AGENDA

Meeting Type:	BUSINESS
Date:	01/10/1994

City of Charlotte, City Clerk's Office

CHARLOTTE

Mayor Richard Vinroot | *Mayor Pro Tem Patrick McCrory*

Charles Baker
Stan Campbell
Patrick D Cannon
Mike Jackson
Nasif Rashad Majeed
Hovle H Martin
Don D Reid
Ella Butler Scarborough
Sara Spencer
Lynn M Wheeler

Council Agenda

CITY COUNCIL MEETING
Monday, January 10, 1994

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5 00 p m

Conference Center

- **Council Retreat Committee Report**
- **Old Convention Center Reuse**
- **MWBE Policy Discussion**

6:30 p m

Meeting Chamber

- **Invocation**
- **Pledge of Allegiance**
- **Citizens Hearing**

7 00 p.m

Formal Business Meeting

CITY COUNCIL AGENDA
Monday, January 10, 1994
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PUBLIC HEARING

1. **Street Abandonments for NFL Stadium**

Action: B. 33 P 25 151

Res # 1

Res # 2

A. Conduct a Public Hearing to abandon portions of South Graham Street, West Hill Street, South Mint Street, South Poplar Street, West Stonewall Street, Stonewall Terrace, and an Alleyway.

B. Adopt the two Resolutions to close

Staff Resource: R N. Pressley

Policy: To enable the City of Charlotte to meet its commitment to provide property to Richardson Sports to build the Carolina Panthers NFL Stadium, and its commitment to Knight Publishing Company to provide land for a rail spur

Explanation of Request:

Move to close what Mint unan

- The Charlotte Department of Transportation has received a petition to abandon public right-of-way and is requesting this Council Action in accordance with North Carolina General Statute 160A-299

- **Petitioner.**
  City of Charlotte - Engineering and Property Management/Clark D Readling

- **Right-of-Way to be Abandoned**
  - South Graham Street from relocated Graham Street to Morehead Street
  - West Hill Street from Poplar Street to the Southern Railway r/w
  - South Mint Street from Stonewall Street to I-277
  - South Poplar Street from Knight Publishing Company spur track to a location approximately 100 feet north of Hill Street
  - West Stonewall Street from relocated Graham Street westwardly to its end

Mov to adopt res. McC/ whe unan

Scott Putnam/ DOT

- Stonewall Terrace between Hill and Stonewall Streets
- Alleyway from Hill Street southwardly approximately 105 feet

Background:

Notification:
In accordance with City policy the Charlotte Department of Transportation (CDOT) has sent abandonment petitions to adjoining property owners, neighborhood associations, private utility companies,and City Departments for review

Adjoining property owners-No objection
City of Charlotte
Knight Publishing Company

Neighborhood association(s)-No objection
Third Ward Neighborhood Association
Charlotte Uptown Development Corporation
Central Charlotte Division - Chamber of Commerce

Private Utility Companies-No objection

City Departments-No Objection

Review has identified no apparent reason this closing would

1. Be contrary to the public interest, or,
2. Deprive any individuals(s) owning property in the vicinity reasonable ingress/egress to his property as outlined in NCGS 160A-299

Attachment 1

Vicinity Map

2. Street Abandonments - Portions of Greenwood Avenue, Dudley Avenue and Belt Road

Action.

A. Conduct a Public Hearing to abandon portions of Greenwood Avenue, Dudley Avenue, and Belt Road;

B. Adopt the Resolution to Close

Mov to close unan w/ Rid + EHA
To refuse PA + unan w/ mot
Adopt Res. Carried unan w/

Resolution Book 3 P-32 P-52

Staff Resource: R. N Pressley

Explanation of Request:

- The Charlotte Department of Transportation has received a petition to abandon public right-of-way and is requesting this Council Action in accordance with NCGS 160A-299

  Reason:
  To incorporate the right-of-way into the adjoining property to construct Crosspoint Center II in accordance with a rezoning petition (90-22) approved by City Council on April 16, 1990

- **Petitioner:**
  Crescent Resources, Inc

- **Right-of-Way to be Abandoned.**
  Portions of Greenwood Avenue, Dudley Avenue, and Belt Road

