the City of Charlotte to be vacated, and to be demolished and removed, all in accordance with the Housing Code of the City of Charlotte and Article 19, Chapter 160A of the General Statutes of North Carolina.

APPROVED AS TO FORM:

Henry W. Underhill Jr.
CITY ATTORNEY

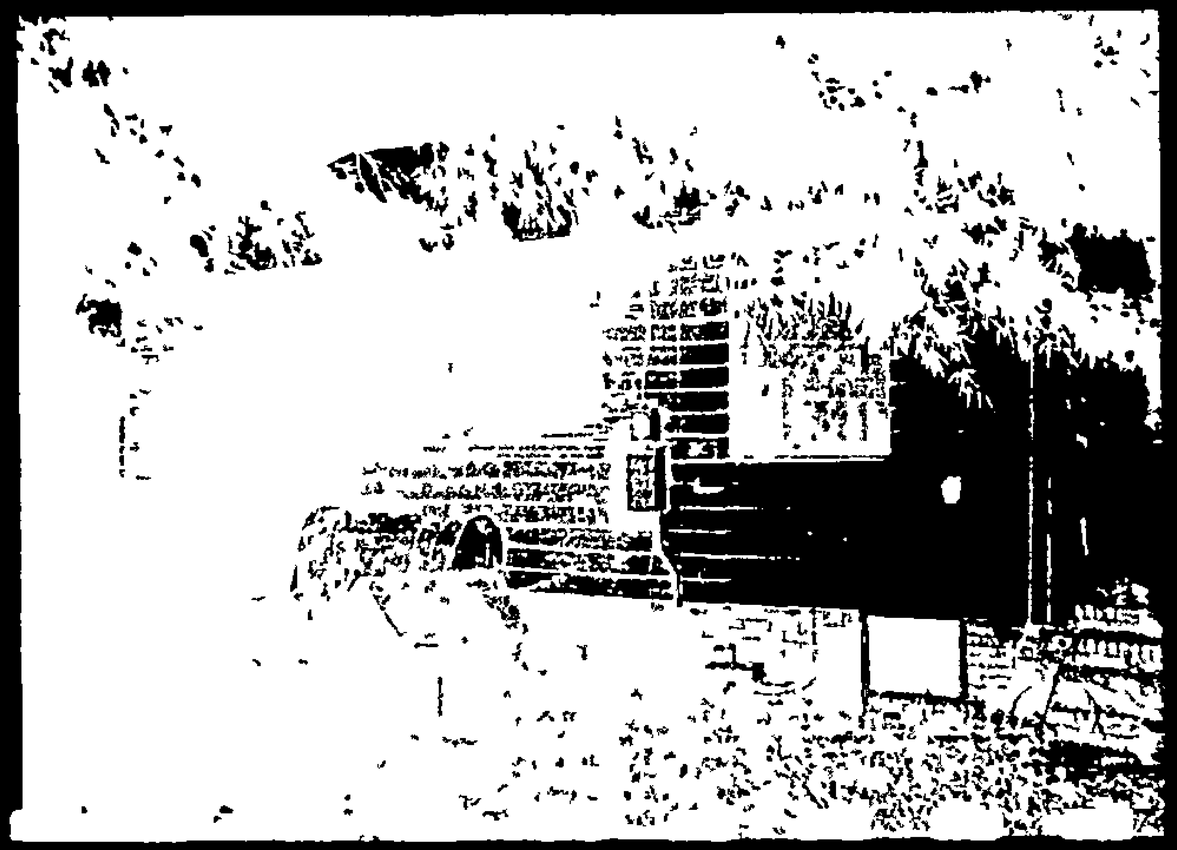
CERTIFICATION

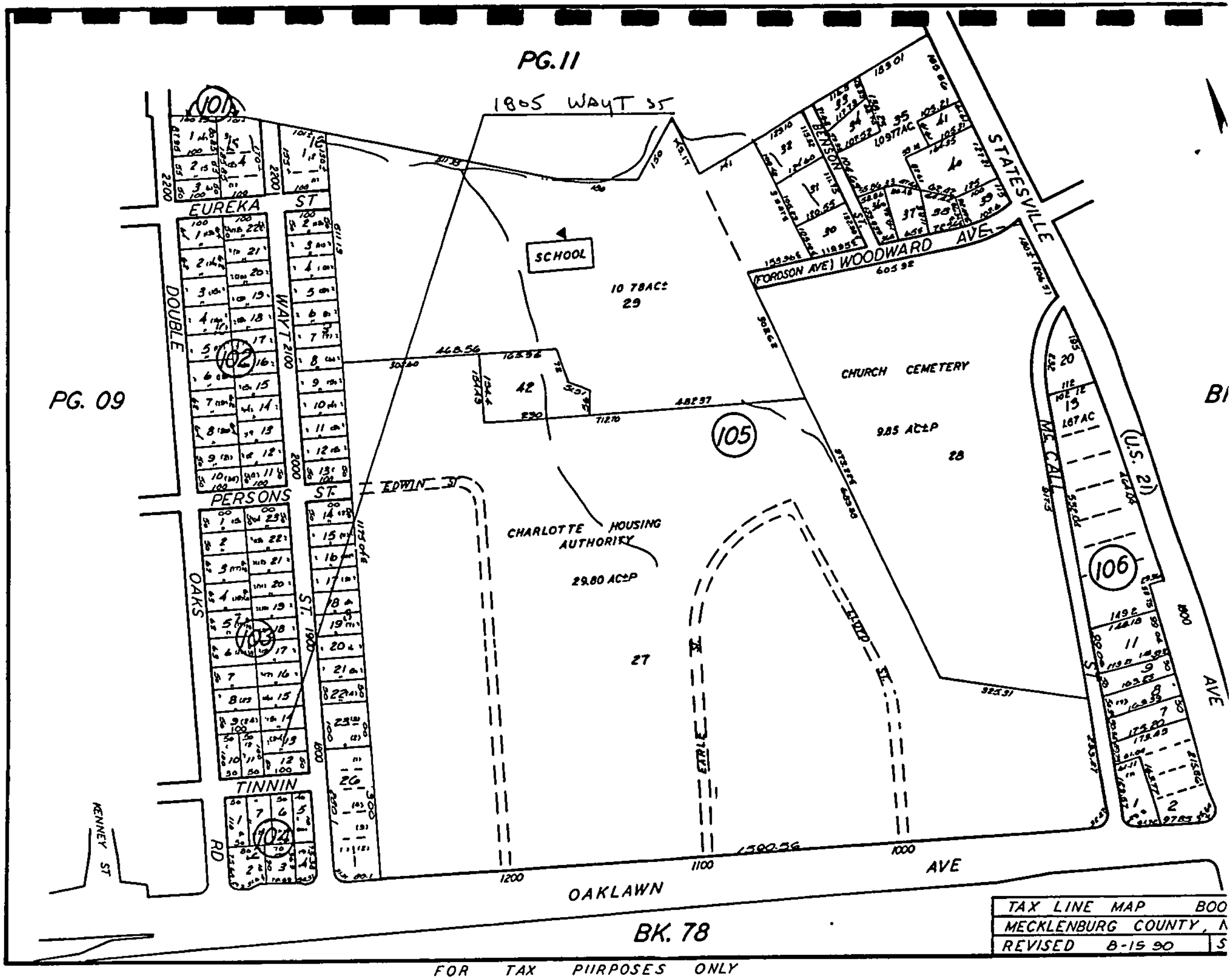
I, BRENDA FREEZE, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the _____ day of _____, 19____, the reference having been made in Minute Book _____, and recorded in full in Ordinance Book _____, at Page(s) _____.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the _____ day of _____, 19 _____.

_____
BRENDA FREEZE, CITY CLERK

1805 Wayt St 7-29-92




PG. 11
PG. 09
1805 WAYT ST
EUREKA ST
DOUBLE
WAYT 2100
PERSONS ST.
OAKS ST.
TINNIN RD
KENNEY ST
EDWIN ST
SCHOOL
10.78AC±
29
42
105
CHARLOTTE HOUSING AUTHORITY
29.80 AC±P
27
EARLE ST
LEDO ST
BENSON
STATESVILLE
WOODWARD AVE
(FORDSON AVE)
CHURCH CEMETERY
9.85 AC±P
28
MC CALL
(U.S. 21)
106
OAKLAWN AVE
BK. 78
TAX LINE MAP BOO
MECKLENBURG COUNTY, N
REVISED 8-15 90
FOR TAX PURPOSES ONLY

CHARLOTTE

Request for Council Action

August 24, 1992

To the City Council from the City Manager

Action Requested

Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling located at 1230 Blueberry Lane.

Responsible Department

Community Development

This request should be organized according to the following categories
Background Explanation of Request Source of Funding Clearances Bibliography

What is Council being asked to approve?

Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling located at 1230 Blueberry Lane owned by Alton B. Craver and wife, Jane.

Why is the City doing this?

The dwelling was inspected on September 15, 1989 as a result of a petition and was found to be in violation of the Housing Code. The owner was ordered to demolish the structure since the estimated cost to repair the structure is more than 65% of the estimated value. The owner did not comply with the Order to demolish the structure by September 13, 1990; therefore, City Council is being asked to adopt an ordinance to use the In Rem Remedy to demolish the structure.

As part of the Acquisition/Disposition Program (ADP), an analysis has been performed by CD staff (see Exhibit A). It has been determined it is not feasible to preserve this structure. In this case, demolition is being recommended because: (1) the estimated In Rem Repair cost is $100,000, which is 811% of the $12,330 tax value of the structure and (2) the estimated cost of $183,670 to acquire and rehabilitate the structure makes it not economically feasible to do.

What are Council's options?

N/A

How much will this cost?

The estimated cost to demolish this dwelling is $3,000. (Most of house has already been demolished; the concrete slab, garage, outbuilding and debris remains to be removed.) Funds for the demolition of 1230 Blueberry Lane are available in the General Fund-In Rem Account. A lien will be placed against the property for the cost incurred.

What is citizen input on this issue?
The owner will be notified of this In Rem Action being presented to City Council on August 24, 1992.

Background:
See Attachment

Clearances:
Community Development Department

Bibliography:
Housing Code of the City of Charlotte as amended; case file on 1230 Blueberry Lane.

BACKGROUND

- Property Address: 1230 Blueberry Lane
- Owner: Alton B. Craver & wife, Jane
- Census Tract: #29.04
- Council District: #6
- Neighborhood: Providence
- Date of Inspection: 9/15/89
- Owner Notified of Hearing: 9/27/89 (mail returned unclaimed)
  11/22/89(mail returned unclaimed)
  2/19/90 (mail returned unclaimed)
- Title search received in June 1990 revealed parties in interest to the property.
- Complaint & Notice of Hearing advertised in the Mecklenburg Times on 7/10/90.
- Hearing Held: 7/25/90
- Findings of Fact and Order advertised in the Mecklenburg Times on 8/16/90.
- Owner Ordered to Demolish Dwelling by: 9/13/90
- Owner Requested Permission to Repair Dwelling: 8/21/90
- Supplemental Order Issued to Repair Property by: 9/30/90
- Property Sold to New Owner: 11/27/90
- New Owner Given Extension to Repair Property Until: 2/12/91
- No repairs made by new owner but majority of the house was demolished.
- Case not followed up on.
- Title search updated in January 1992 revealed parties in interest to the property.

- The parties in interest have been notified of the code enforcement action.

- Acquisition/Disposition Program was being developed and implemented during this time. Case reviewed and analysis prepared in May 1992.

- Structure Occupied: No

- Repairs include complete rebuilding.

- Feasibility to Save or Demolish Structure:

  As part of the Acquisition/Disposition Program (ADP), an analysis has been performed by CD staff (see Exhibit A). It has been determined it is not feasible to preserve this structure. In this case, demolition is being recommended because: (1) the estimated In Rem Repair cost is $100,000, which is 811% of the $12,330 tax value of the structure and (2) the estimated cost of $183,670 to acquire and rehabilitate the structure makes it not economically feasible to do.

