AGENDA

Meeting Type:	B
Date:	11/22/1999

City of Charlotte, City Clerk's Office

CHARLOTTE

OFFICE COPY

Mayor Patrick McCrory *Mayor Pro Tem Lynn Wheeler*

Rod Autrey *Mike Jackson*
Charles Baker *Nasif Rashad Majeed*
Patrick D Cannon *Don Reid*
David Erdman *Tim Sellers*
Malachi Greene *Sara Spencer*

Council Agenda

CITY COUNCIL MEETING

Monday, November 22, 1999

5:00 p.m.	**Conference Center** **Dinner Briefing** **(See Table of Contents)**
6:30 p.m.	**Meeting Chamber** • **Invocation** • **Pledge of Allegiance** • **Citizens Forum**
7:00 p.m.	• **Awards and Recognitions** • **Formal Business Meeting**

1999 Council Retreat Priorities

Top Priorities for 1999

Transportation Plan

Policing Evaluation and Direction

State Roads Action: Increased Funding

Transit Plan and 1/2¢ Sales Tax: Implementation

West Side Strategic Plan Implementation

High Priorities for 1999

Corridor Plan

Planning for the City: The Economic Development and the Center City Plan

Court System: Expansion

Business Retention Strategy and Action Plan

Community Strategic Plan for Housing

Neighborhood/Business Revitalization Strategy

Eastside Strategic Plan

CITY COUNCIL AGENDA

Monday, November 22, 1999

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5:00 P.M. DINNER BRIEFING
CONFERENCE CENTER

1. Christenbury Road Abandonment Petition

Staff: Scott Putnam

Time: 20 minutes

Attachment 1

2. Greenville Elementary School Site

Staff: Dick Black

Time: 30 minutes

Information for this item will be contained in the November 19, 1999 Council-Manager Memo.

3. Extraterritorial Jurisdiction Implementation

Staff: Jeb Blackwell

Time: 20 minutes

Attachment 2

4. Restructuring Government Committee Report: Solid Waste Services - North and South Quadrants

Committee Chair: Charles Baker

Resource: Eric Davis, PCAC Chair

Staff: Wayman Pearson

Time: 10 minutes

Attachment 3

5. Committee Reports by Exception

- **Public Safety - Animal Waste Ordinance Amendment**
- **City Within A City - Sparrow Run, Limited Partnership Rental Housing Development Loan; Charlotte Housing Authority Dialogue**

6:30 P.M. CITIZENS FORUM
MEETING CHAMBER

7:00 P.M. AWARDS AND RECOGNITIONS
MEETING CHAMBER

ZONING PETITIONS

6. Rezoning Petition # 99-104

Action: **Consider decision on Petition #99-104 by Gulf South Development for a change in zoning for approximately 22 acres located on the north side of Providence Road, west of Houston Ridge Road from R-3 to R-8 (CD).**

Explanation:

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

- This item was deferred from the November 15 Zoning Meeting at the petitioner's request The petitioner intends to revise the site plan to address concerns of adjacent neighborhoods

- The Zoning Committee voted to recommend approval of this petition, with the following modifications

  - A 30-foot buffer will be placed at the property line along the northern portion of the site to be in addition to the proposed 45-foot rear yards for those lots

- The site plan will be modified to provide for an 8-foot solid privacy fence along the northern edge of the site

7. Rezoning Petition # 99-109

Action: **Consider decision on Petition #99-109 by Lincoln-Harris/JDN for a change in zoning for approximately 96 acres located on the east side of Independence Boulevard, east of Sardis Road North from R-4 and R-17MF to R-17MF(CD) and CC.**

Explanation:

- A protest petition has been filed and is sufficient to invoke the 20% rule requiring affirmative votes of 3/4 of Mayor and Council, not excused from voting, in order to rezone the property
- This item was deferred from the November 15 Zoning Meeting at the petitioner's request The petitioner intends to revise the site plan to address concerns of adjacent neighborhoods
- The Zoning Committee will consider this petition on November 22, prior to the City Council's meeting
- The petitioner acknowledged that the entire Council may not be present on November 22, but nevertheless wishes the City Council to vote at that time
- The Metropolitan Planning Organization will meet on November 17 to consider the proposed road realignments associated with this petition

CONSENT

8. **Consent agenda items 21 through 34 may be considered in one motion except those items removed by a Councilmember. Items are removed by notifying the City Clerk before the meeting.**

Staff Resource: Julie Burch

PUBLIC HEARING

9. Public Hearing to Close A Portion of East Ninth Street

Action:

A. Conduct a public hearing to abandon a portion of East Ninth Street; and

B. Adopt the resolution to close.

Staff Resource: Scott Putnam

Policy To abandon right-of-way that is no longer needed for public use

Explanation: 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 the statute

Background: The rezoning petition (99-35) for the Trinity Episcopal School was approved by the City Council on May 17, 1999 The approved site plan is contingent upon the successful abandonment of this portion of East Ninth Street This abandonment is consistent with the First Ward Garden District Development Plan

Petitioner:
Trinity Episcopal School

Right-Of-Way to be abandoned:
A portion of East Ninth Street

Location:
From North Myers Street approximately 400 feet eastwardly to McDowell Street

Reason:
To incorporate the right-of-way into adjacent property owned by the petitioner for the construction of a private school

Community Input:

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 and business/neighborhood associations - No objection
- Piedmont Courts
- Earle Village/First Ward Place
- Charlotte Mecklenburg Schools
- Charlotte Center City Partners

Private Utility Companies - No objection
City Departments -
Review has identified no apparent reason this closing would

1 Be contrary to the public interest, or
2 Deprive any individual(s) owning property in the vicinity reasonable ingress/egress to his property as outlined in the statutes

Attachment 4
Map

10. Public Hearing to Close A Portion of Christenbury Road Extension

Action:

A. Conduct a public hearing to abandon a portion of Christenbury Road Extension

B. Reject the resolution to close.

Staff Resource: Scott Putnam, Linda Beverly

Policy To abandon right-of-way that is no longer needed for public use

Explanation: 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 the statute

Background:

- This portion of Christenbury Road is part of the original Highland Creek rezoning petition (90-6c) The County Commission's approval of the rezoning petition was contingent upon the future extension of Christenbury Road from Highland Creek Parkway to Odell School Road in Cabarrus County