- **Location:**
  South of Hutchinson - McDonald Road approximately 1200 feet south of Cindy Lane

Background:

Notification:
In accordance with City policy the Charlotte Department of Transportation (CDOT) has sent abandonment petitions to adjoining property owners, neighborhood associations, private utility companies, and City Departments for review

Adjoining property owners-
Crescent Resources, Inc owns all adjoining property

Neighborhood association(s) - No objection
Nevin Community Organization

Private Utility Companies - No objection

D

City Departments-
Review has identified no apparent reason this closing would

1. Be contrary to the public interest, or,
2. Deprive any individuals(s) owning property in the vicinity reasonable ingress/egress to his property as outlined in NCGS 160A-299

Attachment 2
Vicinity Map

3. Street Abandonments - Portions of Ranlo Avenue and an Alleyway

Action:

A. Conduct a Public Hearing to abandon a portion of Ranlo Avenue and an Alleyway; and

B. Adopt the Resolution to Close.

Staff Resource: R. N. Pressley

Explanation of Request:

- North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys The Charlotte Department of Transportation has received a petition to abandon public right-of-way and is requesting this Council Action in accordance with NCGS 160A-299

Move to Close Mart | Wha Unan

adopt Res Spencer Wha | Unan

Res # 4 B 32 P 55

Reason:
To incorporate the right-of-way into adjacent property to provide additional parking according to the conditional zoning plan (88:29) approved by the City Council on July 18, 1988

- **Petitioner:**
  Presbyterian Specialty Hospital Corporation/Robert C Hord, Jr

D

- **Right-of-Way to be Abandoned.**
  Ranlo Avenue
  between Baldwin Avenue and Lillington Street.

  Alleyway
  from Ranlo Avenue southwestwardly approximately 40 feet

Background:

Notification:
In accordance with City policy the Charlotte Department of Transportation (CDOT) has sent abandonment petitions to adjoining property owners, neighborhood associations, private utility companies,and City Departments for review

Adjoining property owners-
Presbyterian Specialty Hospital Corporation (PHSC) owns all property abutting the right-of-way requested to be abandoned PHSC will provide a permanent access easement to all property owners with access to the alleyway

Neighborhood association(s)-
Cherry Community Organization-No objection

Private Utility Companies-No objection

City Departments-No objection

Review has identified no apparent reason this closing would

1. Be contrary to the public interest, or,
2. Deprive any individuals(s) owning property in the vicinity reasonable ingress/egress to his property as outlined in NCGS 160A-299.

Attachment 3
Vicinity Map

CONSENT ITEMS

4. Approve Minutes of: October 25, 1993 Regular Meeting and November 8, 1993 Regular Meeting

5. Agenda items 9 through 19 may be considered in one motion except for those items removed from the Consent Agenda as a result of a Councilmember making such a request of the City Clerk prior to the meeting.

Staff Resource: Julie Burch

POLICY

6 Regulation of Cable Television Rates

Action:

A. First reading and approval of an ordinance to amend Section 6-68 of the Cable Communications Regulations of Article V of the City Code. Modifications to ordinances require two readings by City Council. The second reading and approval will be placed on City Council's January 24 agenda

B. Approval of cable television rate review procedures.

Policy:

Local governments should be allowed to assure that consumers receive high quality, yet affordable cable television services. On October 28, 1991, City Council approved a resolution supporting federal legislation enabling local governments to regulate cable television operators.

Explanation of Request:

This ordinance incorporates within City Code the new provisions of federal law which allow the City, as the cable television franchising authority, to regulate the rates our cable operators charge for basic cable services and equipment The amendment also requires, pursuant to federal law, that the City provide for public comment in the rate review process and allows the City Manager

to fulfill necessary federal requirements related to rate regulation.

The Federal Communications Commission (FCC) established the following guidelines for franchising authorities (cities/counties) who elect to regulate their cable television operators rates

- Franchising authorities, such as Charlotte, who lack effective competition in cable television service providers, are permitted to review and regulate rates for basic tier cable television services and equipment.