EXHIBIT A

DATE 7-27-92

NEIGHBORHOOD DEVELOPMENT DIVISION
ACQUISITION/DISPOSITION PROGRAM EVALUATION GUIDE
ADP ANALYSIS

ADDRESS 1230 Bilsberry Ln Census # 29.04

I. CODE ENFORCEMENT COST REVIEW (to be completed by HRS II)

Code Order: In Rem Repair ____
Demolition X

Effective Year
Structure Built 1960
Style
Bedrooms 5
Sq. Ft. (House) 3067
Civil Penalty
Amount 5330
Date 7-27-92

A. Current Tax Value of Structure $ 12,330.00
B. Land Value $ 55,000.00
SUB-TOTAL TAX VALUE $ 67,330.00
C. Estimated Cost to In Rem Repair to Code Standards $ 100,000.00
TOTAL $ 167,330.00

D. % of C divided by A 811 %
< 65% of Value Yes ____ No ____

E. Once HRS II completes above, forward to NDS.

F. Comments/Mitigative Concerns

Name M. Tarkin
Date Completed 7-24-92

II. Estimate of Cost to Acquire & Rehabilitate Property

Information received from HRS II Date 3-16-92

1. Negotiated Acquisition or Tax Value or Loans $ 0
2. Rehabilitation (Substantial) (based on average cost of CD rehabilitation x sq.ft. in house) 3067 sq.ft. x $27.00 per sq.ft. $ 82,809
3. Delinquent Taxes (if any) $ 1925.92
4. Outstanding Loans/Liens (if any) $ 95,000 3935 (Judgements)

Sub-Total $ 183,669.92

Outstanding Loans/Liens - 98,935

TOTAL $ 84,734.92

Is Total > $50,000 Yes ✓ No ____

III. Amount of Civil Penalties $ 4480 (4030+450)

IV. Course of Action

A. Proposed recommendation(s) (to be completed by NDS)

	Yes	No
1. Acquire	____	✓
If checked yes, forward to Rehabilitation Chief for work write-up and cost estimate.		
2. In Rem Repair	____	✓
3. Demolish	✓	____

If either #2 or #3 is checked yes, return to appropriate HRS II.

If either #2 or #3 is checked yes, the process is completed unless we are interested in acquiring the land. If we are interested in acquiring the land, the two processes (code and acquisition) simultaneously continue.

Name C Wallace Sur

Date Completed 4-24-92

B. Proposed Use (to be completed by NDS)

1. Sell to Interested Purchaser Externally ____ ✓

2. Retain for Use Internally ____ ✓

3. Explain Proposed Internal Use of House
None. Too much debt on property to create affordable housing for lower income families

4. Explain Proposed External Sale of House
CMHP not interested in property per response dated 4-13-92

D. Comments

Name C. Williams
Date Completed 4-27-92

V. Rehabilitation Feasibility/New Construction

A. Rehabilitation Chief advises NDS of cost to rehabilitate house. (to be completed by Rehabilitation Chief)

1. Cost to Rehabilitate $_____
2. Negotiated Acquisition $_____
3. Delinquent Taxes (if any) $_____
4. Outstanding Loans/Liens (if any) $_____

TOTAL $_____

Is it feasible to rehabilitate? Yes _____ No _____
If yes, complete the following section.

B. Cost to Replace Vs. Cost to Preserve (to be completed by NDS)

Replacement Value: sq. ft. of structure x replacement cost per sq.ft. (based on average cost of CD new construction)

_____ sq. ft. x $_____ $_____

Plus Land Value $_____

TOTAL $_____

Is it feasible to rehabilitate vs. replacement house cost?

Yes _____ No _____

Name _____

Date Completed _____

If yes, NDS notifies the HRS II and the code enforcement process stops.

If no, the acquisition process stops and the code enforcement process is completed.

VI. Community Development Director Approval ✓ Decline _____

Signature

Director's Comment/Concerns:

ORDINANCE NO. _____

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 1239 BLUEBERRY LANE, PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF ALTON B. CRAVER AND WIFE, JANE, RESIDING AT P. O. BOX 240986, CHARLOTTE, NORTH CAROLINA.

WHEREAS, the dwelling located at 1230 Blueberry Lane in the City of Charlotte has been found by the Director of the Community Development Department to be unfit for human habitation and the owners thereof have been ordered to vacate and demolish said dwelling, pursuant to the Housing Code of the City of Charlotte and Article 19, Chapter 160A of the General Statutes of North Carolina; and

WHEREAS, said owners have failed to comply with said order served by advertisement on July 10, 1990 and August 16, 1990.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, that the Director of the Community Development Department is hereby ordered to cause the dwellling located at 1230 Blueberry Lane in the City of Charlotte to be vacated, and to be demolished and removed, all in accordance with the Housing Code of the City of Charlotte and Article 19, Chapter 160A of the General Statutes of North Carolina.

APPROVED AS TO FORM:

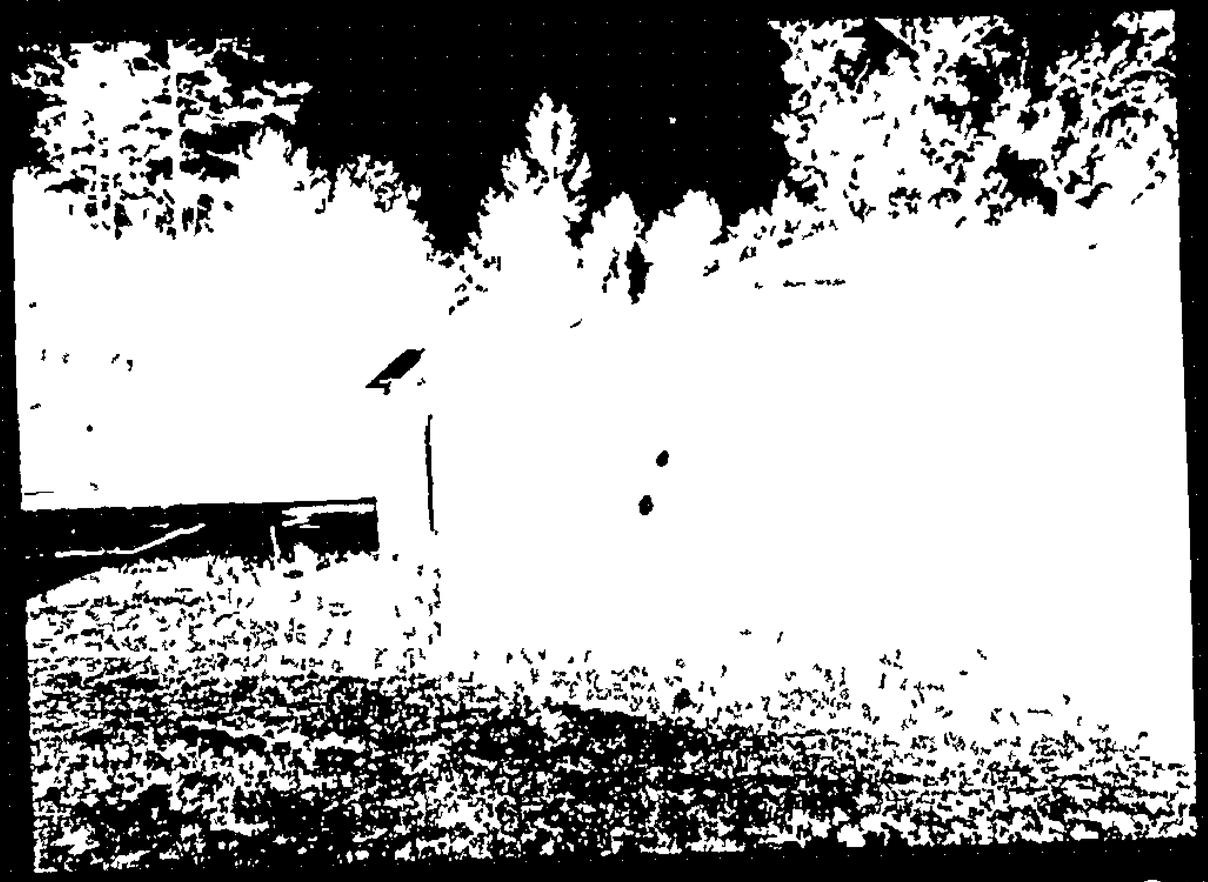
Henry W. Underhill Jr.
CITY ATTORNEY

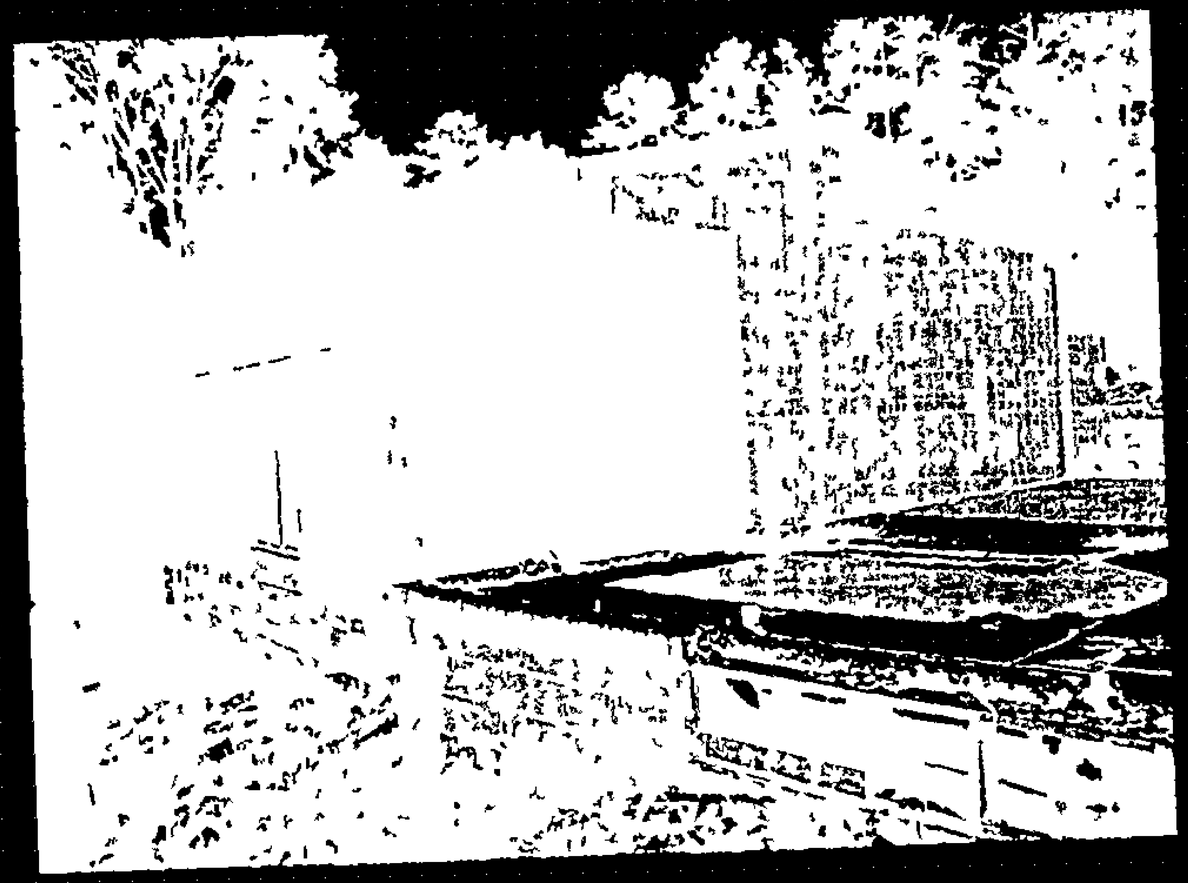
CERTIFICATION

I, BRENDA FREEZE, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the _____ day of _____, 19____, the reference having been made in Minute Book _____, and recorded in full in Ordinance Book _____, at Page(s) _____.

