

January 27, 1986
Resolution Book 22 - Page 18

A RESOLUTION AUTHORIZING A RECYCLING NEWSPAPERS AND YARD WASTE INTERLOCAL AGREEMENT BETWEEN THE CITY OF CHARLOTTE AND MECKLENBURG COUNTY.

WHEREAS, N.C. Gen. Stat. § 160A-461, "Interlocal cooperation authorized", authorizes units of local government to enter into agreements with each other in order to execute an undertaking by one unit of local government in behalf of another unit of local government; and

WHEREAS, the City of Charlotte and Mecklenburg County wish to enter into a Recycling Newspapers and Yard Waste Interlocal Agreement; and

WHEREAS, N.C. Gen. Stat. § 160A-461 requires that such agreement " . . . shall be ratified by resolution of the governing board of each unit spread upon its minutes".

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte that the Mayor of the City of Charlotte is hereby authorized and directed to execute the attached Recycling Newspapers and Yard Waste Interlocal Agreement between the City of Charlotte and Mecklenburg County and this resolution shall be spread upon the minutes.

Approved as to form:

Henry W. Chadwick, Jr.
City Attorney

CERTIFICATION

I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 27th day of January, 1986, and reference having been made in Minute Book 85, page , and recorded in full in Resolutions Book 22, page 18.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of January, 1986.

Pat Sharkey, City Clerk

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RESOLUTION APPROVING EXTENSION OF PERIOD FOR ACQUISITION OF PHASE II
LAND UNDER AGREEMENT FOR PURCHASE AND SALE OF LAND IN THE
THIRD WARD NEIGHBORHOOD STRATEGY AREA DATED AUGUST 24, 1981

WHEREAS, the City of Charlotte (the "City") entered into an Agreement with the Third Ward Neighborhood Development Association (the "Redeveloper") for the purchase and sale of land in the Third Ward Neighborhood Strategy Area, said Agreement being dated August 24, 1981; and

WHEREAS, said Agreement provided that Phase II land would be conveyed by warranty deed of deeds from the City to the Redeveloper at a closing or series of closings to occur on or before June 30, 1983; and

WHEREAS, on June 13, 1983, the City Council approved a resolution extending the time for acquisition to December 15, 1984; and

WHEREAS, the City Council on December 10, 1984, approved a resolution extending the period for completion of the land sale to December 31, 1985;

WHEREAS, it appears that said request should be approved;

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

1. The period of acquisition for Phase II property be extended from December 15, 1985 to December 31, 1986.
2. The Mayor is hereby authorized to execute and deliver the proposed amendment to said Agreement on behalf of the City.

Approved as to form:


City Attorney

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CERTIFICATION

I, PAT SHARKEY, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 27th day of January, 1986, the reference having been made in Minute Book 85, and recorded in full in Resolution Book 22, at Page(s) 19-20.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of January, 1986.

PAT SHARKEY, CITY CLERK

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A RESOLUTION ENDORSING SPRINGFEST 1986 AND AUTHORIZING THE CITY OF CHARLOTTE TO ENTER INTO AN AGREEMENT WITH SPRINGFEST, INC., AND AUTHORIZING OTHER NECESSARY ACTION FOR SPRINGFEST 1986.

WHEREAS, SPRINGFEST, Inc., ("SPRINGFEST"), a private, nonprofit corporation who underscores to guests and visitors the attractiveness of Charlotte for the expansion of social, cultural, and economic relationships, shall be responsible for the carrying out of SPRINGFEST 1986, which is a major community celebration of the City of Charlotte's unique historical and cultural heritage and the City of Charlotte's revitalization of central Charlotte and shall be a three-day, outdoor, community celebration of the City during April 25, 26, and 27, 1986 with participation by artists, arts and crafts exhibitors, merchants, vendors, and others active in uptown promotion and with the City of Charlotte providing solely ancillary services as requested by SPRINGFEST; and

WHEREAS, SPRINGFEST and the City wish to enter into the attached Agreement (Exhibit I); and

WHEREAS, SPRINGFEST requests the closing of certain streets on specified dates (Exhibit II), in order to establish the location and boundaries necessary for the event, the use of certain sidewalks within the boundaries of the closed streets for the location of exhibits, booths, displays, artists and vendors, and the use of Fourth Ward Park, Settler's Cemetery, and other open property for children's and other recreational activities, crowd assembly and control, and other planned activities; and

WHEREAS, SPRINGFEST requests that the City Council issues a permit for the consumption of beer and wine during this community celebration pursuant to and in accordance with City of Charlotte Code § 15-3; and

WHEREAS, SPRINGFEST requests approval to levy such fees as may be necessary to cover those costs associated with planning, organizing and conducting SPRINGFEST 1986 and these fees (e.g., registration) shall be in

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addition to any other City fees or licenses normally required to cover business activities.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Charlotte, North Carolina, in regular session duly assembled that it wholeheartedly endorses the organization of SPRINGFEST, Inc.