- At the April 19, 1999 dinner meeting, City Council in a unanimous vote, recommended that the Board of County Commissioners maintain the previously approved connection between Highland Creek Parkway and Christenbury Road

- On May 11, 1999, County Commission approved rezoning petition 99-11(c) for a new phase of the Highland Creek Community The approved conditional district site plan provides the petitioner with 2 options concerning the Christenbury Road connectivity issue
  Option 1
  If the City Council approves the resolution to close this portion of Christenbury Road, then the petitioner will terminate Christenbury Road as a cul-de-sac and construct an alternate collector street to Clarke Creek Parkway (Cabarrus County)

  Option 2
  If the City Council rejects the resolution to close the abandonment of this portion of Christenbury Road, then the petitioner will construct the extension of Christenbury Road to Highland Creek Parkway

Policy Issues:

- Approval of this abandonment petition raises significant priority, policy, and service delivery issues

- This petition is inconsistent with the City's connectivity priority and subdivision ordinance that requires connectivity to
  - create more vehicular and pedestrian/bicycle
  - connections between neighborhoods
  - allow more access to transit and emergency vehicles
  - result in less reliance in traffic calming measures
  - make full use of the existing street network to spread traffic impacts

- This petition impacts the delivery of police and fire emergency, utility, waste collection, transportation, and street maintenance services

  - increased emergency response times
  - increased service delivery costs
  - increased cost to City for water line extensions
  - potential liability for CMPD emergency
  - vehicles traveling outside Mecklenburg County
  - creates potential liability issues for damage to
  - Cabarrus County streets that are used by heavy vehicles

- This petition impacts the Charlotte Mecklenburg School's bus routing plan

  - creates unnecessary increased travel time for students
  - creates potential liability issues for incidences that occur in Cabarrus County

- Additional background and policy information is provided in the attachment

Petitioner:
Westbrook Highland Creek, LLC

Right-Of-Way to be abandoned:
A portion of Christenbury Road Extension

Location:
From Highland Creek Parkway approximately 736 feet eastwardly to the property line of Highland Creek Community Association Incorporated and Westbrook Highland Creek North, LLC

Reason:
Prohibit the City of Charlotte from requiring the construction of Christenbury Road Extension to connect the Highland Creek Subdivision with the existing portion of Christenbury Road in Cabarrus County The petitioner has stated a concern with the volume of traffic that will utilize Christenbury Road Extension upon its construction

Community Input:

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
- Joyce Carol Hron - In agreement
- J J Krumpelman - In agreement
- J R Ramette - In agreement
- Martha S Thornhill - No response
- Highland Creek Community Assoc , Inc - No response
- Duke Power Company - No response

Neighborhood Associations
- Highland Creek Community Association - In agreement - Board made decision based on preference of property owners near this right-of-way
- Devonshire Neighborhood Association - No response
- Homewood Acres Association - No response
- Mallard Woods Association - No preference - Board made decision that the abandonment would have no direct impact
- Turnberry Association - No response

Staff made several attempts to contact those individuals/associations that made no response

Private Utility Companies - No objection

Recommendation:

Staff recommends that Council reject the Resolution to Close this portion of Christenbury Road in the Highland Creek Community because it

1 Would be contrary to the public interest based on the Council's connectivity priority, subdivision ordinance requirements, and delivery of services, but
2 Would not deprive any individual(s) owning property in the vicinity reasonable ingress/egress to his property as outlined in the statutes

Attachment 1
Background Information
Mecklenburg County Zoning Comments
Letter from the Mayor to County Commission Chair
Maps

POLICY

11. City Manager's Report

12. Extraterritorial Jurisdiction Implementation

Action:

A. Adopt ordinance to exercise Extraterritorial Jurisdiction (ETJ); and

B. Adopt a budget ordinance estimating $115,524 in revenue and expenses to add three positions in the Transportation Key Business Unit for implementation of Extraterritorial Jurisdiction.

Staff Resource: Jeb Blackwell

Focus Area: Economic Development

Explanation:

- Adopting ETJ would allow the City to exercise certain powers in the area up to one mile outside the city limits These functions include rezoning decisions and land development review Exercising ETJ allows the City to establish the character of an area that eventually becomes the City Decisions on how land develops impacts the City's cost and ability to deliver services Benefits of ETJ include enhanced fire code review for most projects and the tree ordinance and sidewalk development for commercial projects

- Each of the six other municipalities in Mecklenburg County have exercised ETJ to their spheres of influence Eighty nine percent of all municipalities with a population of 10,000 or more in North Carolina have exercised ETJ

- If ETJ is exercised, the Board of Commissioners has the ability to appoint one person to the Zoning Board of Appeals and one person to the Planning Commission to ensure representation from this area

- Copies of the ETJ ordinance are available in the City Manager's Office and the City Attorney's Office

Community Input:

- Extensive public notification of a public hearing for affected residents is required Each landowner in the proposed ETJ area has received three notices (through a combination of mailings and newspaper notices) informing them of the formal public hearings

- A Public hearing was held November 8, 1999 One person spoke at the formal public hearing Her concern was jurisdiction without representation

- A total of 29 residents attended three public information meetings The majority of the questions asked at the three public meetings pertained to changes that would occur with annexation and expected annexations Street maintenance was an issue that was mentioned at more than one meeting, some residents expressed the desire to be annexed if more streets would be maintained by the City Councilmember Autrey requested the Economic Development and Planning Committee consider adding street maintenance as a service provided in this area Grandfathering of farms was another issue raised at more than one meeting An explanation of farms and the necessary legislation to address street maintenance issues is included in the Council/Manager Memo from November 12

Funding:

- The budget ordinance estimates $115,524 in increased revenues from user fees during the remaining six months of FY2000 from regulatory services in the ETJ

- The budget ordinance also appropriates these increased revenues to the transportation KBU to fund a Traffic Engineer for subdivision plan reviews and traffic studies and add two positions for a sign crew for rezonings

- The FY2000 budget ordinance included nine positions in Engineering and Property Management to implement ETJ Sixty percent of the total costs of these nine positions were budgeted for recovery through user fees This action increases the total positions supporting ETJ to twelve

Attachment 5
Map
Budget Ordinance

13. Establish Initial City Zoning in Extraterritorial Jurisdiction Areas

Action: **Approve establishment of initial City zoning within extraterritorial jurisdiction (ETJ) areas. Transfer zoning authority from County to the City and amend City zoning in respect to extraterritorial jurisdiction areas.**