- Franchising authorities make application to the FCC for rate regulation certification The City submitted the necessary application for this certification on September 1, 1993, and was certified as of October 1, 1993

- Franchising authorities adopt rate review procedures within 120 days after receiving rate regulation certification The City, in order to review and regulate rates, must adopt procedures by January 29, 1994

The City's rate review procedure requires that

- Cable operators submit all rate change requests to the City,

- Business Support Services' Cable Television and Internal Audit divisions review each request pursuant to adherence to FCC rate guidelines;

- If staff review indicates FCC guidelines were met, City Manager notifies cable operator that rate change is approved,

- If staff review indicates FCC guidelines were not met,

City Council will be requested to take appropriate action, as prescribed by federal law.

The amending ordinance and detailed description of this procedure are included as attachments

Attachments 4
- Ordinance
- Rate Review Procedure
- Cable Act of 1992 - Key Provisions
- Background

7. MWBE Policy Discussion

City Council hired D.J. Miller and Associates to conduct a disparity study as a result of the decision in The City or Richmond v J A Croson Company That decision requires a disparity study as a condition for continuation of any Minority/Woman Business Enterprise program.

The Study has been completed, a public hearing conducted and the next step in the legal process is for the Council to make legislative findings based upon the information received. Legislative findings are needed to continue the current program, strengthen the program, or to create a mandatory program This memo highlights the possible program options which Council may consider

I. Program Options
II Legal Rationale
III Community Endorsement
IV Policy Process

Campbell/ Wheeler refer to public Services Committee
Sub. motion Seconded/ to refer vote
Economic Dev. Comm Sub. on 6-5 MAJ
Scan Carrion Spencer Martin
Vote on MAIN motion 9-2
Scan & Mijeel - NO

Item No.

I Program Options

1 Continue the current MWBE Program
Program features
- Certification based on ownership and control of the firm
- Contract specific goals
- Project notification
- Monitoring and reporting
- Training and technical assistance
- Complaint resolution
- Prime contractor "good faith efforts"
  - Mail solicitations requesting quotes from MWBE firms
  - Divide the project into economically feasible units
  - Negotiate with MWBE's, not rejecting their bid as unqualified without just cause
  - Award to the lowest subcontract bidder
  - Allow MWBE subcontractors to work under the primes bond when possible

2 Strengthen the current MWBE Program

Program features could include

- Disallow the option for primes to perform all the work with their own forces
- Review actual MWBE goal attainment as a factor for award

3 Create a mandatory program

- Require attainment of MWBE goals for contract award

4 Institute other alternatives

- Small Business Program
- Disadvantaged Business Program (DBE)

Attachment 18
Legal Rationale
Community Endorsement
Policy Process

BUSINESS

8. Appointments to Boards and Commissions

1 **CITIZENS OVERSIGHT FOR CABLE TELEVISION**

One appointment to fill an unexpired term beginning immediately and ending March 31, 1995 Wayne Brown did not meet attendance requirements.

Two appointments beginning immediately and including the next full term Dick Sahlie and David Cayer have resigned and are no longer attending meetings

One regular two year appointment beginning March 31, 1994. John Jennings is not eligible for reappointment

✓ (a) Jerry Marshall Hester by Councilmembers McCrory & Reid
(b) Stephen Kearney by Councilmember Wheeler
(c) John Kerston by Councilmember Jackson
(d) Joyce Lynch by Councilmember Wheeler
✓ (e) Mike McLaurin by Councilmember Martin
(f) Steve Sellers by Councilmember McCrory
✓ (g) Grady Sharp by Councilmember Scarborough
(h) Keith Shannon by Councilmember McCrory
✓ (i) Robin Smith by Councilmember McCrory
(j) Paul Williams by Councilmember Wheeler

Attachment 5

2 **CLEAN CITY COMMITTEE**
One appointment beginning immediately and expiring June 30, 1995 John Spegal has resigned.

(a) Sam Burrow by Councilmember Reid
(b) Les Greene by Councilmember Majeed
(c) Nancy Williams by Councilmember Jackson
(d) Carrie Winter by Councilmember Wheeler

Attachment 6

3. **FIREMAN'S RELIEF BOARD OF TRUSTEES**
One regular two year appointment beginning February, 1994 Robert Cuff is not eligible to be reappointed.