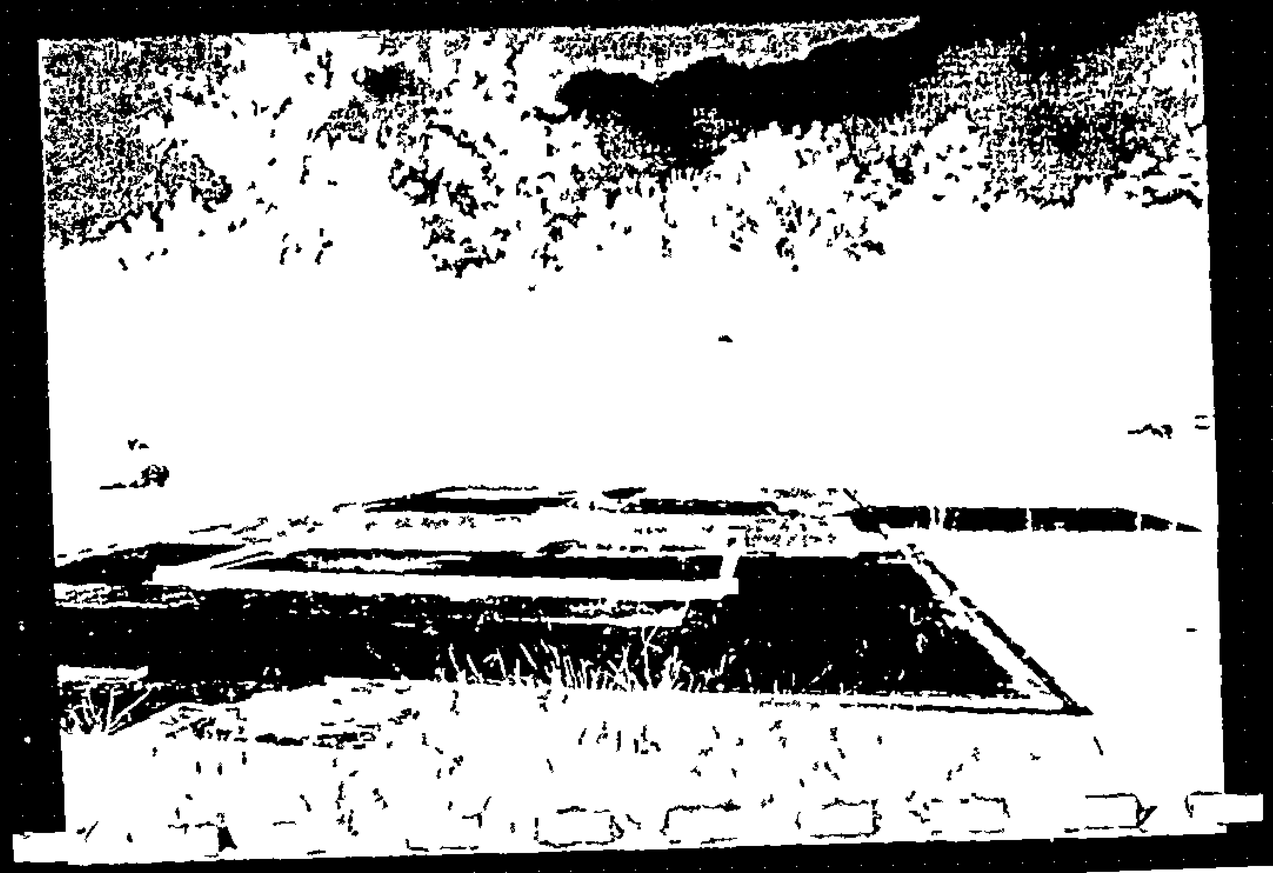
WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the _____ day of _____, 19 _____.

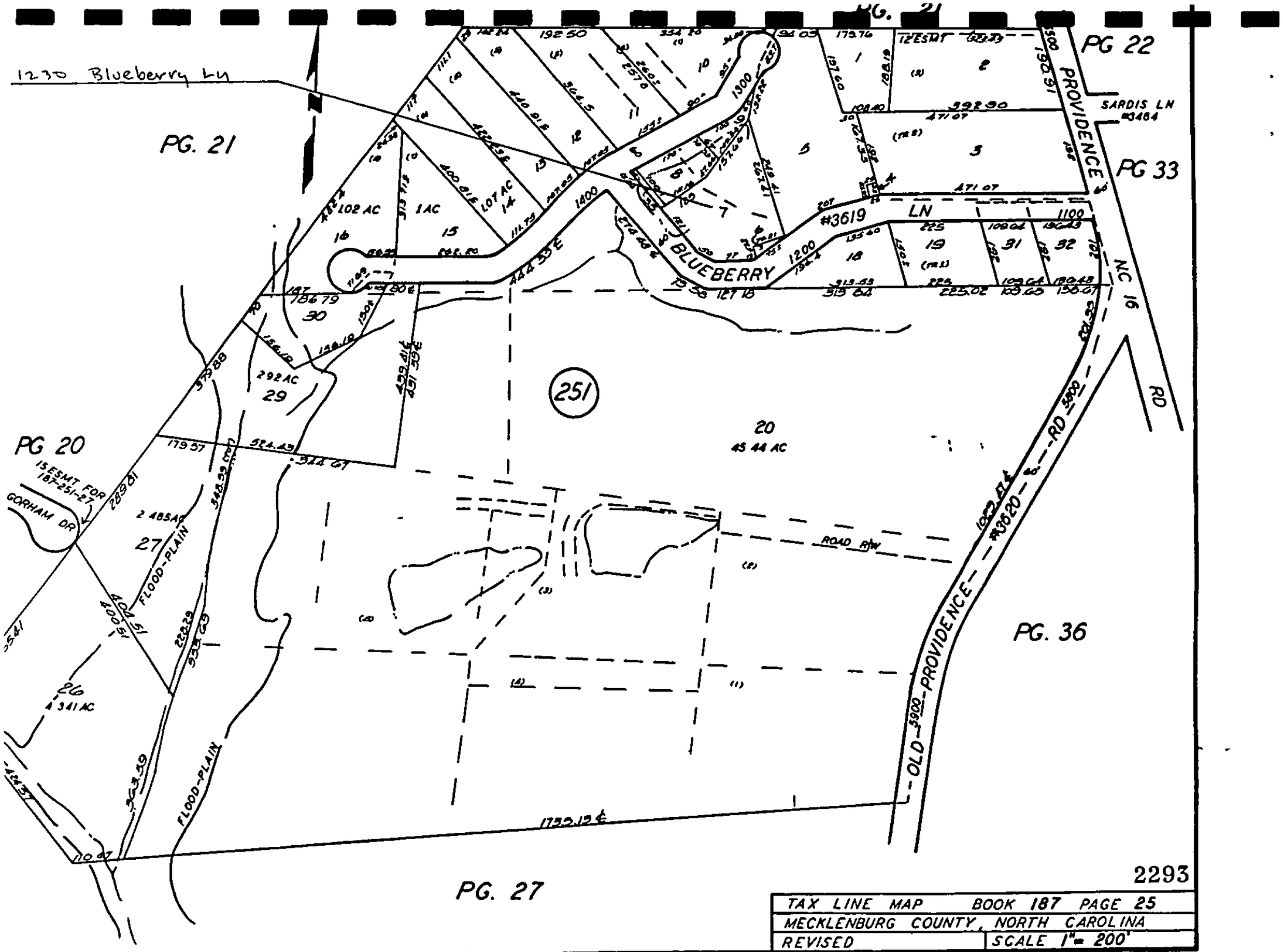
_____
BRENDA FREEZE, CITY CLERK





1230 Blueberry Ln 7-29-92





FOR TAX PURPOSES ONLY

CHARLOTTE

Request for Council Action

August 24, 1992

To the City Council from the City Manager

Action Requested

Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling located at 1504 North Brevard Street.

Responsible Department

Community Development

This request should be organized according to the following categories
Background Explanation of Request Source of Funding Clearances Bibliography

What is Council being asked to approve?

Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling located at 1504 North Brevard Street owned by Joe Howey and wife, Eunice.

Why is the City doing this?

The dwelling was inspected on February 27, 1990 as a result of a field observation and was found to be in violation of the Housing Code. The owner was ordered to demolish the structure since the estimated cost to repair the structure is more than 65% of the estimated value. The owner did not comply with the Order to demolish the structure by January 24, 1992; therefore, City Council is being asked to adopt an ordinance to use the In Rem Remedy to demolish the structure.

As part of the Acquisition/Disposition Program (ADP), an analysis has been performed by CD staff (see Exhibit A). It has been determined it is not feasible to preserve this structure. In this case, demolition is being recommended because the estimated In Rem Repair cost is $5,760, which is 92.6% of the $6,220 tax value of the structure; and, although the estimated cost of $53,514 to acquire and rehabilitate the structure is slightly above the City replacement cost average, a new house could be constructed with a new 50-year economic life.

What are Council's options?

N/A

How much will this cost?

The estimated cost to demolish this dwelling is $3,000. Funds for the demolition of 1504 North Brevard Street are available in the General Fund-In Rem Account. A lien will be placed against the property for the cost incurred.

What is citizen input on this issue?
The owner will be notified of this In Rem Action being presented to City Council on August 24, 1992.

Background:
See Attachment

Clearances:
Community Development Department

Bibliography:
Housing Code of the City of Charlotte as amended; case file on 1504 North Brevard Street.

BACKGROUND

- Property Address: 1504 North Brevard Street
- Owner: Joe Howey and wife, Eunice
- Census Tract: #7
- Council District: #1
- Neighborhood: Optimist Park
- Date of Inspection: 2/27/90
- Owner Notified of Hearing: 2/28/90
- Hearing Held: 3/27/90
- Owner Ordered to Repair Dwelling by: 7/16/90
- Case was not followed up on by the inspector until July 1991. It was discovered that the wrong tax assessment was used to determine the repair order. Since the order should have been for demolition, a new hearing was scheduled.
- The Complaint & Notice of Hearing and the Findings of Fact and Order were advertised in the Mecklenburg Times.
- Owner Notified of Hearing: 7/16/91
- Hearing Held: 7/26/91
- Title search received in July 1991 revealed no parties in interest to the property. Title search updated July 1992 revealed no parties in interest.
- Case was not followed up on.
- Owner Ordered to Demolish Dwelling by: 1/24/92
- Structure Occupied: No
- Repairs include major structural, mechanical and electrical.
- Feasibility to Save or Demolish Structure:

  As part of the Acquisition/Disposition Program (ADP), an analysis has been performed by CD staff (see Exhibit A). It has been determined it is not feasible to preserve this structure. In this case, demolition is being recommended because the estimated In Rem Repair cost is $5,760,

which is 92.6% of the $6,220 tax value of the structure; and, although the estimated cost of $53,514 to acquire and rehabilitate the structure is slightly above the City replacement cost average, a new house could be constructed with a new 50-year economic life.

EXHIBIT A

DATE 5-20-92

NEIGHBORHOOD DEVELOPMENT DIVISION
ACQUISITION/DISPOSITION PROGRAM EVALUATION GUIDE
ADP ANALYSIS

ADDRESS 1504 N. BREVARD ST Census # 7

I. CODE ENFORCEMENT COST REVIEW (to be completed by HRS II)

Code Order: In Rem Repair ____
Demolition X

Effective Year
Structure Built 1900
Style Ranch
Bedrooms 3
Sq. Ft. (House) 1392
Civil Penalty X
Amount 6840
Date 5-20-92

A. Current Tax Value of Structure $ 6220
B. Land Value $ 9710
SUB-TOTAL TAX VALUE $ 15930
C. Estimated Cost to In Rem Repair to Code Standards $ 5760
TOTAL $ 21690

D. % of C divided by A 92.6%
< 65% of Value Yes ____ No X

E. Once HRS II completes above, forward to NDS.

F. Comments/Mitigative Concerns
Please note that the land value is also factored into 1508 N. Brevard St

Name M. Jenkins
Date Completed ____

II. Estimate of Cost to Acquire & Rehabilitate Property

Information received from HRS II Date _____

1. Negotiated Acquisition or Tax Value $ 15,930
2. Rehabilitation (Substantial) (based on average cost of CD rehabilitation x sq.ft. in house) 1392 sq.ft. x $27.00 per sq.ft. $ 37,584
3. Delinquent Taxes (if any) $ Included in 1508 N Brevard
4. Outstanding Loans/Liens (if any) $ 0

Sub-Total $ 53,514

Outstanding Loans/Liens - 0

TOTAL $ 53,514

Is Total > $50,000 Yes ✓ No ____

III. Amount of Civil Penalties $ 6540 (5-20-92)

IV. Course of Action

A. Proposed recommendation(s) (to be completed by NDS)

	Yes	No
1. Acquire	____	✓
2. In Rem Repair	____	✓
3. Demolish	✓	____

If checked yes, forward to Rehabilitation Chief for work write-up and cost estimate.