Staff Resource: Keith MacVean

Focus Area: Economic Development

Explanation:

- North Carolina General Statutes require a public hearing to establish the initial City zoning within an extraterritorial jurisdiction This is the same process that the City uses to establish City zoning in newly annexed areas The ETJ hearing was held November 8, 1999

- The proposed effective date for most ETJ parcels is November 22, 1999 Exceptions to this date are parcels

  - that do not have a corresponding City zoning district,
  - which are part of a current County rezoning petition, and,
  - which are within the Mountain Island Lake and Catawba/Lake Wylie Watershed Overlay Districts

- The City has up to 90 days from adoption of the ETJ to establish initial City zoning in these three areas Therefore, the anticipated effective date, for these exceptions is February 14, 2000

Community Input: At the November 8, 1999 public hearing on the proposed zoning jurisdiction change, four citizens addressed Council One citizen spoke in favor of the jurisdiction change, three spoke in regard to specific property issues (i e property exclusion, manufactured home parks and farms)

Zoning Discussion:

- The Zoning Committee voted unanimously to recommend the establishment of initial City zoning upon the City Council's adoption of ETJ The Committee also conducted two other votes as follows

  - voted 5-2 to recommend that City Council not extend the proposed ETJ, and

  - voted unanimously that the City and County Zoning Ordinances should be the same

Attachment 6
Zoning Committee Recommendation for Rezoning Petition No 99-135

14. Greenville Park Elementary School Site

Information for this item will be contained in the November 19, 1999 Council-Manager Memo.

15. Solid Waste Services - South Quadrant

Action:

A. Begin the managed competition process for providing solid waste collection services in the south quadrant; and

B. Allow the City's Solid Waste Services Key Business Unit to bid on collection services in the South Quadrant.

Staff Resource: Wayman J Pearson

Focus Area: Restructuring Government

Policy: Competition

Explanation:

- In 1995 City Council privatized the South Quadrant service area Browning-Ferris Industries (BFI) was the successful bidder and implemented service in the South Quadrant on October 1, 1995

- On June 25, 1998, the Privatization/Competition Advisory Committee (PCAC) recommended to Council's Restructuring Government Committee that 25 percent of solid waste collection service be set aside for the private sector and 25 percent be set aside for the City's Solid Waste Services KBU The recommendation was approved by Council on August 24, 1998

- BFI (acquired by Allied Waste Inc in 1999) has notified the City of their intent to terminate their contract at the end of the initial five year period, i e effective September 30, 2000

- In October, the PCAC reviewed it's 1998 recommendation to Council to always privatize one quadrant of the City's waste collection services The 1998 recommendation achieved Council's objective to promote efficiencies through competition Since that time, the City has gained five years of experience with managed competition and has successfully bid on the services in the West, East and North quadrants

- The PCAC voted unanimously on October 28, 1999, and recommended to Council's Restructuring Government Committee on November 9, 1999, that the City's Solid Waste Services be allowed to bid for the South Quadrant contract

- In order to have a smooth service transition in the South Quadrant, it is necessary to start the procurement process as soon as possible The successful bidder will need approximately twelve months to start-up service

Committee Discussion:

- The Restructuring Government Council Committee reviewed this matter on November 9, 1999 Councilmembers present for the discussion were Charles Baker (Chair) and Don Reid

- Eric Davis, Chair of the Privatization/Competition Advisory Committee presented the PCAC's recommendation which was to allow the City's Solid Waste Services to bid on the South Quadrant

- A complete summary of the Committee discussion is included in the attachment Key discussion points were (a) whether private bidders would continue to bid in view of the City's successes, and (b) whether it would be desirable to pay some premium over a future City low bid in order to keep the private sector interested in bidding on this service It was generally agreed, however, that the only way of knowing the difference between the private sector bids and the City's cost would be to allow the City to compete

- Without a quorum of the Committee, Councilmembers Charles Baker and Don Reid approved (2-0) the PCAC's recommendation to (a) begin the procurement process for contracting solid waste collection services in the South Quadrant, and (b) allow the City's Solid Waste Services KBU to bid on collection services in the south quadrant.

Funding: Solid Waste Services FY2001 Operating Budget

Attachment 7
November 9, 1999, Restructuring Government Committee Agenda and Minutes

16. Charlotte Housing Authority Response to Information Request

Action: **Approve the City Within A City Committee recommendation to:**

A. Receive as information Charlotte Housing Authority (CHA) and City staff responses to City Council's questions relating to public housing; and

B. Direct the City Within A City Committee to continue dialogue with the CHA Board of Directors and report back to City Council. Dialogue topics should include:
- **major housing policies of the CHA and City;**
- **policy overlaps between the CHA and City; and**
- **any recommendations for housing policy change.**

Committee Chair: Rod Autrey

Staff Resource: Stanley Watkins

Focus Area: City Within A City and Economic Development

Policy:

The FY2000 Consolidated Housing Action Plan, approved by City Council on March 24, 1999 supports the preservation of existing housing units, as well as increasing the amount of low-income housing

Explanation:

- On August 4, 1999, the CWAC Committee held a joint meeting with representatives of the CHA Board of Directors and staff The purpose of the meeting was to provide an opportunity for City Council to better understand the role and mission of CHA and to discuss issues surrounding low and moderate-income housing The CWAC Committee identified 42 questions for CHA and City staff to answer

- On September 7, 1999, a presentation of the questions was made to City Council This was an opportunity for Council to ask additional questions

- The questions and issues raised by the CWAC Committee and City Council were grouped in the following categories

  - HOPE VI Grants and Family Self-Sufficiency (FSS) Program
  - Section 8 Certificates and Vouchers
  - Crime and Domestic Violence
  - Goals, Programs and Policies
  - Population Served
  - Miscellaneous/Other

Committee Discussion:

- On November 3, 1999, the City Within A City Committee reviewed the responses from the Charlotte Housing Authority and City staff The Committee voted unanimously (3-0) to receive responses from the CHA and City staff on questions related to public housing and direct staff to develop a process to proceed The Committee believes a retreat with the CHA Board of Directors would assist in this effort Councilmembers Autrey, Spencer and Sellers voted in the affirmative Councilmembers Cannon and Jackson were absent

- The Committee discussed the use of Environmental Court to address truancy issues, accountability and roles of the CHA and City in providing moderate and low-income housing units and the maintenance of the existing housing stock