(a) Lisa Crawford by Councilmember Majeed
(b) Nikita Mackey by Councilmember Spencer
(c) Ed Woodall by Councilmember Jackson

Attachment 7

4 **SISTER CITIES COMMITTEE**
One appointment beginning immediately and the next full term John ~~Spegal~~ has resigned Dwight Spring

(a) Pat Craig by Councilmember Wheeler
(b) Don Edwards by Councilmember Reid
(c) Stephen Kearney by Councilmember McCrory
(d) Paul Parker by Councilmember Martin
(e) Ray Worsley by Councilmember Majeed

Attachment 8

5 **ZONING BOARD OF ADJUSTMENT**

One three year appointment for an alternate position to begin in February of 1994. Don Abernathy is not eligible to be reappointed

(a) Maxine Eaves by Councilmember Majeed
(b) Guy Gordon by Councilmember Jackson
(c) Patrick Hunter by Councilmember Wheeler
(d) Craig Issac by Councilmember Scarborough
(e) Russell Jones by Councilmember Reid
(f) Charlie Wynn by Councilmember McCrory
(g) Nancy Zaremski by Councilmember Spencer

Attachment 9

CONSENT

The consent portion of the agenda is divided into two sections Consent I and Consent II.

Consent I consists of routine items that have been approved in the budget, are within the budget estimate, and have met MWBE criteria.

Consent II consists of items that have also been approved in the budget, but which may require additional explanation.

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.

CONSENT I

9 **Various Bids**

A Sugar Creek Road Widening

Recommendation: The City Engineer recommends that the low bid of $282,633.75 by Sherrill & Associates of Charlotte, NC be accepted

MWBE Status:	Amount	% of Project	Proj Goals
MBE	$16,983 00	6 3 %	6 %
WBE	$13,219 95	4 9%	4 %

B. Five Points Intersection Improvements

Recommendation: The City Engineer recommends that the low bid of $754,437.15 by Ferebee Corporation of Charlotte, NC be accepted

MWBE Status:	Amount	% of Project	Proj Goals
MBE	$16,500	2 2%	8%
WBE	$44,657	6 1%	4%

AVIATION

C. **Demolition of Buildings in Runway 36R Approach**

Recommendation: The Aviation Director recommends that a contract in the amount of $86,954 99 be awarded to Moretti Construction of Charlotte, NC for the demolition of buildings in Runway 36R Approach on a lump sum basis

MWBE Status:	Amount	% of Project	Proj Goals
MBE	$ 65,000	75%	N/A
WBE	$ 2,100	2%	N/A
DBE TOTAL	$ 67,100	77%	25%

10. **Motion for Executive Session**

Action: Recommend adoption of a motion to hold an executive session upon the conclusion of the meeting for the purpose of conferring with the City Attorney about the Taylor Home lawsuit and other potential litigation involving group homes as permitted by the State's Open Meetings Law.

11. **In Rem Remedy Actions** CB

Scan where to appear A, B, D

A. **2717 Craddock Avenue, Apts. 1-5 (West Boulevard Neighborhood)**

Scan where urgent

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 2717 Craddock Avenue, Apts. 1-5 (West Boulevard Neighborhood) which is located in the City Within a City boundaries.

ORD# 1 # 3773-X B-45 P 108

Attachment 10

B. **311 Echodale Drive (Yorkmont Neighborhood)**

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 311 Echodale Drive (Yorkmont Neighborhood) which is located in the City Within a City boundaries.

ORD# 2 # 3773-X B-45 P-109

Attachment 11

Pulled - Requested by CD

C. 314 Norwood Drive (Hoskins/Thomasboro Neighborhood)

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 314 Norwood Drive (Hoskins/Thomasboro Neighborhood) which is located in the City Within a City boundaries

Attachment 12

D. 2800 Seymour Drive (West Boulevard Neighborhood)

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the vacant commercial structure at 2800 Seymour Drive (West Boulevard Neighborhood) which is located in the City Within a City boundaries.