If either #2 or #3 is checked yes, return to appropriate HRS II.

If either #2 or #3 is checked yes, the process is completed unless we are interested in acquiring the land. If we are interested in acquiring the land, the two processes (code and acquisition) simultaneously continue.

Name Dana Williams
Date Completed 6-24-92

B. Proposed Use (to be completed by NDS)

1. Sell to Interested Purchaser Externally ____ ____

2. Retain for Use Internally ____ ____

3. Explain Proposed Internal Use of House
None. House exceeds the maximum I.G. span of 50 years.

4. Explain Proposed External Sale of House
Sent data to Belmont late '91 according to Clentha. Belmont CDC not interested in property because it is outside of their territory according to Nancy Boong (phone conversation 6-24-92).

D. Comments
Clentha spoke with the owner on 5-16-92. Owner stated he plans on repairing the house in the near future.
3 properties on the parcel - only 2 are under code enforcement.
Property is Zoned R-2. Collecting civil penalties since 7-17-90

Name [signature]
Date Completed 6-24-92

V. Rehabilitation Feasibility/New Construction

A. Rehabilitation Chief advises NDS of cost to rehabilitate house.
(to be completed by Rehabilitation Chief)

1. Cost to Rehabilitate $_____
2. Negotiated Acquisition $_____
3. Delinquent Taxes (if any) $_____
4. Outstanding Loans/Liens (if any) $_____

TOTAL $_____

Is it feasible to rehabilitate? Yes _____ No _____
If yes, complete the following section.

B. Cost to Replace Vs. Cost to Preserve (to be completed by NDS)

Replacement Value: sq. ft. of structure x replacement cost per sq.ft. (based on average cost of CD new construction)

_____ sq. ft. x $_____ $_____

Plus Land Value $_____

TOTAL $_____

Is it feasible to rehabilitate vs. replacement house cost?

Yes _____ No _____

Name _____

Date Completed _____

If yes, NDS notifies the HRS II and the code enforcement process stops.

If no, the acquisition process stops and the code enforcement process is completed.

VI. Community Development Director Approval ✓ Decline ____

6-25-92

Signature

Director's Comment/Concerns:

ORDINANCE NO. _____

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 1504 NORTH BREVARD STREET, PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF JOE HOWEY AND WIFE, EUNICE, RESIDING AT 1015 DRUID CIRCLE, CHARLOTTE, NORTH CAROLINA.

WHEREAS, the dwelling located at 1504 North Brevard Street in the City of Charlotte has been found by the Director of the Community Development Department to be unfit for human habitation and the owners thereof have been ordered to vacate and demolish said dwelling, pursuant to the Housing Code of the City of Charlotte and Article 19, Chapter 160A of the General Statutes of North Carolina; and

WHEREAS, said owners have failed to comply with said order served by advertisement on July 16, 1991 and on January 14, 1992.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, that the Director of the Community Development Department is hereby ordered to cause the dwellling located at 1504 North Brevard Street in the City of Charlotte to be vacated, and to be demolished and removed, all in accordance with the Housing Code of the City of Charlotte and Article 19, Chapter 160A of the General Statutes of North Carolina.

APPROVED AS TO FORM:

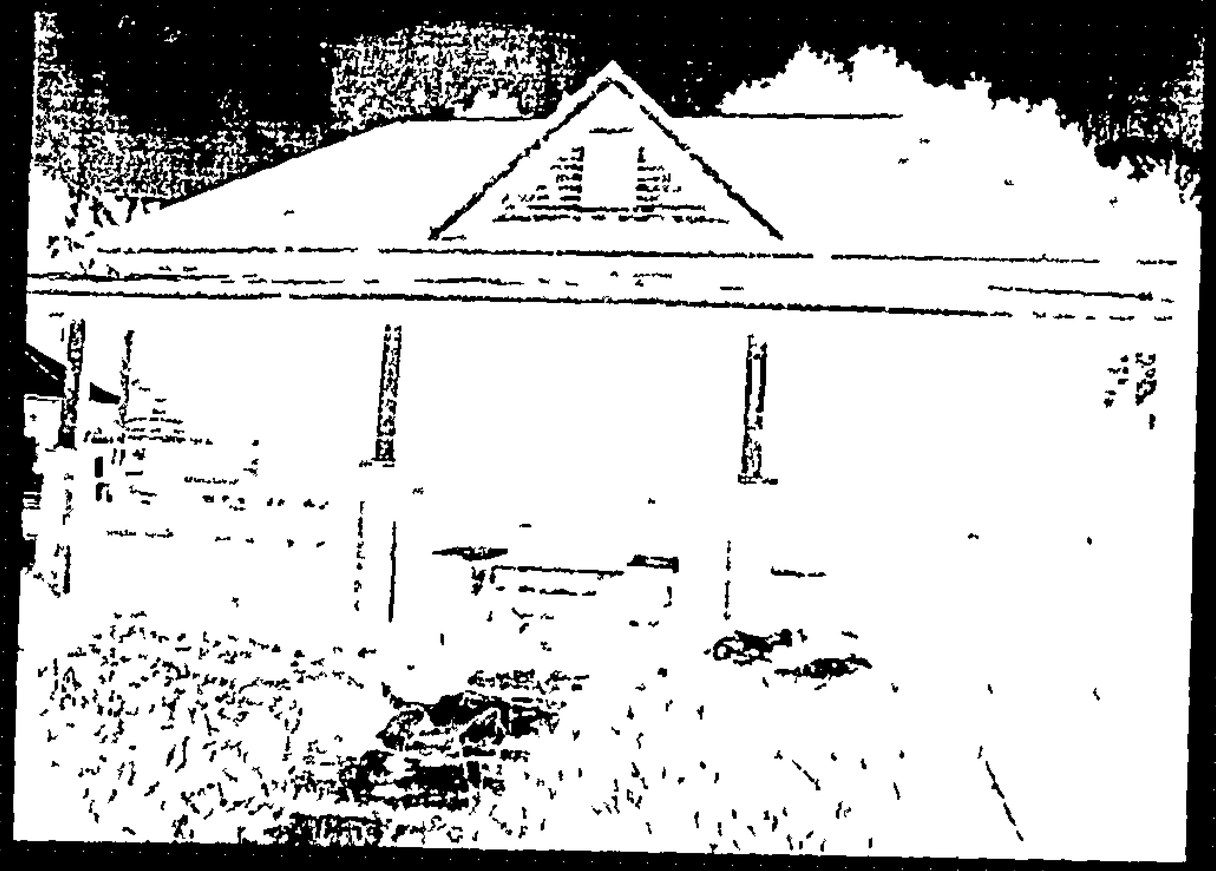
Henry W. Underhill Jr.
CITY ATTORNEY

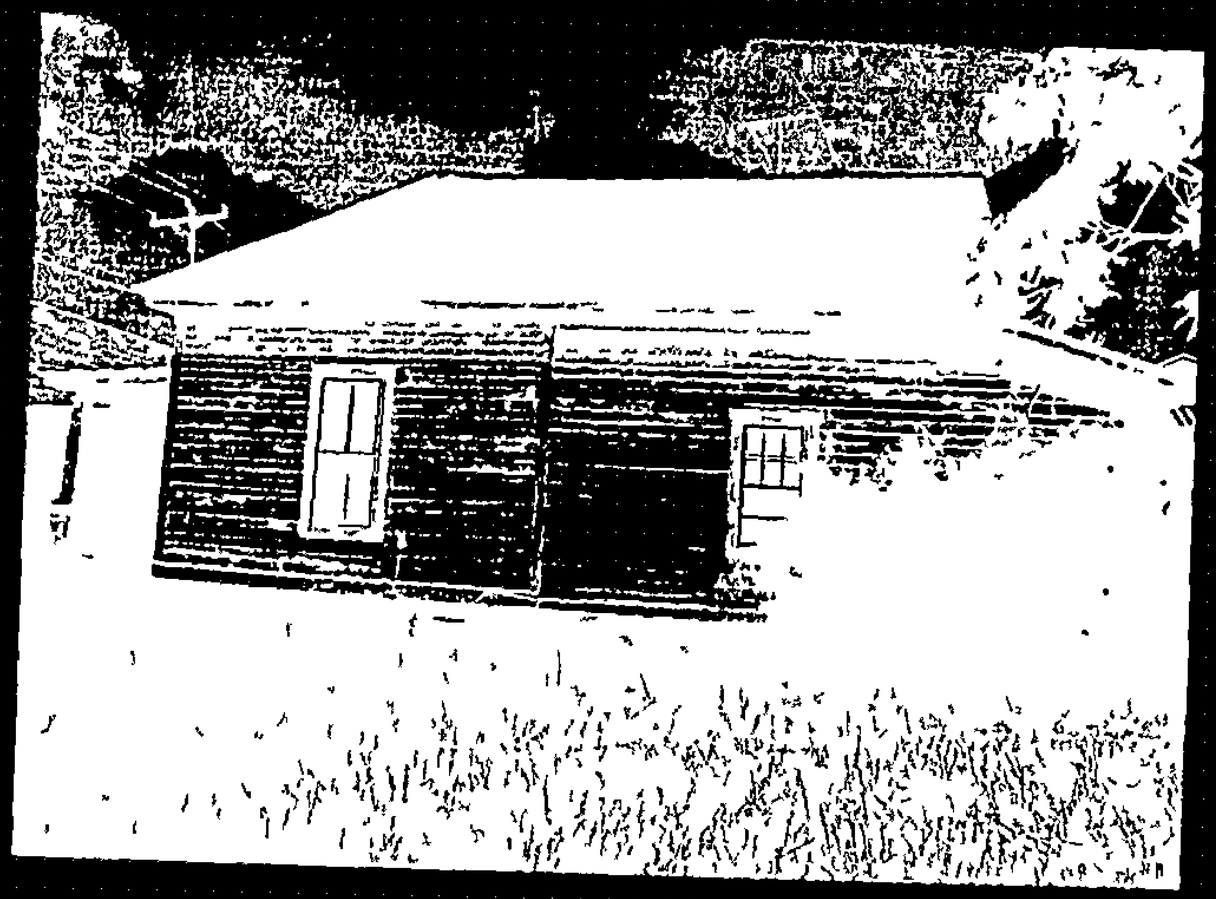
CERTIFICATION

I, BRENDA FREEZE, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the _____ day of _____, 19____, the reference having been made in Minute Book _____, and recorded in full in Ordinance Book _____, at Page(s) _____.