Attachment 8
Charlotte Housing Authority Responses to Information Request

17. Sparrow Run, Limited Partnership Rental Housing Development Loan

Action: **Approve the City Within A City recommendation to provide a $350,000 loan to Sparrow Run, Limited Partnership. The loan will provide gap financing for construction underway for 32 units of affordable rental housing for low-income elderly persons located in the Belmont community.**

Committee Chair: Rod Autrey

Staff Resource: Stanley Watkins

Focus Area: City Within A City

Policy: The City's FY2000 Consolidated Housing Action Plan identifies a need for affordable, safe and decent housing for low-income families The plan, which was approved by City Council on May 24, 1999, establishes guidelines for the expenditure of federal housing funds and recommends increasing affordable housing resources as a priority for low and moderate-income families as well as expanding the capacity of community-based housing development organizations

Explanation:

- Sparrow Run, Limited Partnership, represented by Gordon Blackwell, principal owner of Regency Investment Associates, Inc , Regency Investment and the Belmont Community Development Corporation (CDC), is requesting a loan in the amount of $350,000

- Sparrow run is a new construction project located at the corner of 16th and Louise Streets The project consists of 32, one-bedroom units of approximately 608 square feet The total cost of the project is $2,053,992 Elderly housing is exempted from the City's Housing Locational Policy

- Staff is recommending a 20-year deferred payment loan at 0% interest with no annual or monthly debt service repayment The City loan would not be released until the project is complete and 100% leased Funding will come from the City's Federal HOME allocation

- The City loan will provide gap funding needed for the project and represents 17 percent of the total project sources The source of funds is as follows

First Mortgage	345,000
City of Charlotte	350,000
Sale of Low-Income Housing Tax Credits/Equity	1,248,348
Deferred Developer Fees/Gap	110,644
	$2,053,992

Background:

- In February, 1999, Gordon Blackwell, principal owner of Regency Investment Associates and Nancy Berry, Director of Belmont CDC, contacted the City to request financing to complete the construction of housing for the elderly The project was originally approved in 1997 and forecasted to cost $1,665,537, but due to site improvements, the project cost increased to $2,053,992 The cost increase is 23% or $388,455

- The three factors contributing to the project's financial short fall are as follows

  - Regency's cost estimates for the project were based on 1997 costs Actual construction began in Summer 1999
  - Developer chose not to increase rents A commitment was made by the developer to provide very low rents, 45%-50% of area median (in 1997 of $14,895 - $16,550 or in 1999 of $16,650 - $18,500 for one person) to the elderly The units will rent for $300 and $320 per month The low rents limit the project's ability to repay debt and obtain additional private financing
  - Costs of site improvements were greater than budgeted, including some building materials

Committee Discussion:

- On October 6, 1999, the City Within A City Committee discussed the Sparrow Run loan request of $350,000 The Committee asked staff to review the financials and work with the developer to provide current and more accurate information for the next Committee meeting Councilmembers Autrey, Spencer, Sellers and Cannon were in attendance Councilmember Jackson was absent

- On November 3, 1999, the City Within A City Committee reviewed the revised information for the Sparrow Run loan request of $350,000 The Committee voted 3-0 to recommend that the City provide $350,000 loan for Sparrow Run Councilmembers Autrey, Spencer and Sellers voted in the affirmative Councilmembers Cannon and Jackson were absent

- The Committee discussed Council's expectations that the Enterprise Foundation will be involved in development proposals like Sparrow Run from the early conception stage One role of the Foundation is to provide technical assistance to the Community Development Corporations in project development

Funding: Federal HOME Funds

Attachment 9
Letter dated September 10, 1999 from Gordon Blackwell
Breakdown of project cost overruns
Cost per square feet information
Sparrow Run project pro-forma

18. Animal Waste Ordinance Amendment

Action: **Approve the Public Safety Committee recommendation to adopt an ordinance amending Chapter 3, Section 3-24 of the City Code regarding animal waste on public and private property**

Committee Chair: Don Reid

Staff Resource: Sara Holderness, Major Ken Williams

Focus Area: Public Safety Committee

Explanation:

- The Animal Control Bureau receives approximately 1,000 complaints per year concerning dogs that defecate on the property of someone other than their owner Animal waste that is not removed detracts from the positive image of the City, interferes with the enjoyment of property, and creates potential health concerns

- The current animal control ordinance makes it unlawful for a pet owner to allow an animal to defecate on the property of another The proposed amendment to the ordinance would require citizens to clean up after a dog when it defecates on any public or private property without that property owner's consent

- The ordinance will apply only to dogs and will be applicable on all public and private property citywide Exceptions will be made for guide dogs and police dogs

- The Animal Control Bureau will enforce the ordinance If an Animal Control Officer sees a dog defecate and the owner or person in possession fails to clean up the waste, the officer will issue a citation in the amount of $25 00 The Animal Control Bureau will also respond to citizen complaints by sending letters to alleged violators reminding them of the law and will take action against documented repeat offenders

- The ordinance would become effective January 1, 2000 A public education campaign will be conducted to inform citizens of the change in the ordinance

Committee Discussion:

The Public Safety Committee discussed the proposed ordinance at their November 10 meeting Councilmembers Reid, Majeed, and Cannon, and Wheeler were present, Councilmember Wheeler had left the meeting prior to the vote and Councilmember Sellers was absent The committee felt that the proposed ordinance was a useful educational tool They were particularly interested in having the ordinance apply to parks, playgrounds, and school property The committee voted 3-0 to recommend passage of the ordinance to the full Council

Attachment 10
Copy of ordinance
Public Safety Committee Meeting Minutes

BUSINESS

19. Convention Center Related Facilities Financing

Action: **Approve a resolution authorizing the issuance of up to $38,000,000 of Certificates of Participation(COPS) for the purpose of funding previously approved projects.**

Staff Resource: Richard Martin

Focus Area: Economic Development

Explanation

- This action provides the funding mechanism for three major projects The approved projects to be funded include

  - Scott Property Reimbursement - $8,400,000
    On June 22, 1998, Council approved an advance from the Convention Center Tax Fund to the Convention Center Capital Project Fund The advance was for the purchase of the Scott Property for future Convention Center expansion with the understanding that funds would be returned when future financing was completed This is necessary to insure the continued financial viability of the Convention Center Tax Fund

  - Rail Corridor/Trolley - $7,900,000
    Council approved this project on June 15, 1998 as part of the five-year Capital Investment Plan The amount reflected in this action represents only the Convention Center portion of the project