ORD # 3 # 3274-X B-45 P-110

Attachment 13

12 Refund of Certain Taxes

Action: Adopt a resolution authorizing the refund of certain taxes assessed through clerical or assessor error in the amount of $6,957.83.

Background: North Carolina General Statute 105-381(a) provides that any taxpayer asserting a valid defense to the enforcement of the collection of a tax assessed through clerical or assessor error upon his property shall make demand in writing of a refund of the questioned tax payment The governing body shall determine whether the taxpayer has a valid defense to the tax collected and authorize by resolution a refund of that portion of the amount that is determined to be in excess of the correct tax liability

A copy of the applicable State law is available in the Finance Department.

Attachment 14

FINANCE

Res # 5 B 32 P-44

Item No.

CONSENT II

13. New Convention Center - Change Order #3

Action: Approve Change Order #3 for $344,563 00 to the contract with Port City Electric Company to perform additional electrical work on the new Charlotte Convention Center. Upon approval of this change order, the contract sum will increase from $7,930,479.00 to $8,275,042.00.

Explanation of Request:

Bear | Comp Mar

- This change order is for the telecommunications cable work on the Convention Center. This work was originally bid as an alternate in the electrical package. Port City Electric quoted the lowest price.
- At the time of the award to Port City Electric, the Convention Center Authority had not yet determined how the telecommunication needs of the Convention Center would be handled, so the work was not included in Port City's original contract
- The Convention Center Authority has now reviewed the telecommunication needs and determined that they should proceed with the alternate in Port City Electric's bid package
- The funds for this work are budgeted in the FF&E (furniture, fixtures, and equipment) portion of the Convention Center budget and will be transferred to the construction budget upon approval

Background: On January 11, 1993, City Council approved the contract with Port City Electric for $7,892,976.00 for the installation of the electrical system on the Convention Center project

Ent

On February 23, 1993, Change Order #1 was approved by the Engineering Department in the amount of $8,550 00. This change order consisted of installing portable distribution panels, value engineering, credit for light fixture revisions, and the cost to guarantee the telecommunications cabling system alternate for one year This change order was charged against contract contingency, therefore the contract amount was unchanged

Change Order #2, for $37,503, was approved by the Engineering Department on September 23, 1993 This change order was for extending floor boxes, additional sump pump wiring, miscellaneous electrical revisions, and installing ground wires at the Duke Power duct bank These items were not in the original scope of work

Attachment 15

14. Storm Water Maintenance Contract Change Orders

Action:

A. Approve Change Order #2 for $70,000 to the contract with Ferebee Corporation for continued construction of FY93 Storm Water Maintenance Package A, which will increase the contract amount from $370,408 50 to $440,408 50.

B. Approve Change Order #1 for $200,000 to the contract with Ferebee Corporation for continued construction of FY93 Storm Water Maintenance Package B, which will increase the contract amount from $433,589 81 to $633,589 81.

C. Approve Change Order #2 for $180,000 to the contract with United Construction Company for continued construction of FY93 Storm Water Maintenance Package C, which will increase the contract amount from $364,950 to $544,950.

GM.

Item No.

Explanation of Request:

- Change Orders will provide funds to continue work under these contracts into Spring, 1994 when new contracts will be bid and awarded
- Costs incurred under Change Orders are established through existing unit prices in the contracts

Background:

The Storm Water Maintenance program provides a method to perform small repairs and construction on projects identified through citizen requests by Storm Water Services

In order to accomplish repairs of this type in the most efficient and expeditious manner, "retainer " contracts have been bid and awarded through the competitive bid process since January 1993 The retainer contracts provide for extension of the original contract at existing contract prices upon agreement by the City and the Contractor.

Approximately 100 Storm Water repair projects have been completed under the retainer contract method since January 1993

Of the nine contracts awarded, four have been awarded to MBE owned firms as the prime contractor The current rate of MBE participation for all contracts awarded under the Storm Water Program is 33%.

Two new contracts are in the process of being competitively bid and are anticipated for award by April of 1994

15. Water Meter Yokes Contract Extension

Action:

Approve additional purchase of water meter yokes and accessories under the existing contract in the amount of $62,435.75 from Davis Meter and Supply Company, Charlotte, North Carolina.