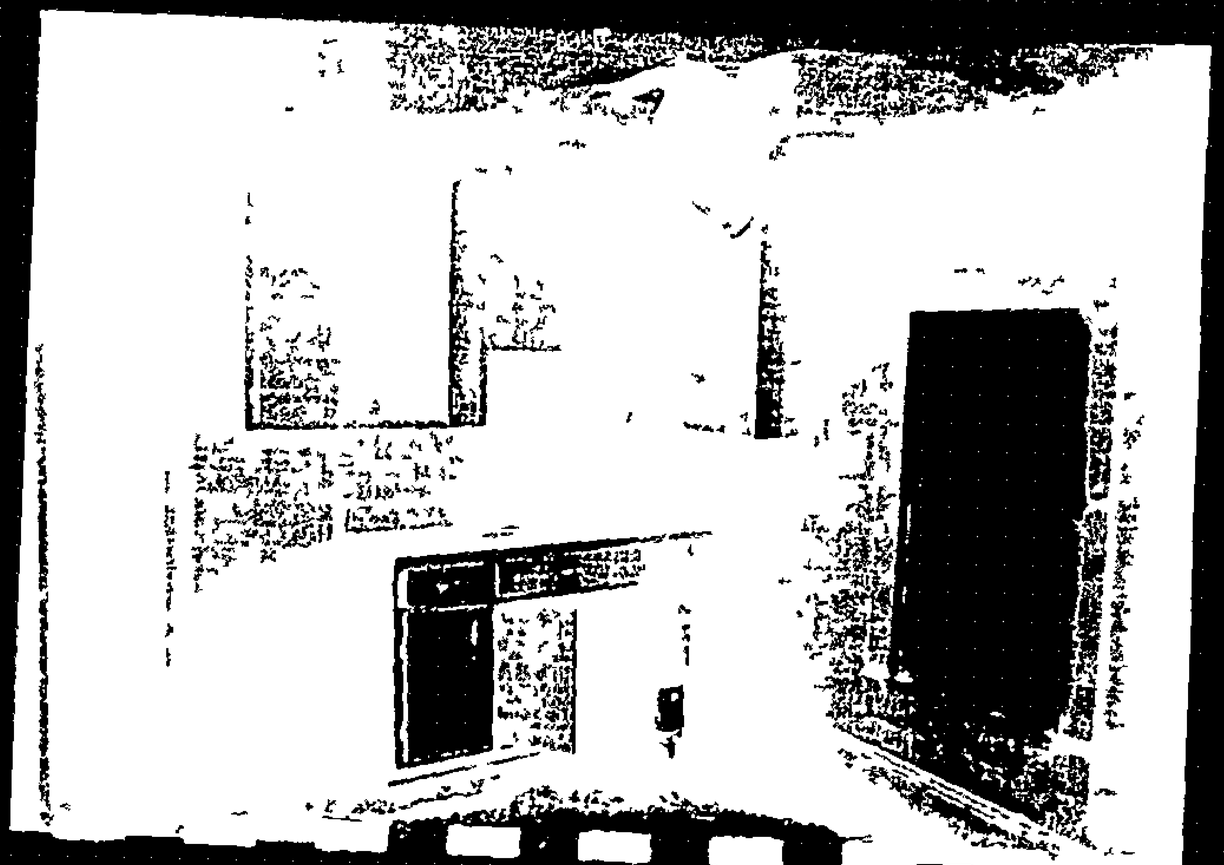
WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the _____ day of _____, 19 _____.

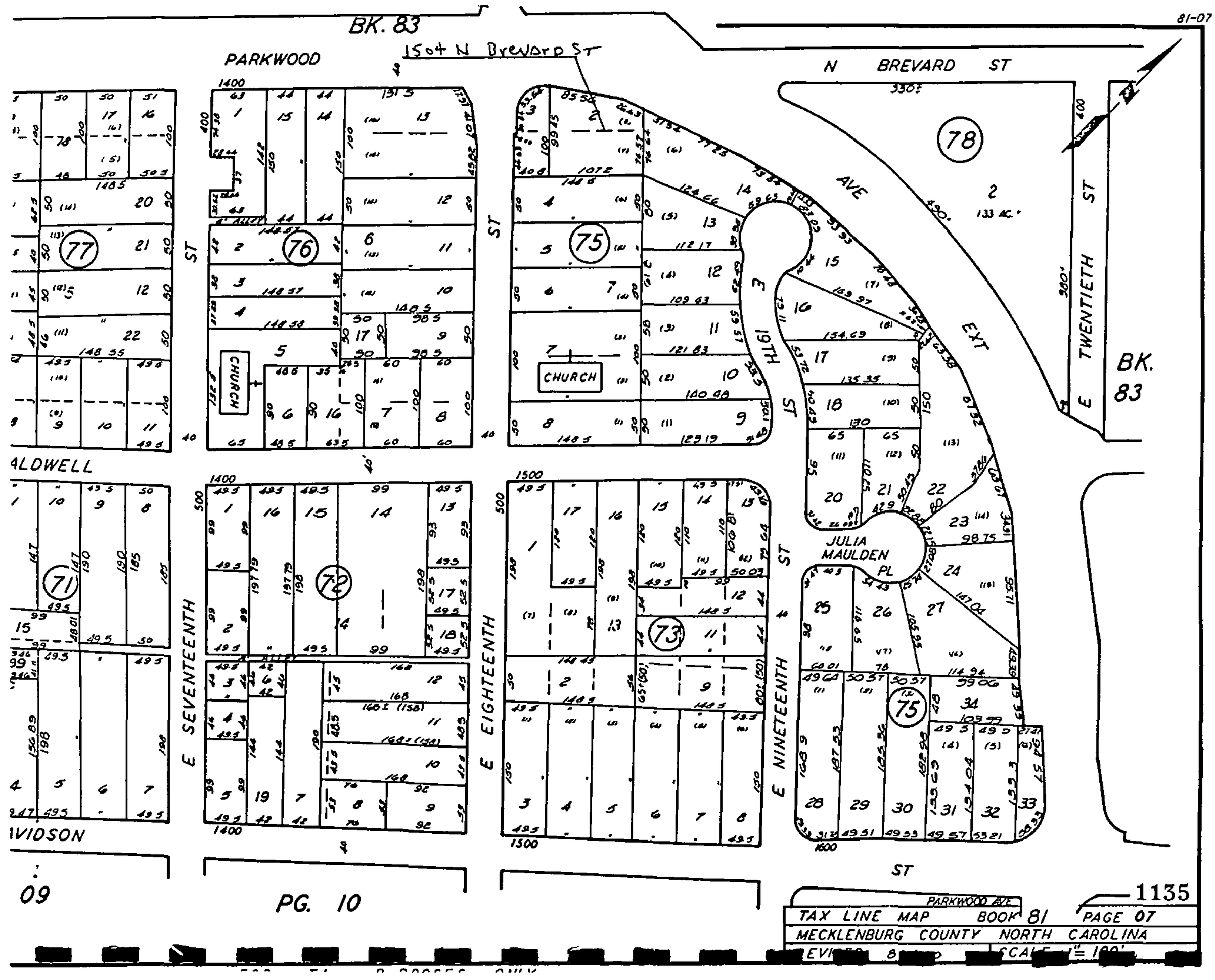
_____
BRENDA FREEZE, CITY CLERK





1504 N Brevard St 7-29-92




BK. 83
81-07
PARKWOOD
1504 N Brevard St
N BREVARD ST
AVE
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BK. 83
19TH ST
CHURCH
JULIA MAULDEN PL
E SEVENTEENTH ST
E EIGHTEENTH ST
E NINETEENTH ST
ALDWELL
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PARKWOOD AVE
TAX LINE MAP BOOK 81 PAGE 07
MECKLENBURG COUNTY NORTH CAROLINA
1135

CHARLOTTE

Request for Council Action

August 24, 1992

To the City Council from the City Manager

Action Requested

Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling located at 1508 North Brevard Street, Apt. A & B.

Responsible Department

Community Development

This request should be organized according to the following categories: Background, Explanation of Request, Source of Funding, Clearances, Bibliography

What is Council being asked to approve?

Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling located at 1508 North Brevard Street, Apt. A & B, owned by Joe Howey and wife, Eunice.

Why is the City doing this?

The dwelling was inspected on February 29, 1990 as a result of a field observation and was found to be in violation of the Housing Code. The owner was ordered to demolish the structure since the estimated cost to repair the structure is more than 65% of the estimated value. The owner did not comply with the Order to demolish the structure by January 24, 1992; therefore, City Council is being asked to adopt an ordinance to use the In Rem Remedy to demolish the structure.

As part of the Acquisition/Disposition Program (ADP), an analysis has been performed by CD staff (see Exhibit A). It has been determined it is not feasible to preserve this structure. In this case, demolition is being recommended because the estimated In Rem Repair cost is $4,425, which is 73.4% of the $6,030 tax value of the structure; and, although the estimated cost of $38,855 to acquire and rehabilitate the structure is below the City's replacement cost average, for an additional $11,200 a new house could be constructed with a new 50-year economic life.

What are Council's options?

N/A

How much will this cost?

The estimated cost to demolish this dwelling is $3,000. Funds for the demolition of 1508 North Brevard Street, Apt. A & B, are available in the General Fund-In Rem Account. A lien will be placed against the property for the cost incurred.

What is citizen input on this issue?
The owner will be notified of this In Rem Action being presented to City Council on August 24, 1992.

Background:
See Attachment

Clearances:
Community Development Department

Bibliography:
Housing Code of the City of Charlotte as amended; case file on 1508 North Brevard Street, Apt. A & B.

BACKGROUND

- Property Address: 1508 North Brevard Street Apt. A & B
- Owner: Joe Howey and wife, Eunice
- Census Tract: #7
- Council District: #1
- Neighborhood: Optimist Park
- Date of Inspection: 2/27/90
- Owner Notified of Hearing: 2/28/90
- Hearing Held: 3/29/90
- Owner Ordered to Repair Dwelling by: 7/15/90
- Case was not followed up on by the inspector until July 1991. It was discovered that the wrong tax assessment was used to determine the repair order. Since the order should have been for demolition, a new hearing was scheduled.
- The Complaint & Notice of Hearing and the Findings of Fact and Order were advertised in the Mecklenburg Times.
- Owner Notified of Hearing: 7/16/91
- Hearing Held: 7/26/91
- Title search received in July 1991 revealed no parties in interest to the property. Title search updated July 1992 revealed no parties in interest.
- Case was not followed up on.
- Owner Ordered to Demolish Dwelling by: 1/24/92
- Structure Occupied: Apt. A - Yes (Tenant will be placed on the relocation workload and relocated prior to demolition)
  Apt. B - No
- Repairs include major structural, mechanical and electrical.

- Feasibility to Save or Demolish Structure:

  As part of the Acquisition/Disposition Program (ADP), an analysis has been performed by CD staff (see Exhibit A). It has been determined it is not feasible to preserve this structure. In this case, demolition is being recommended because the estimated In Rem Repair cost is $4,425, which is 73.4% of the $6,030 tax value of the structure; and, although the estimated cost of $38,855 to acquire and rehabilitate the structure is below the City's replacement cost average, for an additional $11,200 a new house could be constructed with a new 50-year economic life.

EXHIBIT A

DATE 5-19-92

NEIGHBORHOOD DEVELOPMENT DIVISION
ACQUISITION/DISPOSITION PROGRAM EVALUATION GUIDE
ADP ANALYSIS

ADDRESS 1508 A&B N. Brevard ST Census # 7
AKA 328 Parkwood Av

I. CODE ENFORCEMENT COST REVIEW (to be completed by HRS II)

Code Order: In Rem Repair ____
Demolition X

Effective Year
Structure Built 1900
Style Duplex
Bedrooms 3
Sq. Ft. (House) 1204
Civil Penalty X
Amount 6830
Date 5-19-92

A. Current Tax Value of Structure $ 6030
B. Land Value $ 9710
SUB-TOTAL TAX VALUE $ 15740
C. Estimated Cost to In Rem Repair to Code Standards $ 4425
TOTAL $ 20165

D. % of C divided by A < 65% of Value 73.4% Yes ____ No ____

E. Once HRS II completes above, forward to NDS.

F. Comments/Mitigative Concerns

Name M. Jackin
Date Completed 5-19-92

II. Estimate of Cost to Acquire & Rehabilitate Property

Information received from HRS II Date _____

1. Negotiated Acquisition or Tax Value $ 6,030
2. Rehabilitation (Substantial) (based on average cost of CD rehabilitation x sq.ft. in house) 1204 sq.ft. x $27.00 per sq.ft. $ 32,508
3. Delinquent Taxes (if any) $ 317.16
4. Outstanding Loans/Liens (if any) $ 0

Sub-Total $ 38,855.16

Outstanding Loans/Liens - 0

TOTAL $ 38,855.16

Is Total > $50,000 Yes ____ No ✓

III. Amount of Civil Penalties $ 6,850 (5-20-92)

IV. Course of Action

A. Proposed recommendation(s) (to be completed by NDS)

	Yes	No
1. Acquire	____	✓
If checked yes, forward to Rehabilitation Chief for work write-up and cost estimate.		
2. In Rem Repair	____	✓
3. Demolish	✓	____

If either #2 or #3 is checked yes, return to appropriate HRS II.

If either #2 or #3 is checked yes, the process is completed unless we are interested in acquiring the land. If we are interested in acquiring the land, the two processes (code and acquisition) simultaneously continue.