  - Convention Center Hotel Meeting and Parking Facilities - $16,000,000
    On April 12, 1999, Council approved an agreement with StarPort Partners for the City to participate in the Convention Center Hotel and Parking Deck Project in the amount of $16 million

- Approval of this resolution includes the following

  - Authorization to submit an application to the Local Government Commission for approval of Convention Center COPS, Series 2000 and certain related matters

  - Authorization for officials of the Finance Key Business Unit to file the application

  - Appointment of the financing team and trustee

  - Authorization for City officials to take necessary steps to complete the COPS sale

  - Authorization to publish notice of a public hearing

- The difference between $38,000,000 and the costs of the three projects is $5,700,000, which will be used for reserve and issuance expense Council will be asked to hold a public hearing and approve the financing documents on January 24, 2000

Funding: Debt service on the Convention Center COPS will be paid from Prepared Food and Occupancy Taxes

20. Amendment to Animal Control Ordinance

Action: **Approve the Public Safety Committee recommendation to adopt an ordinance amending Chapter 3, Article IV, Section 3-34(b) of the City Code to allow for the City to issue animal licenses that are valid for one year from the date of purchase instead of having all licenses expire on June 30 of each year.**

Committee Chair: Don Reid

Staff Resource: Major Ken Williams

Focus Area: Public Safety

Explanation:

- At present, pet owners are required to renew the licenses for their pets on July 1 of each year This results in a large volume of work for the Animal Control Bureau which must issue the renewal letter and, upon receipt of payment, issue the animal license This year Animal Control issued approximately 80,000 licensing letters

- The workload demand requires that Animal Control hire eight to ten temporary employees to process license renewals and new registrations at a cost of approximately $82,000 The size of the mailing also requires the use of a contract company to handle the actual mailing process at a cost of $30,000

- The Animal Control Bureau wishes to implement a cycle licensing plan that would allow scheduling the work out over an entire year, in the same way that the Division of Motor Vehicles issues license plates The animal license would be valid for one year from the date of issue, instead of the current period of July 1-June 30

- There are several advantages to this plan

  - It would reduce the need to hire a large number of temporaries on a seasonal basis or to contract with a mailing company since spreading out the workload will allow the work to be completed by existing staff
  - It would reduce the influx of walk-in and mail-in license purchases in July and August, enabling Animal Control to provide more timely and efficient service to citizens
  - It would allow Animal Control to maintain updated records on all pets that have received rabies vaccinations in Mecklenburg County and identify unlicensed animals through those records
  - It would also increase revenue to the City by enabling Animal Control to immediately issue a license to a new pet owner, which would be good for one year, regardless of the date of purchase Under the current ordinance, all licenses issued between January and July must be prorated

- The amendment to the ordinance deletes all references to prorated animal licenses It retains the current fee schedule of $25 for fertile dogs and cats, $7 50 for sterile dogs and cats, and $10 for equines

- The ordinance change would be effective January 1, 2000

Committee Discussion: The Public Safety Committee discussed the proposed ordinance change at its November 10 meeting Councilmembers Reid, Majeed, Cannon, and Wheeler were present, Councilmember Sellers was absent The committee felt that this was an administrative change that would increase the efficiency of the Animal Control Bureau, provide better service to citizens, and result in cost savings to the City They voted unanimously to recommend approval of the ordinance change to the full Council

Introduction to 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 low bid, and have met MWBD criteria.

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

Minority and Women Business Development Program (MWBD) Abbreviations:
BBE - African American
ABE - Asian American
NBE - Native American
HBE - Hispanic
WBE - Non-Minority Women

Contractors and Consultants
All contractors and consultants selections follow the Council approved process unless explained otherwise.

CONSENT I

21. Various Bids

A. Beatties Ford Road/Sunset Road Transportation Improvements E&PM

Recommendation: The City Engineer recommends the low bid of $1,585,774 67 by Blythe Development Co of Charlotte, North Carolina The proposed intersection improvements consist of providing left turn lanes for both approaches of Beatties Ford Road and for the eastbound approach of Sunset Road A right turn lane will be added on the northbound approach of Beatties Ford Road A shared through-right lane will be added to the eastbound approach of Sunset Road Sunset Road will be widened to a five-lane section between Beatties Ford Road and I-77

MWBD Compliance: Yes

B. Sidewalk Package #7 — E&PM

Recommendation: The City Engineer recommends the low bid of $304,202 26, by United Construction, Inc of Charlotte, North Carolina This project will construct sidewalk along Tom Hunter Road and Lyon Court Improvements on Tom Hunter Road, from the I-85 Service Road to Elgywood Lane, include sidewalk, curb and gutter, driveways, street drainage, and minor roadway widening Improvements on Lyon Court, from Central Avenue to Morningside Drive, include sidewalk, curb and gutter, driveways, and street drainage Improvements are being funded through the Sidewalk improvement Program

MWBD Compliance: Yes

C. Bucknell / Chilton Storm Drainage — E&PM

Recommendation: The City Engineer recommends the low bid of $1,239,378 54 by Sealand Contractors Corp of Charlotte, North Carolina This project will replace undersized and deteriorating storm drain pipes in the vicinity of Bucknell Avenue, Westminster Place, Chilton Place and Roswell Avenue in southeast Charlotte The subject locations have experienced roadway flooding, flooding of living spaces, and property damage due to extreme erosion Sections of Queens Road East and Roswell Avenue will be reconstructed and curb and gutter added to enhance the area's storm drainage system

MWBD Compliance: Yes

D. Sanitary Sewer Construction – Trunk Line & Street Main Extensions to Serve Kimway Drive - Matthews — CMU

Recommendation: The Charlotte-Mecklenburg Utilities Director recommends the low bid of $516,940 11 by Trans-State Construction Co of Denver, North Carolina This project consists of approximately 6,800 linear feet of gravity sanitary sewer pipe beginning at an existing manhole on Charlotte-Mecklenburg school property (David W Butler High School), then along Kimway Drive, Kimway Court, Matthews-Mint Hill Road and Kimtyre Court

MWBD Compliance: Yes Trans-State has made a good faith effort

22. In Rem Remedy

For In Rem Remedy #A - #J, the public purpose and policy is outlined here.