Purchasing

Item No.

Explanation of Request:

In November of 1992, bids were sent to twelve companies Six bids were received Davis Meter and Supply Company was the low bidder

The contract stated that it could be extended for an additional one year if prices remained the same Purchasing under the existing contract saves time and the expense of soliciting bids Water meter yokes and accessories are used in setting water meters for residential water services

Attachment 16

16. **Soil Erosion and Sedimentation Control Ordinance Amendments**

Action:

Approve amendments to the local Soil Erosion and Sedimentation Control Ordinance

Explanation of Request:

- Amendments to our local Ordinance are necessary when the State amends their model ordinance The amendments included in the attachment correspond to the State's latest amendments to the model ordinance

- The current revisions are minor text changes and one modification to the fining process

ORD # 4
3775
B-45
P 111

Background:

Charlotte adopted a local Erosion Control Ordinance in 1975 based on the State's model ordinance Occasional amendments have been made to Charlotte's Ordinance since that time corresponding to changes in the State's model ordinance The local program has been continually upgraded with substantial revisions occurring in 1986, 1989, 1990 and again in 1992.

Attachment 17

17. State Funding for the Committee of 100

Action:

Rec'd 6/8 B-3 P-68 Mart/Scar Urban

A) Approve a resolution authorizing the Director of Transportation to execute a project agreement with the North Carolina Department of Transportation (NCDOT) to receive $50,000 toward the cost of the Transportation/Transit Committee of 100 process.

B) Approve a budget ordinance appropriating $50,000 from NCDOT to the Transportation Fund.

Policy:

- Council approved Committee of 100 process on April 26, 1993.
- Council approved an implementation plan for the Committee of 100 on June 14, 1993.

Explanation of Request:

ORD# 5 K #3744 B-43 P-134

Council is asked to:

- Approve the agreement with NCDOT for receiving $50,000 in State financial assistance These funds represent one-third of the cost of the contract with Barton-Aschman Associates for the Public Transportation Review and Analysis
- Adopt a resolution to authorize the Director of Transportation to execute this agreement
- Approve a budget ordinance appropriating $50,000 from NCDOT to the Transportation Fund

Funding:

The City's share of the cost of Committee of 100 activities comes from the Transportation Fund's fund balance

Background.

Cost breakdown for the Committee of 100 work program is

D.T

Charlotte	$100,000
Mecklenburg County	100,000
NCDOT	50,000
TOTAL	$250,000

On October 11, Council awarded a $150,000 contract to Barton-Aschman Associates for a transit study which is a key element of the Committee of 100's work

On December 3, the North Carolina Board of Transportation approved the $50,000 grant

18. Contract Amendment - Yellow Cab Co.

Action. **Authorize the Director of the Department of Transportation to execute an amendment in the amount of $78,000 to the current contract with Yellow Cab Company of Charlotte, Inc., for operating demand-responsive service for the disabled at night and on weekends and holidays.**

Policy: **In accordance with the adopted policy for competitive bidding of public services, the City will amend the contract with Yellow Cab of Charlotte for weekend, night, and holiday service until the City solicits competitive proposals for operation of the entire demand-responsive service.**

Mart Lowe
1-No
Scarborough

On July 26, 1993, Council approved expansion of transit service for the disabled in order to move closer toward compliance with requirements of the Americans with Disabilities Act (ADA). Special Transportation Service (STS) was approved to expand by 25% in both FY94 and FY95.

Explanation of Request:

- To increase service provided through the contract with Yellow Cab of Charlotte for operating service to the disabled during lower-demand periods (when private sector operation appears more economical)

DOT

- To add funding to the current contract with Yellow Cab of Charlotte to continue to provide night/ weekend/holiday operation for the newly annexed areas of the City.

Funding. The FY 94 STS budget includes $50,000 to expand the STS contracted service in general and $28,000 to cover newly annexed areas

Background:

- Since 1988, the City has contracted night, weekend, holiday service provided to disabled citizens.