Name [illegible]

Date Completed 5-24-92

B. Proposed Use (to be completed by NDS)

1. Sell to Interested Purchaser Externally ____ ____

2. Retain for Use Internally ____ ____

3. Explain Proposed Internal Use of House
None. House ~~th~~ exceeds the 50 yr life expch.

4. Explain Proposed External Sale of House
Sent data to Belmont CDC late 91 (Dec) according to Charlotte. Belmont not interested in property because it is outside their target area based on a telephone conversation (6-24-92) with Nancy Reagg

D. Comments
Charlotte spoke with owner on 5-16-92 who stated he plans to repair house sometime in the near future. 3 properties on parcel ~~[illegible]~~ - only 2 are under code enforcement. Property is zoned B-2.

Name Angie Willis
Date Completed 6-24-92

V. Rehabilitation Feasibility/New Construction

A. Rehabilitation Chief advises NDS of cost to rehabilitate house. (to be completed by Rehabilitation Chief)

1. Cost to Rehabilitate $_____
2. Negotiated Acquisition $_____
3. Delinquent Taxes (if any) $_____
4. Outstanding Loans/Liens (if any) $_____

TOTAL $_____

Is it feasible to rehabilitate? Yes ____ No ____
If yes, complete the following section.

B. Cost to Replace Vs. Cost to Preserve (to be completed by NDS)

Replacement Value: sq. ft. of structure x replacement cost per sq.ft. (based on average cost of CD new construction)

_____ sq. ft. x $_____ $_____

Plus Land Value $_____

TOTAL $_____

Is it feasible to rehabilitate vs. replacement house cost?

Yes _____ No _____

Name _____

Date Completed _____

If yes, NDS notifies the HRS II and the code enforcement process stops.

If no, the acquisition process stops and the code enforcement process is completed.

VI. Community Development Director Approval ✓ Decline _____

Signature 6-25-92

Director's Comment/Concerns:

_____

_____

_____

_____

_____

_____

ORDINANCE NO. _____

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 1508 NORTH BREVARD STREET, PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF JOE HOWEY AND WIFE, EUNICE, RESIDING AT 1015 DRUID CIRCLE, CHARLOTTE, NORTH CAROLINA.

WHEREAS, the dwelling located at 1508 North Brevard Street in the City of Charlotte has been found by the Director of the Community Development Department to be unfit for human habitation and the owners thereof have been ordered to vacate and demolish said dwelling, pursuant to the Housing Code of the City of Charlotte and Article 19, Chapter 160A of the General Statutes of North Carolina; and

WHEREAS, said owners have failed to comply with said order served by advertisement on July 16, 1991 and on January 14, 1992.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, that the Director of the Community Development Department is hereby ordered to cause the dwellling located at 1508 North Brevard Street in the City of Charlotte to be vacated, and to be demolished and removed, all in accordance with the Housing Code of the City of Charlotte and Article 19, Chapter 160A of the General Statutes of North Carolina.

APPROVED AS TO FORM:

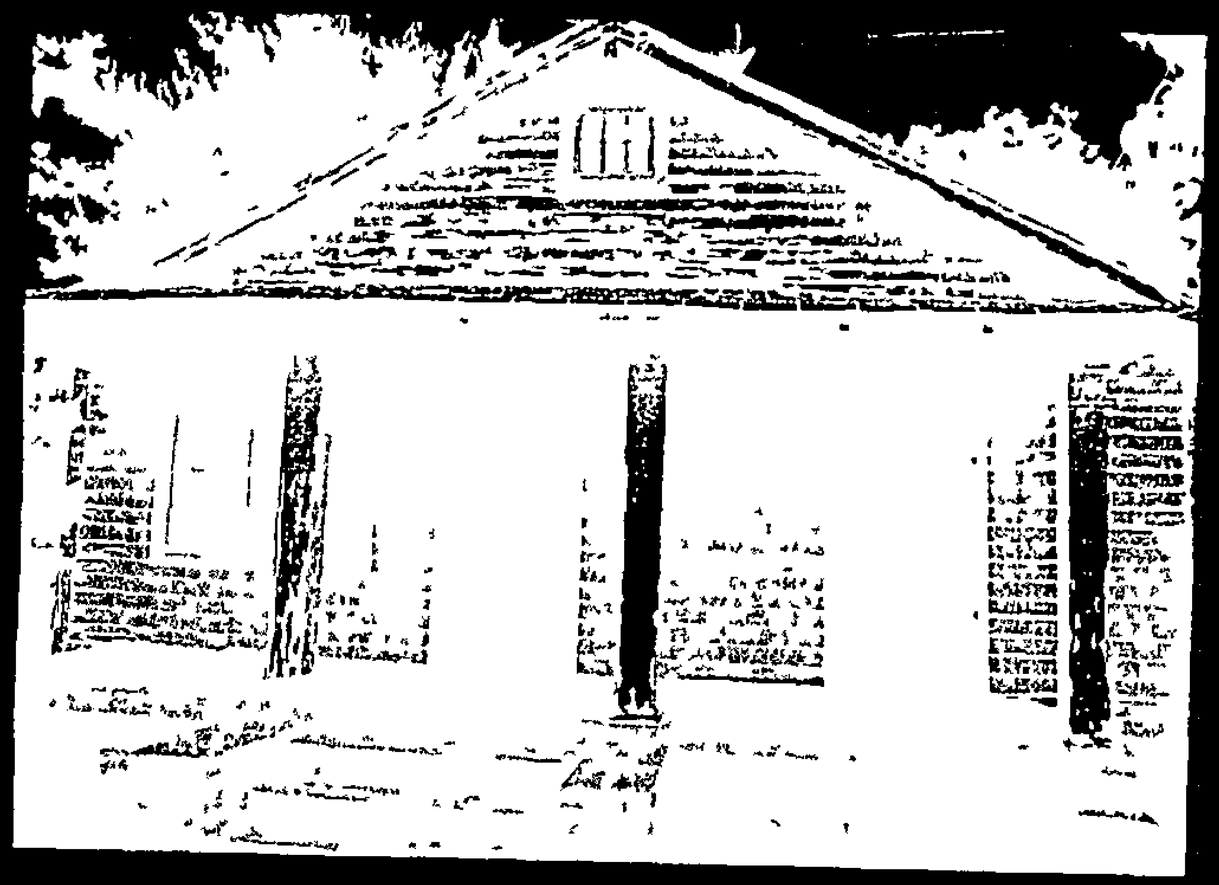
Henry W. Underhill Jr.
CITY ATTORNEY

CERTIFICATION

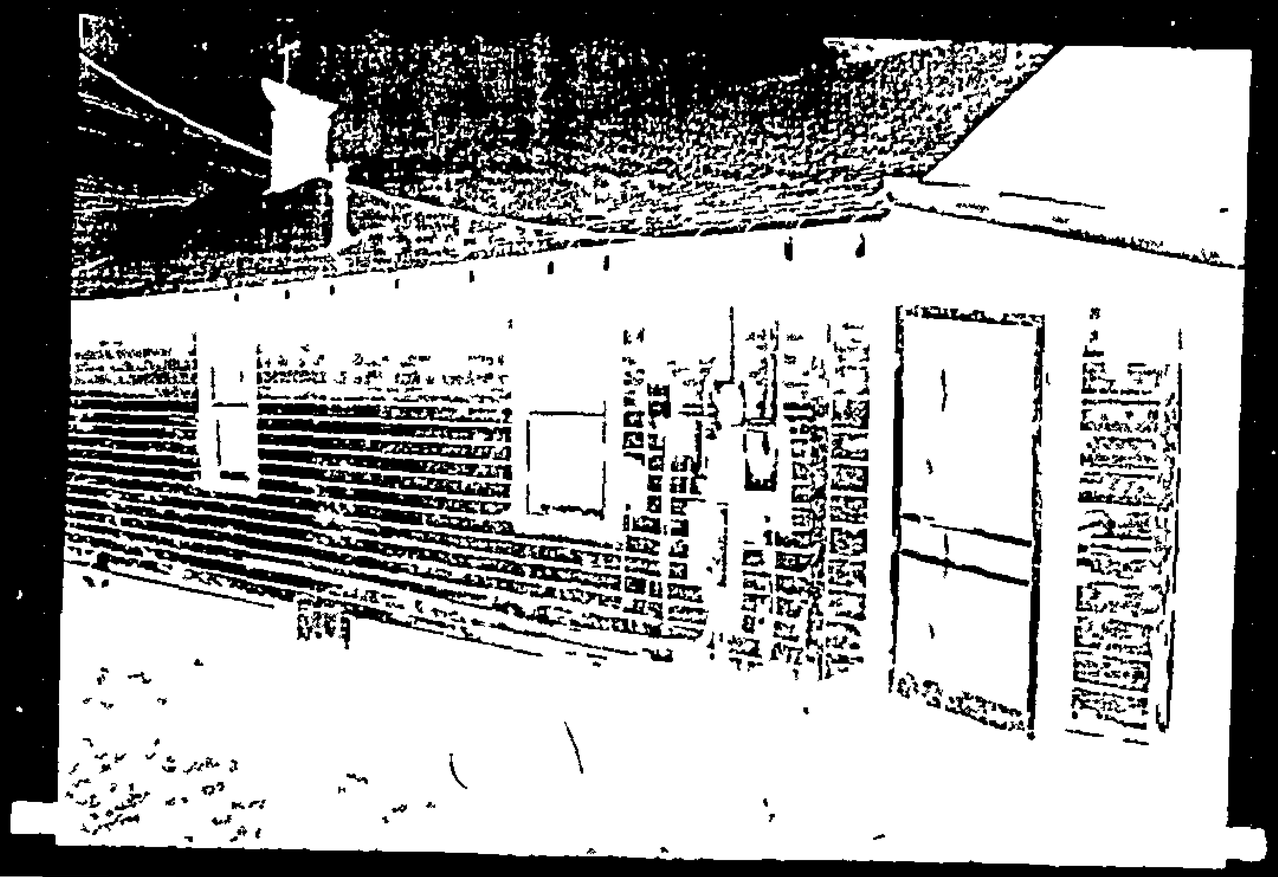
I, BRENDA FREEZE, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the _____ day of _____, 19 _____, the reference having been made in Minute Book _____, and recorded in full in Ordinance Book _____, at Page(s) _____.

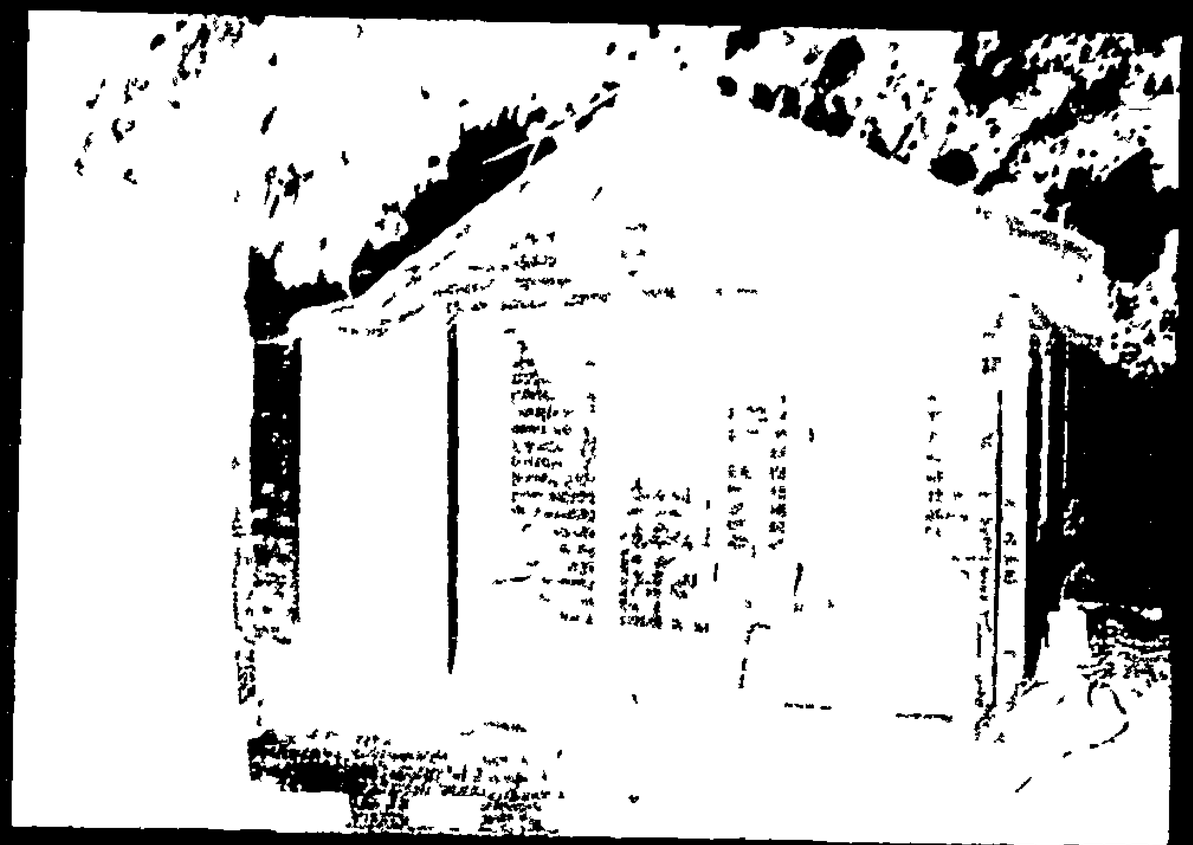
WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the _____ day of _____, 19 _____.