Public Purpose:

- Eliminate a blighting influence in a City Within A City neighborhood
- Reduce the proportion of substandard housing from 2 3% to 1% in 1997 (One of the goals of City Within a City is to continue housing preservation efforts)
- Increase tax value of property by making land available for potential infill housing development

Policy:

- City Within a City
- Community Safety Plan

The In Rem Remedy items were initiated from 3 categories

1 Public Safety - from Police and/or Fire Dept
2 Complaint - from petition by citizens, from tenant or from a public agency
3 Field Observation - from concentrated code enforcement program

The In Rem Remedy items are listed below by category identifying the street address and neighborhood

Public Safety

A 1116 Little Rock Road (Pawtucket)
B 2111 Statesville Road (Double Oaks/Fairview Homes)
C 649 Northway Drive (Thomasboro/Hoskins)
D 2675 Elmin Street (West Boulevard)
E 1525 Kimberly Road (Westover Hills)
F 839 Reliance Street (Thomasboro/Hoskins)
G 1005 Fairgound Street (Enderly Park))
H 3740 Tennessee Ave (Thomasboro/Hoskins)
I 4027 Westway Drive (Thomasboro/Hoskins)

Complaint

J 1757 Wilmore Drive (Wilmore)

Public Safety

A. 1116 Little Rock Road

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 1116 Little Rock Road (Pawtucket Neighborhood) located outside the City Within A City boundaries.

Attachment 11

B. 2111 Statesville Road

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2111 Statesville Road (Double Oaks Neighborhood), located in the City Within a City boundaries.

Attachment 12

C. 649 Northway Drive

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 649 Northway Drive (Thomasboro/Hoskins Neighborhood), located in the City Within a City boundaries.

Attachment 13

D. 2675 Elmin Street

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 2675 Elmin Street (West Boulevard Neighborhood), located in the City Within a City boundaries.

Attachment 14

E. 1525 Kimberly Road

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 1525 Kimberly Road (Westover Hills Neighborhood), located in the City Within a City boundaries.

Attachment 15

F. 839 Reliance Street

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to repair the dwelling at 839 Reliance Street (Thomasboro/Hoskins Neighborhood), located in the City Within a City boundaries.

Attachment 16

G. 1005 Fairground Street

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to repair the dwelling at 1005 Fairground Street (Enderly Park Neighborhood), located in the City Within a City boundaries.

Attachment 17

H. 3740 Tennessee Avenue

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 3740 Tennessee Avenue (Thomasboro/Hoskins Neighborhood), located in the City Within a City boundaries.

Attachment 18

I. 4027 Westway Drive

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to repair the dwelling at 4027 Westway Drive (Thomasboro/Hoskins Neighborhood), located in the City Within a City boundaries.

Attachment 19

Complaint

J. 1757 Wilmore Drive

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 1757 Wilmore Drive (Wilmore Neighborhood), located in the City Within a City boundaries.

Attachment 20

23. Increase of FY2000 Lease Purchase Agreement for Solid Waste Vehicles

Action: **Adopt a resolution authorizing the increase of the FY2000 Citywide Lease Purchase Agreement for up to $3.5 million for Solid Waste Vehicles.**

- Solid Waste Services is the low bid to provide refuse services for the City's North Quadrant In their bid for the North Quadrant, Solid Waste Services identified the purchase of 28 new vehicles to meet the service demands of the North Quadrant

- These additional funds will allow for the purchase of the identified vehicles necessary to equip Solid Waste Services to fulfill the North Quadrant Solid Waste Collection Services contract effective July 1, 2000

- Funding for the additional financing is available in the Municipal Debt Service Fund budget However, the original $13 5 million (FY2000) citywide Lease Purchase Agreement Resolution approved within the annual Budget on June 12, 1999 did not include the additional authorization

24. Refund of Certain Taxes

Action:

A. Approve adoption of a resolution authorizing the refund of certain taxes assessed through clerical or assessor error in the amount of $1,917.43.

B. Adopt a resolution authorizing the refund of business privilege license payments made in error in the amount of $1,038.89.

Attachment 21
Resolution
List of Refunds

CONSENT II

25. Storm Water Maintenance FY00D

Action:

A. Reject the bid of $937,856.20 from Shaw Group, Ltd., pursuant to NCGS 143-129, as a non-responsible bidder for this project; and

B. Award a contract for Storm Water Maintenance FY00D to the next lowest bidder, Blythe Construction, Inc., for $963,567.50.

Explanation:

- This project is part of an ongoing program to provide maintenance, repair, and construction on existing storm water systems, or to construct new systems where none exists within the city limits of Charlotte Individual projects are identified and prioritized by Engineering & Property Management's (E&PM) Storm Water Services Division based on the severity of the situation with regard to flooding of public and private property E&PM Storm Water Services uses one-year "retainer" contracts such as this to provide timely response to maintenance problems

- On June 14, 1999, City Council rejected the Shaw Group as a non-responsible bidder for the Storm Water Maintenance FY99B contract due to past poor performance and inability to complete work on time

- Shaw Group recently completed Winfield Storm Drainage for E&PM Storm Water Services This project exceeded the completion date, and required significantly higher levels of supervision by E&PM staff due to poor performance and inability to complete work on time Liquidated damages of $12,250 were assessed

- Shaw Group currently has two active City projects with E&PM

  - Eighth Street at Brevard Intersection Improvements is an $18,000 roadway project that has just begun

  - FY99 Concrete Installation & Repair is a $309,555 roadway project Progress is acceptable at this time

- E&PM has met on several occasions with Shaw Group regarding their performance and scheduling issues

- E&PM will continue to work closely with Shaw Group to help them successfully complete their current projects However, based on Shaw Group's past performance on Storm Water Services contracts, E&PM does not believe it would be in the best interest of the City or Shaw Group to award them this project

- Shaw Group has indicated they do not plan to contest this action

MWBD: 7% BBE, 6% WBE

Summary of Bids:

Shaw Group, LTD	$937,856 20
Blythe Construction, Inc.	**$963,567.50**
Sealand Contractors	$965,300 00
Blythe Development	$980,930 00
United Construction	$1,099,575 00
Kip Corporation	$1,760,950 00

Funding: Capital Investment Plan

26. FAA Grants Budget Ordinance

Action: **Adopt a Budget Ordinance to appropriate funds received from two FAA Grants; AIP-35 in the amount of $7,436,877, and AIP-36 in the amount of $5,049,062.**

Explanation:

- On September 13, 1999, City Council accepted FAA Grant AIP-35 for the remainder of the airport's fiscal year 1999 entitlement funds In the same action, Council also authorized the Aviation Director to accept any other federal grant money that might come available before the end of the fiscal year (as of September 30, 1999) from FAA discretionary funds Consequently, the Aviation Director accepted AIP-36 on September 29, 1999

- AIP-35 provides 75% funding for the Airport's Master Plan Land Acquisition Program, the installation of a new access control system, the removal of the Old Terminal tower cab, the Runway 23 Approach Clearing Project, and the Runway 23 deicing pads

- AIP-36 provides 80% funding for the sound insulation of 137 residences in the 65 DNL noise contour, and the acquisition of two mobile home parks within the 70 DNL noise contour

Background: Under the Federal legislation for the Airport Improvement Program, the FAA allocates a certain amount of grant money as entitlement funds for each airport The amount of entitlement funds is derived from a formula based on the airport's annual boarded passengers In addition, the FAA allocates a certain amount of funds for discretionary projects, such as the Noise Compatibility Program and high priority airfield projects

Funding:

AIP-35 Grant

Master Plan Land Acquisition	$6,824,532
Access Control System	$288,083
Old Terminal Tower Cab Removal	$106,350
Runway 23 Approach Clearing	$72,862
Runway 23 Deicing Pads	$145,050

AIP-36 Grant

Noise Compatibility Program	$5,049,062

Community Input: Airport Advisory Committee recommends these projects

27. Architectural Design Services for Concourse D Expansion

Action:

A. Adopt a Budget Ordinance to appropriate $3,000,000 to fund the design contract and associated expenses for the expansion of Concourse D, FIS (Federal Inspection Services) Facility and New Commuter Concourse E; and

B. Award an architectural design contract to LS3P Associates, Ltd. of Charlotte in the amount of $2,568,000 for the design of Concourse D Expansion, FIS Facility and new Concourse E.

Policy: Airport Master Plan

Explanation:

- Concourse D accommodates US Airways, US Airways Express, British Airways, international flights and charter flights The 1999 General Airport Revenue Bonds provide funds to expand the concourse by 160,000 square feet The construction will include two additional international gates, five new domestic gates and expansion of the international arrivals area The construction of new Concourse E will include 21 commuter aircraft gates All new gates will be City controlled and rented to users on a per use basis The construction is estimated at $58,413,000

- Request for Qualifications were sent to over 50 firms listed in the city's List of Approved Architects and Engineers Six architectural firms submitted qualifications A selection committee comprised of two Airport Advisory Committee members, Eric Locher and Joel Randolph, City Engineer Jim Schumacher, Aviation Director Jerry Orr and Airport Engineer Mark Wiebke reviewed qualifications and selected LS3P Associates, Ltd LS3P Associates, Ltd was selected based on their presentation, qualifications, and experience with airport facility expansion projects

Funding: The Airport will fund this project from the discretionary fund balance to be repaid from the proceeds of the 1999 General Airport Revenue Bonds Issue The bond debt service will be repaid through airport revenues

28. Sugar Creek Wastewater Treatment Plant Flow Equalization Facilities – Amendment #1

Action: **Approve Amendment #1 for $173,600.00 with Camp Dresser & McKee for design and construction management services on the Sugar Creek Wastewater Treatment Plant Flow Equalization project.**

Explanation:

- Amendment #1 will provide
  - additional design required to meet new National Fire Protection Association code requirements,
  - additional survey due to changed site conditions,
  - fee adjustment due to a 3-year suspension of the project due to operational conflicts with other construction projects on site

- With this amendment the Camp Dresser & McKee contract will increase from $521,800 to $695,400

Background:

- The agreement with Camp Dresser & McKee for design and construction management services at the Sugar Creek WWTP was approved by City Council on January 29, 1996 in the amount of $521,800

Funding: Water/Sewer Capital Investment Plan

29. Sugar Creek Wastewater Treatment Plant Generator Facility & Pump Station Improvements – Professional Services Contract

Action: **Approve a contract with Camp Dresser & McKee for design and construction management services of the Sugar Creek Wastewater Treatment Plant Generator Facility and Pump Station Improvements project. The contract has a not to exceed amount of $324,700.**

Explanation:

- The contract will provide
  - design of an emergency generator system for the plant and
  - rehabilitation of the existing influent pumping station

Background:

- The Sugar Creek Wastewater Treatment Plant currently does not have full emergency generator capacity in the event of a power failure The new system to be designed will provide for a full emergency standby system
- The pump station rehabilitation will provide for new pumps and controls allowing more flexibility for pump rates This flexibility is important in maintaining a stable flow through the plant

Funding Water/Sewer Capital Investment Plan

30. Catawba River Raw Water Pumping Station Expansion – Amendment #3

Action:

A. Approve Amendment #3 to the professional services contract for $528,657 with Metcalf & Eddy for design and construction management services on the Catawba River Raw Water Pumping Station Expansion project; and

B. Approve a Budget Ordinance appropriating $400,000 from available Capital Project Savings.

Explanation:

- Amendment #3 will
  - extend the construction management services 12 months,
  - prepare pre-purchase documents for the raw water pumps,
  - redesign raw water pump motors, force main, and miscellaneous systems,
  - extended bid period,
  - relocate the new cell four pumping station,
  - install sheet piles with a concrete cap and regrade the east side of the point, and
  - lower the 120 inch pipeline and add a 120 inch diameter connection with a valve and blind flange

- The construction phase services for the Catawba River Raw Water Pumping Station were based upon a 12-month construction period Several major items that warrant an increase in construction time are, delivery of the raw water pumps, dredging of cells one, two, and three at the completion of cell 4, and constrained working conditions due to multiple concurrent projects

- Considerable effort was required for redesign of the 3000 horsepower motors and controls to provide for a more efficient operation Redesign was also required to accommodate the increase in the new raw water line from 84" to 120" diameter

- The contractor encountered rock during their excavation operation The pump station had to be relocated to the east to avoid rock removal

- The force main from the pump station had to be lowered for alignment with the new raw water force main installed under another contract and a 120 inch outlet connection was added to accommodate future improvements to pumping cells one, two, and three

- With this amendment the Metcalf and Eddy contract will increase from $918,811 to $1,447,468

MWBD Status: The BBE participation of this project will be $27,124 or 5% of the contract amount

Background:

- City Council approved the contract with Metcalf and Eddy on December 13, 1993 in the amount of $820,500
- Amendment No 1 was approved by the Utilities Key Business Executive on May 8, 1995 in the amount of $48,500
- Amendment No 2 was approved by the Utilities Key Business Executive on April 22, 1997 in the amount of $49,811

Funding: Water/Sewer Capital Investment Plan

31. Acquisition of Wickerby & Matthews Plantation Subdivision Water System

Action: **Approve agreement with Union County for the purchase of the water distribution system serving Wickerby and Matthews Plantation Subdivision. Purchase price is $226,215.**

Policy: The April 6, 1996 Union County - City of Charlotte Water/Sewer Agreement provides for the transfer of Union County water/sewer customers inside Mecklenburg County to Charlotte-Mecklenburg Utilities when the Union distribution/collection system can be incorporated into the CMU system

Explanation:

- Charlotte-Mecklenburg Utilities recently installed a 16-inch water main along Pleasant Plains Road (Matthews) that provides water service to the Wickerby and Matthews Plantation Subdivision

- The advantages to the City's purchase of the Union County system are

  - Compliance with the Union County-Charlotte Agreement,

  - CMU would acquire 160 new water customers,

  - Wickerby and Matthews Plantation are already CMU sanitary sewer customers,

  - There would not be any cost to the Union County customers to become CMU customers, and

  - The Town of Matthews supports this request

Funding: Water/Sewer Capital Investment Plan

32. Charlotte-Mecklenburg Utilities Wastewater Collection Division HVAC - Budget Ordinance

Action: **Approve a budget ordinance to appropriate and transfer $100,000 from Utilities Operating Fund Balance to Utilities - Wastewater Collection Facility Repairs/Renovations.**

Explanation: A budget ordinance is necessary to allow Utilities Wastewater Collection Division to solicit private contractor quotations for heating, ventilating, and air conditioning work on their existing facility system

The two roof units are tattered and fragile Proposed work calls for replacing the HVAC roof units and balancing of the system

Funding: Water/Sewer Capital Investment Plan

33. Property Transactions

Action: **Approve the following property acquisitions (A-C) and adopt the condemnation resolutions (D-F).**

Acquisitions:

A. **Project:** FAR Part 150 Land Acquisition Program
Owner(s): Robert and Elizabeth Melton
Property Address: 2136 Boyer Street
Property to be acquired: 315 acres
Improvements: Ranch
Purchase Price: $64,000
Remarks: The purchase price was determined by an independent appraiser and was reviewed by a second appraiser Each appraisal takes into consideration the specific quality and quantity of the land The tax value is determined on a more generic basis and will be higher or lower for land/house with certain attributes Property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970 Acquisition costs are eligible for Federal Aviation Administration reimbursement
Zoned: R17MF
Use: Single family residence
Tax Value: $49,170
Tax Code: 061-271-18

B. **Project:** Beatties Ford/Sunset Road Intersection Improvements, Parcel #42
Owner(s): Vallabhbhai N Patel & wf , Hansa V Patel
Property Address: 4518 Sunset Road
Property to be Acquired: 5,789 12 sq ft (0 140 ac) permanent right of way plus 2,134 44 sq ft (0 049 ac) temporary construction easement
Improvements: Landscaping & shrubs
Purchase Price: $22,000
Remarks: The areas are needed for construction of intersection improvements near Beatties Ford/Sunset Road Acquisition price is based on an independent, certified appraisal
Zoned: B-2
Use: Single Family
Total Parcel Tax Value: $155,420
Tax Code: 041-233-15

C. **Project:** Monroe/Sharon Amity Roads Improvements, Parcel #73
Owner(s): E H Blanton & Marillyn T Blanton
Property Address: 5300 Monroe Road
Property to be Acquired: 215 64 sq ft (0 0049 ac) fee simple acquisition plus 1,015 33 sq ft (0 0023 ac) temporary construction easement
Improvements: Landscaping, small trees
Purchase Price $13,200
Remarks: This acquisition is needed for intersection improvements at Monroe Road and Sharon Amity Road Acquisition price was established by current market values in the area
Zoned: B-1
Use: Commercial
Total Parcel Tax Value: $142,110
Tax Code: 161-107-17

Condemnations:

D. **Project:** 120" Raw Water Main Catawba Station to Reservoirs, Parcel #43 & 44
Owner(s): Arlen Dean Belk & Sue K Belk & any other parties of interest
Property Address: 6400 & 6410 Old Plank Road
Property to be Acquired: 109,324 00 sq ft (2 519 ac) temporary construction easement
Improvements: Trees
Purchase Price $53,150
Remarks: This area is needed for construction of the 120" raw water line After numerous contacts with the property owners, the City has yet to reach a settlement The condemnation amount is based on a certified, independent appraisal
Zoned: R-4
Use: Single Family Dwelling
Total Parcel Tax Value: $365,230
Tax Code: 035-132-04 & 035-132-03

E. **Project:** Paw Creek Outfall Relocation, Parcel #2
Owner(s): Henry J Stuckey & Shane R Hall and any other parties of interest
Property Address: 8650 Todd Road
Property to be Acquired: 1,304 50 sq ft (028 ac)
Improvements: Trees
Purchase Price: $150
Remarks: The area is needed for the construction of a sanitary sewer line City staff has yet to reach an agreement with the property owner after numerous contacts and negotiations Compensation amount is based on an independent, certified appraisal
Zoned: R-3
Use: Single Family
Total Parcel Tax Value: $61,850
Tax Code: 055-531-01

F. **Project:** Long Creek Parallel Outfall-Phase II, Parcel #18
Owner(s): Richard B Wiles & wf, Carol W Wiles and any other parties of interest
Property Address: 600 Pine Forest Drive
Property to be Acquired: 6,750 00 sq ft (0 155 ac)
Improvements: Trees, landscaping
Purchase Price: $1,740
Remarks: The area is needed for the construction of a sanitary sewer line for Long Creek Parallel Outfall Phase II City staff has yet to reach an agreement with the property owner after numerous contacts and negotiations Compensation amount is based on an independent, certified appraisal
Zoned: R-3
Use: Single Family
Total Parcel Tax Value: $226,330
Tax Code: 031-094-04

34. Minutes

Action: **Approve the titles, motions and votes reflected in the Clerk's record as the minutes of the:**

- **October 18, 1999 Zoning Meeting**
- **November 8, 1999 Business Meeting**