- The Americans with Disabilities Act of 1990 requires cities to provide door-to-door service for the transportation disadvantaged which complements fixed-route, accessible bus service operated by Charlotte Transit

- In May 1991, we contracted with Yellow Cab of Charlotte to operate night, weekend, and holiday services rather than use City vehicles and personnel because it was more economical for Yellow Cab to operate during these lower-demand periods.

19. Property Transactions

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

A. Option:

A. Project: Carmel Road Widening, Parcel Nos 65,65A,65B,65C
Owner: Donald G Walker & wf , Luan S Walker
Property Address: 5500 Carmel Road
Property to be acquired: **2,046.60 Square Feet (0.0469 Ac.) plus, Temporary Construction Easement of 3,814.96 Square Feet (0.0876 AC.)**

Improvements: Landscaping, large hardwood trees, 61 holly bushes, small trees and shrubs
Price. $21,800
Remarks: To acquire right of way, permanent drainage easement, permanent utility easement and temporary construction easement for the Carmel Road Widening Project

Zoned: R-3 Use. Residential
Tax Value: $132,880
Tax Code 209-321-01

B. Condemnations: A **Project** Graham Street Sidewalk Improvements Parcel No 61
Owner(s): Rudolph Smith & wf., Emma S Smith "and any other parties of interest"
Property Address: 4226 North Graham Street
Property to be Condemned: 507 Square Feet (012 Ac)
Improvements: None
Price: $1,100
Reason for Condemnation
Total Area: 24,983 sq ft (574 AC)
Fee Simple: 330 sq.ft (008 Ac)
Temporary Const. Easement 177 sq ft (0004 Ac)
Area Remaining 24,653 sq ft (566 Ac)
The City's offer of $1,100 was based upon independent appraisal The owner refused indicating his property assembled with the adjoining properties is worth much more but could not provide any further justification and did not submit a counter-offer

Zoned I-2 Use. Warehouse
Tax Value $87,450
Tax Code· 087-091-01

Res # 7
B. 32
P 70

B. **Project:** Graham Street Sidewalk Improvements, Parcel No 43
Owner(s): Pergamos International Investments Investments % Ovion Investment & Mgmt , Ltd "and any other parties of interest"
Property Address: 3400 North Graham Street
Property to be Condemned: 1,347 Square Feet (0.309 Ac)
Improvements: Fence
Price: $3,600
Reason for Condemnation:
The City's offer of $3,600 was based upon independent appraisal The owners believe the damages to be much more severe to their property. He has hired an attorney to settle this matter The attorney prefers to litigate the compensation amount

Res # B-32 P-72

Zoned I-2 Use: Service Garage
Tax Value: $920,420
Tax Code 085-073-40

C **Project:** Graham Street Sidewalk Improvements, Parcel No. 59
Owner(s): James P. Rhodes & wf , Margaret Rhodes "and any other parties of interest"
Property Address: 4200 N Graham Street
Property to be Condemned: 1,756 Square Feet (040 Ac)
Improvements: Large Oak Tree
Price $2,800
Reason for Condemnation:
Total Area 14,994 sq ft. (344 Ac)
Fee Simple 867 sq ft (.020 Ac.)
Area maintained under pavement 485 sq ft (011 Ac.)
Temp Const Easement: 404 sq ft. (009 Ac)
Area remaining 13,642 sq ft (313 Ac)

Res # B-37 P-74

The City's offer of $2,800 was based upon independent appraisal The owner refused indicating his property assembled with the adjoining properties is worth much more and submitted a counter-offer of $10,800 The owner could not provide any justification to substantiate that amount

Zoned: I-2 Use· Commercial
Tax Value: $82,040
Tax Code: 087-091-03

D **Project:** Graham Street Sidewalk Improvements, Parcel No 60
Owner(s): Ray Cooper & wf , Margaret C Cooper "and any other parties of interest"
Property Address: 4210 N Graham Street
Property to be Condemned 2,686 Square Feet (062 Ac)
Improvements: None
Price· $3,200
Reason for Condemnation.
Total Area: 33,800 sq ft. (.776 Ac)
Fee Simple· 1,018 sq ft. (023 Ac)
Area maintained as right of way· 1,282 sq ft (029 Ac)
Temp Const Easement 386 sq ft. (.009 Ac)
Area remaining 31,500 sq.ft (723 Ac)
The City's offer of $3,200 was based upon independent appraisal The owner refused indicating his property assembled with the adjoining properties is worth much more and submitted a counter-offer of $5,500 The owner could not provide any justification to substantiate that amount