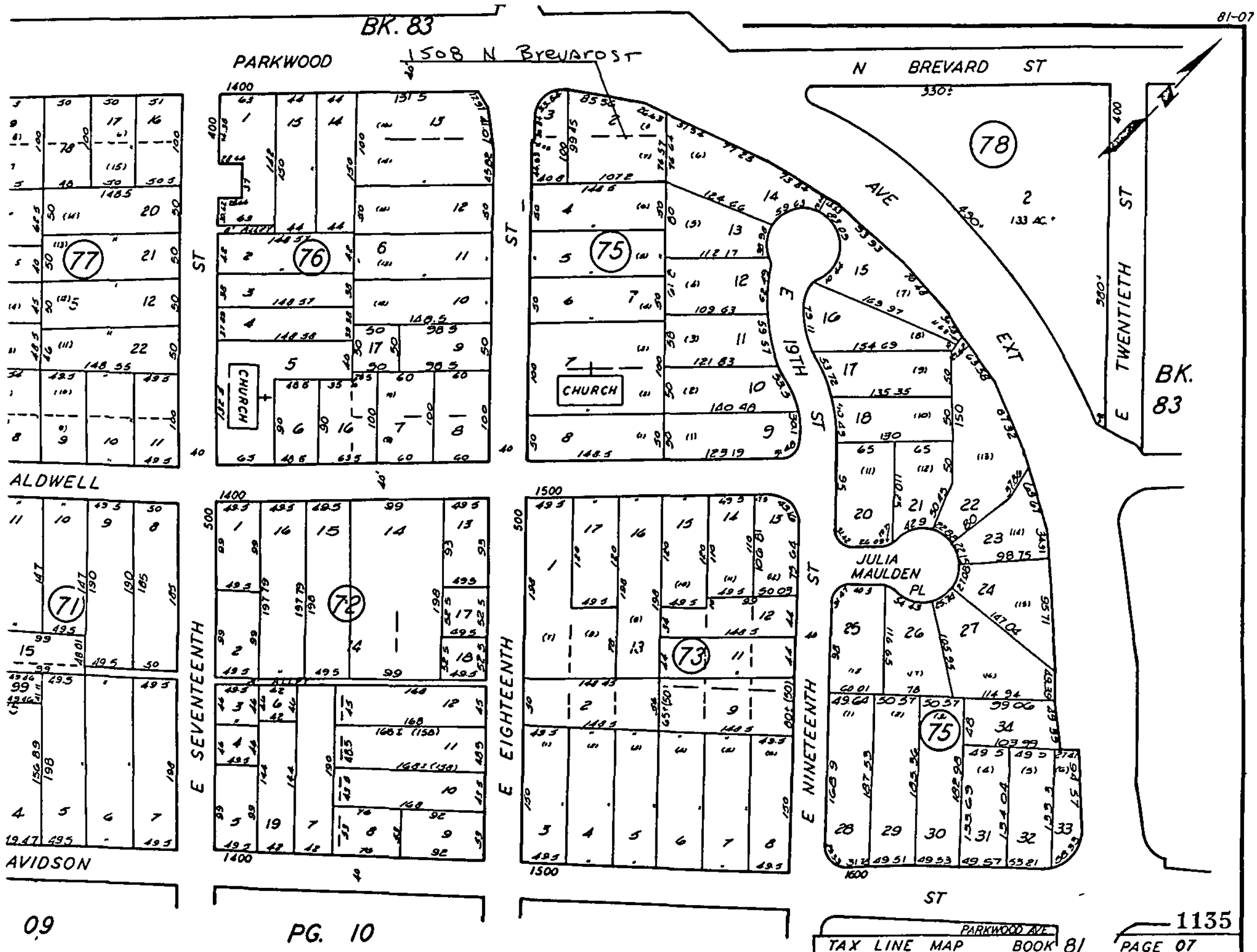
_____
BRENDA FREEZE, CITY CLERK



1508 N. Brevard St 7-29-92







FOR TAX PURPOSES ONLY

CHARLOTTE

Request for Council Action

August 24, 1992

To the City Council from the City Manager

Action Requested

Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the commercial structure known as the Crown Motor Inn (aka Alamo Plaza Motel) located at 2309 North Tryon Street.

Responsible Department

Community Development

This request should be organized according to the following categories
Background Explanation of Request Source of Funding, Clearances, Bibliography

What is Council being asked to approve?

Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the commercial structure known as the Crown Motor Inn (aka Alamo Plaza Motel) located at 2309 North Tryon Street owned by Mani, Inc.

Why is the City doing this?

The dwelling was inspected on May 6, 1992 at the request of a neighborhood petition observation in a Concentrated Code Enforcement area and was found to be in violation of the Housing Code. The owner was ordered to demolish the structure since the estimated cost to repair the structure is more than 50% of the estimated value. (The estimated In Rem Repair cost is $1,282,000, which is 2264% of the $56,610 tax value of the structure.) The owner did not comply with the Order to demolish the structure by July 31, 1992 even though the owner had promised to do so as indicated in the attched letter. Therefore, City Council is being asked to adopt an ordinance to use the In Rem Remedy to demolish the structure.

This is staff's first recommended demolition of a commercial structure since adoption of City Council's policy. Council's authorization to demolish commercial structures in neighborhoods was approved August 26, 1991. Also, on July 27, 1992 City Council approved certain recommendations from the Public Safety Committee which included authorization to implement code enforcement on abandoned commercial structures in the Uptown Area.

What are Council's options?

N/A

How much will this cost?
The estimated cost to demolish this dwelling is $_____. This cost was ascertained through a formal bidding process. Funds for the demolition of 2309 North Tryon Street are available in the General Fund-In Rem Account. A lien will be placed against the property for the cost incurred.

What is citizen input on this issue?
Numerous citizens and businesses in the neighborhood have complained by this structure.

The owner will be notified of this In Rem Action being presented to City Council on August 24, 1992.

Background:
See Attachment

Clearances:
Community Development Department

Bibliography:
Housing Code of the City of Charlotte as amended; case file on 2309 North Tryon Street.

BACKGROUND

- Property Address: 2309 North Tryon Street
- Owner: Mani, Inc.
- Census Tract: #52
- Council District: #1
- Neighborhood: Tryon Hills
- Date of Inspection: 5/6/92
- Owner Notified of Hearing: 5/26/92
- Hearing Held: 6/8/92
- Owner Ordered to Demolish Dwelling by: 7/31/92
- Title search received in May 1992 revealed parties in interest to the property. Parties in interest have been notified of this code enforcement action.
- Structure Occupied: No
- Repairs include major structural, mechanical, electrical and plumbing and a complete rebuilding.

Caribou Motor Inn
&
Convention Center

Rt #3 Box 25 Caribou ME 04736
(207) 498-3733

MAY 26 11:01
CITY CLERK

May 20, 1992

City of Charlotte
600 E. Fourth Street - 5th Floor
Charlotte, North Carolina 28202-2859

Dear Mr. Marx;

In reply to your letter of May 13, 1992, please be advised of our intentions as regards the former Alamo Plaza property on North Tryon Street in Charlotte.

We had located a contractor who was prepared to demolish the property as soon as foreclosure peoceedings were complete. Due to the long delay in our obtaining title, we are only now in a position to start demolition. Our original contractor is no longer in the business, so we have been busy obtaining new bids.

I am entering Eastern Maine Medical Center in Bangor, Maine on May 21, 1992 for emergency heart surgery, which will limit my activities for the next 4 to 6 weeks.

As soon as possible after surgery, I intend to make a decision about which contractor to use. Our intentions are then to proceed as quickly as possible in cleaning up the site. An educated guess would be contract signing by July 1, 1992 with site cleanup complete by August 1, 1992. It would seem to me that a little tolerance at this point would not be too much to ask for, considering the obvious lack of protection given to the property while this on going destruction was happening.

Sincerely,
M.J. Gervais
M.J. Gervais

cc Helms, Cannon, Hamel & Henderson

ORDINANCE NO. _____

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE STRUCTURE AT 2309 NORTH TRYON STREET, PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF MANI, INC. RESIDING AT 2309 NORTH TRYON STREET, CHARLOTTE, NORTH CAROLINA.

WHEREAS, the structure located at 2309 North Tryon Street in the City of Charlotte has been found by the Director of the Community Development Department to be unfit for human habitation and the owners thereof have been ordered to vacate and demolish said structure, pursuant to the Housing Code of the City of Charlotte and Article 19, Chapter 160A of the General Statutes of North Carolina; and

WHEREAS, said owners have failed to comply with said order served by advertisement on May 26, 1992 and July 10, 1992.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, that the Director of the Community Development Department is hereby ordered to cause the structure located at 2309 North Tryon Street in the City of Charlotte to be vacated, and to be demolished and removed, all in accordance with the Housing Code of the City of Charlotte and Article 19, Chapter 160A of the General Statutes of North Carolina.

APPROVED AS TO FORM:

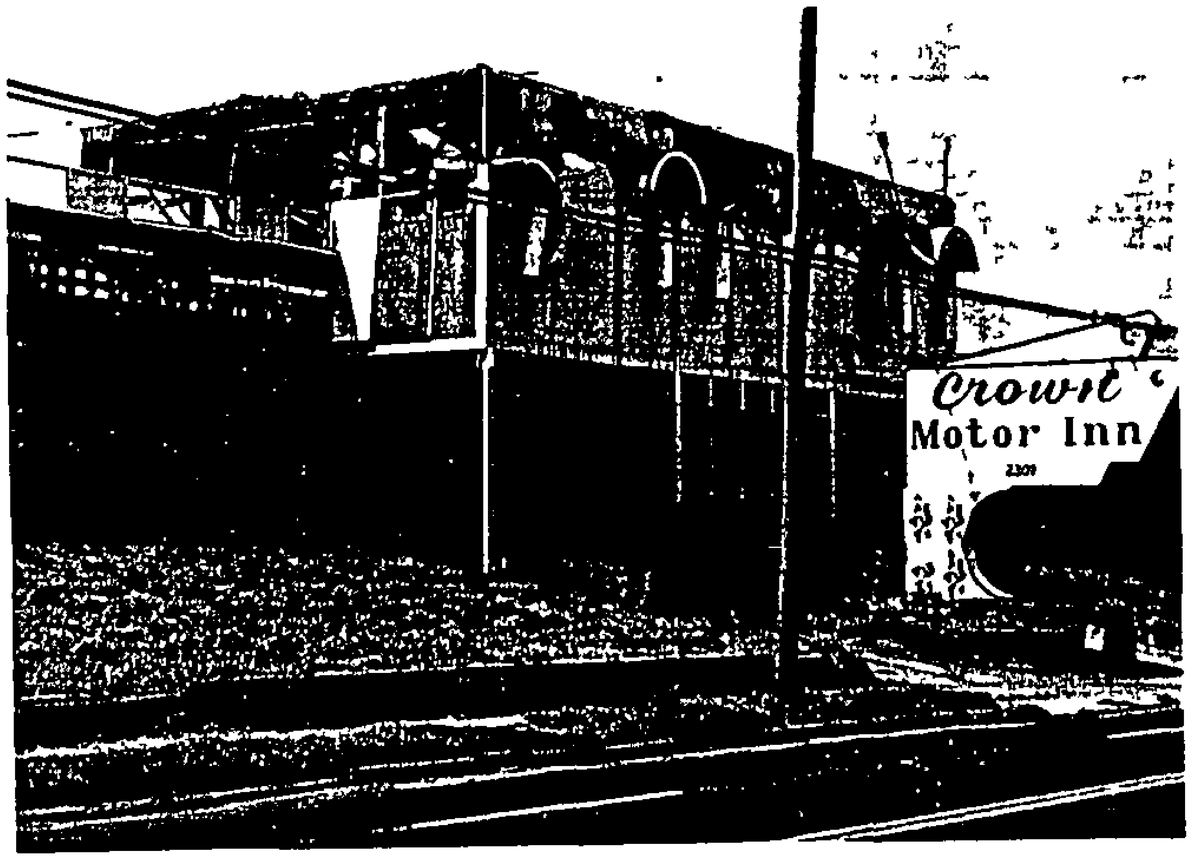
Henry W. Underhill Jr.
CITY ATTORNEY

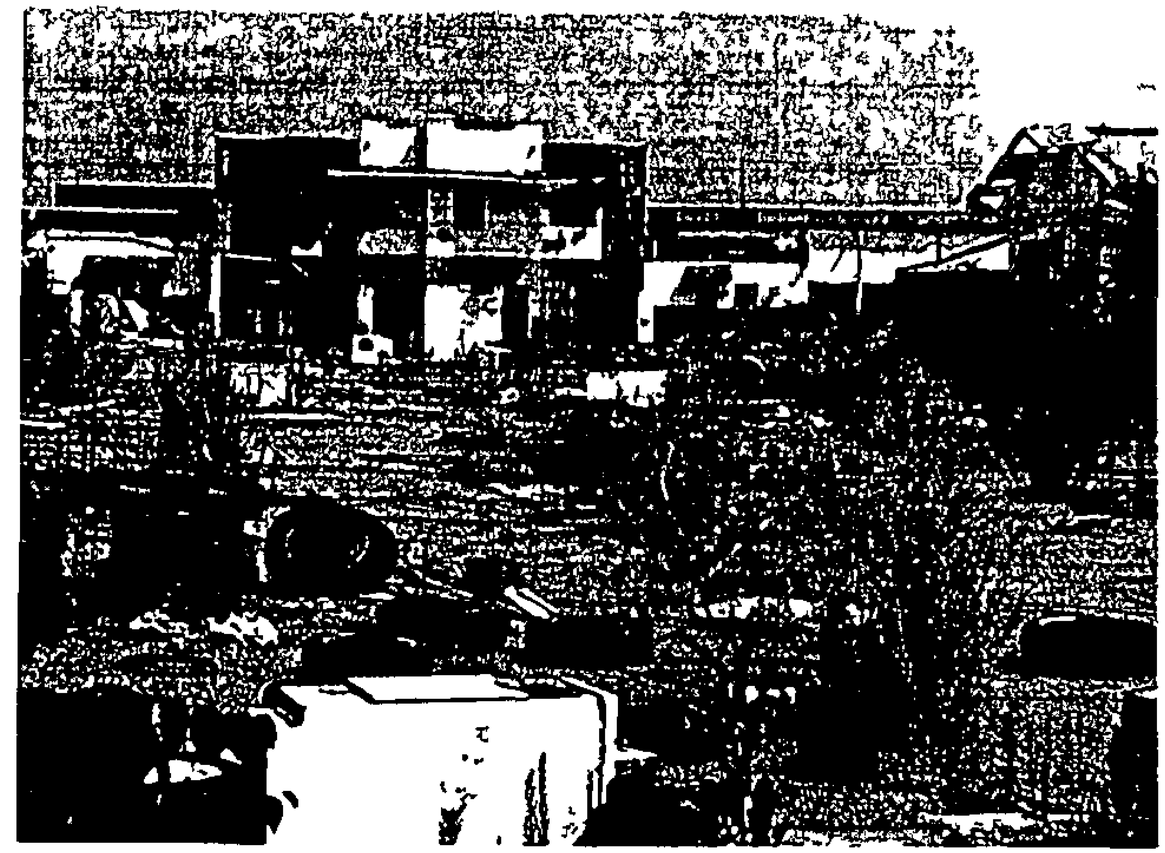
CERTIFICATION

I, BRENDA FREEZE, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the _____ day of _____, 19____, the reference having been made in Minute Book _____, and recorded in full in Ordinance Book _____, at Page(s) _____.

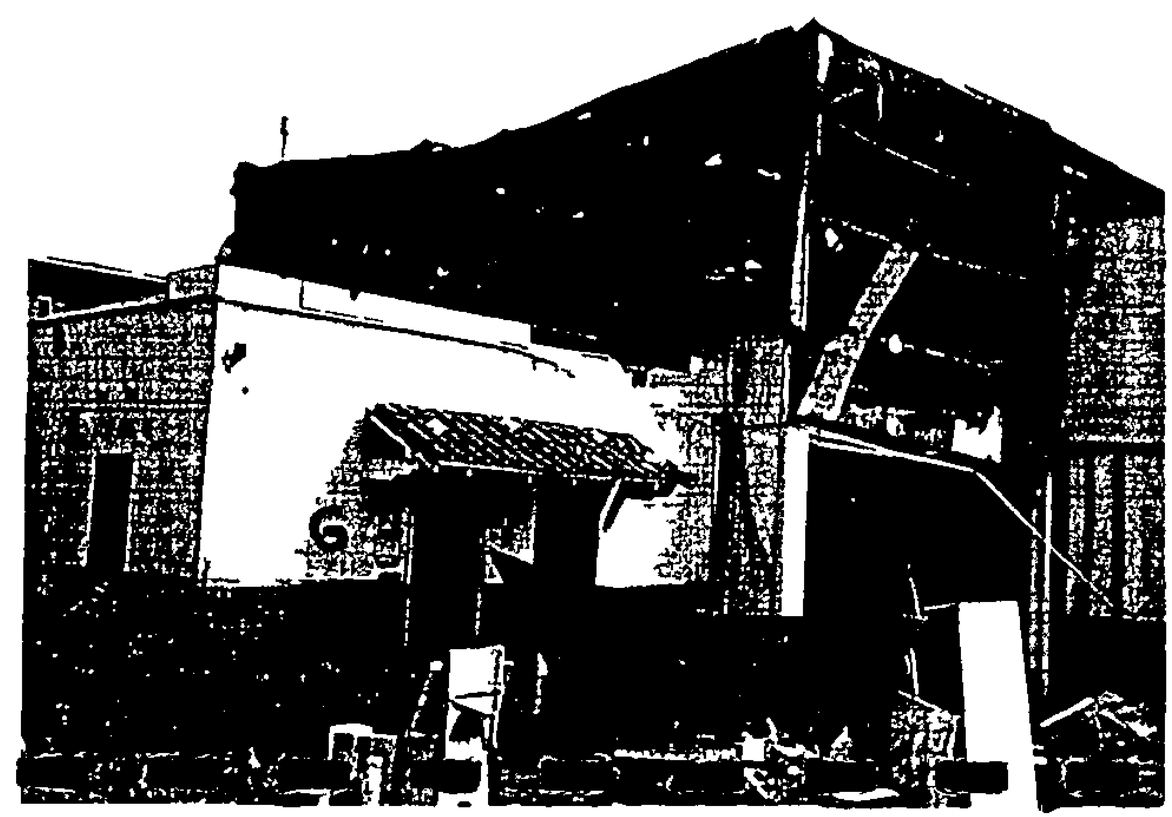
WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the _____ day of _____, 19 _____.

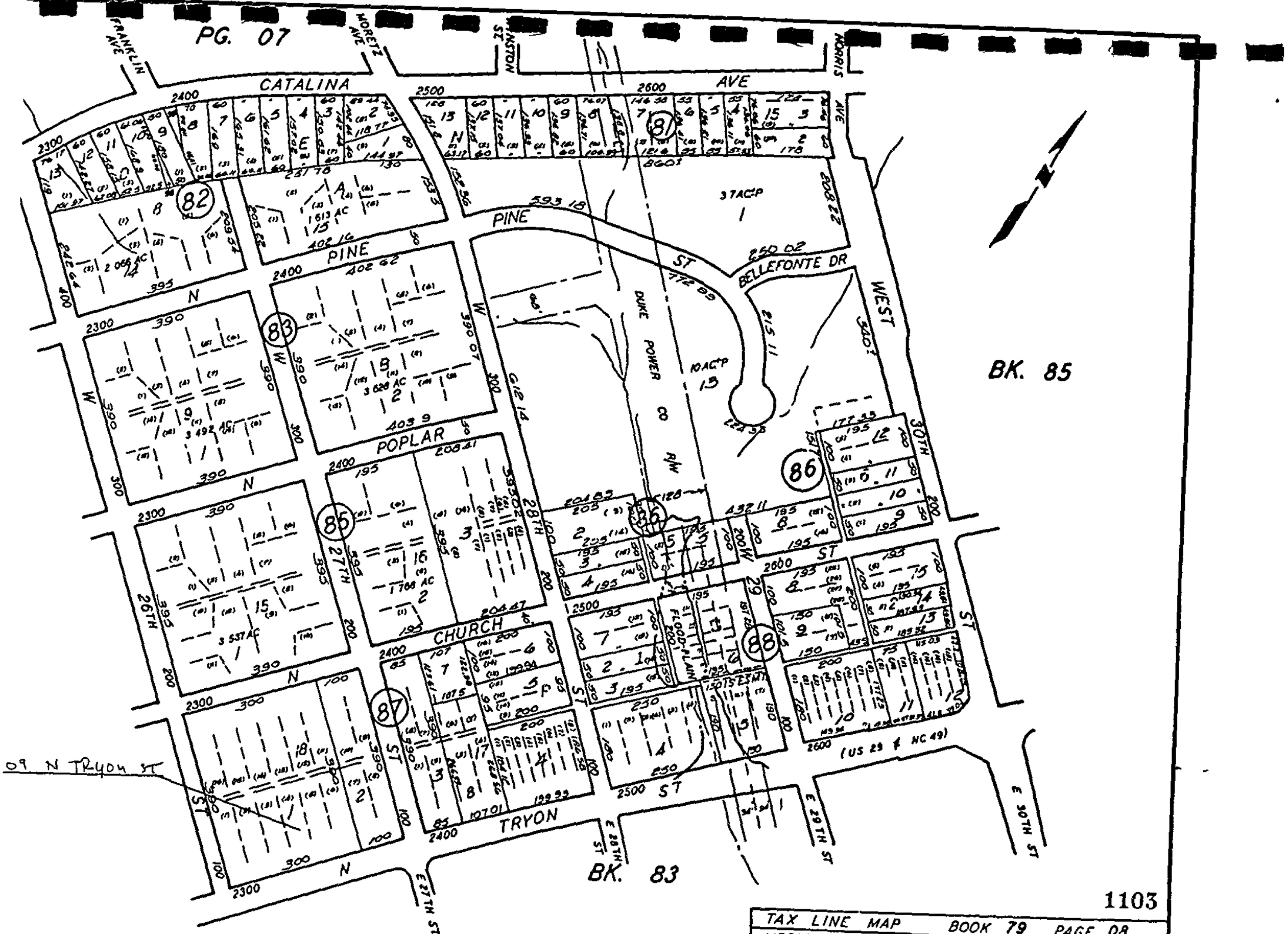
_____
BRENDA FREEZE, CITY CLERK





2309 N TRYON ST 7-29-92




PG. 07
FRANKLIN AVE
MORETZ AVE
WINSTON ST
MORRIS AVE
CATALINA AVE
PINE ST
BELLEFONTE DR
WEST
DUKE POWER R/W
POPLAR
CHURCH
TRYON
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09 N TRYON ST
BK. 85
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82
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88
1103
TAX LINE MAP BOOK 79 PAGE 08
MECKLENBURG COUNTY, NORTH CAROLINA
REVISED
SCALE 1" = 200'
FOR TAX PURPOSES ONLY