Ren # 10
B-32
P-74

Zoned I-2 Use Warehouse
Tax Value $130,560
Tax Code 087-091-02

E **Project:** Monroe Rd /Wendover Rd /Eastway Dr Intersection, Parcel No 7/8
Owner(s): Andrew J Beall, Jr "and any other parties of interest"
Property Address: 3901-05 Monroe Road
Property to be Condemned: 1,153± Square Feet (0.03 Ac.)
Improvements. Sign
Price: $27,500

Reason for Condemnation:
The attached resolution is being submitted to amend a resolution adopted by City Council on October 25, 1993, in which 1,153 sq ft (0 03 Ac.) were omitted

Per # 11 B 3? P 78

Zoned: B-2 Use Beauty Salon
Tax Value: $204,910/$59,590
Tax Code· 159-054-26,28

F **Project:** Annexation FY93 - Old Plank Road (Area 7), Parcel No 4
Owner(s): William B Cline & wf , Margaret W Cline and any other parties of interest
Property Address: 9624 Mount Holly Road
Property to be Condemned: 3,600 Square Feet (0 08 Ac)
Improvements· Trees
Price: $800.00
Reason for Condemnation:
Total parcel area. 4,285,014 sq ft (98 37 Ac)
Area to be Acquired (Perm. Easement) 2,159 sq ft. (0 0496 Ac)
Temp. Const. Easement· 1,538 sq ft. (0 0353 Ac)
Area remaining 4,282,855 sq ft (98 321 Ac)

Per # 12 B 3? P. 80

Real Estate

Property owner refuses to accept the appraised amount of compensation for settlement. The waterline easement is needed to provide service to residents with existing contaminated wells. The property owner's counter-offer of $4,000 was unsubstantiated by fair market value appraisal

Zoned R-3 Use Residential
Tax Value $582,040
Tax Code 031-052-03

For Aviation property transactions A and B the purchase price was determined by an independent appraiser and a review by a second appraiser Each appraiser takes into consideration specific equality and size of the house Residential property is acquired per Federal Guidelines 49CFR Part 24 of The Uniform Acquisition and Relocation Act of 1970 Owners are eligible for relocation benefits Acquisition and relocation costs are eligible for Federal Aviation Administration reimbursement

C. Acquisitions:

A. Project F A R. Part 150 Land Acquisition
Owner(s) Mrs E L (Mable) Moore
Property Address 3427 East Willow Lane
Property to be acquired: 25 Acres
Improvements Ranch, 2 bedroom, 1 bath
Tax Value N/A
Purchase Price· $29,000

B. Project· F.A.R. Part 150 Land Acquisition
Owner(s): Mrs Buna Moody
Property Address. 3303 East Maple Lane
Property to be acquired. .25 Acres
Improvements: Ranch, 2 bedroom, 1 bath
Tax Value: N/A
Purchase Price: $23,000

AVIATION

ANNOUNCEMENTS

In its meeting on February 14, 1994, City Council will nominate citizens to serve on the following new committees:

1. COMPETITION ADVISORY COMMITTEE
   Seven appointments;the Mayor will appoint the Chair and one position. Initial terms will be staggered, and each member will be limited to two consecutive terms The committee will convene March 1, 1994.

   The Committee should be comprised of individuals knowledgeable about management, accounting, human resources, marketing and customer service. Skills may include some or all of the following: work management and specifications, cost accounting, customer relations, performance measurement and analysis, employee relations, quality assurance, asset divestment, and procurement and bidding processes.

2. STORMWATER ADVISORY COMMITTEE
   Two appointments by Council; one by the Mayor. The Committee will convene March 1, 1994 and initial terms will be staggered.

   One member to be employed full time by a school, college, hospital, church or to be a board member or officer of that institution

   One member to be a member of a generally recognized organization involved in environmental issues.

   One member to be employed full time in providing financial, accounting or legal services.