BE IT FURTHER RESOLVED, that the City Council authorizes the following:

1. The proper execution by the City of Charlotte of the attached Agreement (Exhibit I) with SPRINGFEST, Inc.
2. The temporary closing of the streets designated in Exhibit II.
3. The use of City sidewalks within the boundaries of the closed streets for the location of exhibits, booths, displays, and the like.
4. The use of Fourth Ward Park, Settler's Cemetery, and other designated open public space for various activities planned for the event.
5. The issuance of a permit for the consumption of beer and/or wine so long as all requirements of City of Charlotte Code § 15-3 are complied with.
6. SPRINGFEST, Inc., is hereby authorized to charge reasonable fees to persons and groups who wish to exhibit or vend. The fees shall be in addition to any other City fees normally required to conduct business activities. SPRINGFEST shall have the authority to assign exhibition and vending space.
7. That the City Manager or his designee is authorized to take whatever other action is necessary in order to carry out SPRINGFEST 1986.

Approved as to form:

Henry W. Clendenen, Jr. CITY ATTORNEY

CERTIFICATION

I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 27th day of January, 1986, the reference having been made in Minute Book 85, page , and recorded in full in Resolutions Book 22, pages 21-22.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 28th day of January, 1986.

Pat Sharkey, City Clerk

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CERTIFIED COPY OF RESOLUTION

A motion was made by Councilmember Dannelly and seconded by Councilmember Fenning for the adoption of the following resolution, and upon being put to a vote was duly adopted:

WHEREAS, the Department of Transportation, an agency of the State of North Carolina, pursuant to the provisions of G.S. 136-18(12) proposes to contract with the Federal Highway Administration to obtain Federal-Aid funds for the improvements in the protective devices at certain highway-railway crossings on the Municipal Street System for which the Municipality is responsible; and

WHEREAS, the Municipality will reimburse the Department of Transportation for any and all expense incurred in the planning, design and installation of the protective devices incurred by the Department of Transportation, not reimbursed by the Federal Highway Administration; and

WHEREAS, in order to carry out the aforesaid projects and to promote the public interest and general welfare of the Municipality, it is necessary for the Municipality to enter into a contract with the Department of Transportation to provide for the installation and maintenance of the protective devices at certain highway-railroad crossings on the Municipal Street System.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Mayor and the Clerk of the Municipality of Charlotte are hereby formally authorized to enter into a contract with the Department of Transportation to obtain Federal-Aid highway funds necessary to improve the protective devices at the said grade crossing, for the Department of Transportation to perform certain work, and the Mayor and Clerk of the Municipality are hereby empowered to sign and execute the required agreement between the Municipality and the Department of Transportation.

I, Pat Sharkey Clerk of the Municipality of Charlotte, do hereby certify that the above is a true and correct copy of the excerpts of the Minutes of the governing body of the said Municipality of a meeting duly held on the 27th day of January, 1986.

WITNESS my hand and the official seal of the Municipality, this the 28th day of January, 1986.

(SEAL)

Municipality of: Charlotte

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A RESOLUTION AUTHORIZING THE
REFUND OF CERTAIN TAXES

Reference is made to the schedule of "Taxpayers and Refunds Requested" attached to the Docket for consideration of the City Council. On the basis of that schedule, which is incorporated herein, the following facts are found:

1. The City-County Tax Collector has collected certain taxes from the taxpayers set out on the list attached to the Docket.
2. The City Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within eight years from the date the amounts were due to be paid.
3. The amounts listed on the schedule were collected through clerical error or by a tax illegally levied and assessed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 27th day of January, 1986, that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set out and that the schedule and this resolution be spread upon the minutes of this meeting.

Approved as to form:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 27th day of January, 1986, the reference having been made in Minute Book 85 and recorded in full in Resolution Book 22, page(s) 24-26.

Pat Sharkey
City Clerk

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TAXPAYERS AND REFUNDS REQUESTED

<u>NAME</u>	<u>AMOUNT OF REFUND REQUESTED</u>	<u>REASON</u>
Jeter, Robert R., Jr. and wife, Julia S.	9.64	Clerical Error
Lowe, Signey J. II and wife, Patricia S.	20.63	Clerical error
RSM Co.	1,609.51	Clerical error
Bradshaw Brokerage, Inc.	44.22	Clerical error
Bradshaw Brokerage, Inc.	2.50	Clerical error
Blakeney, Kimberly Ann	56.78	Clerical error
Butner, Albert Franklin, Jr.	98.13	Clerical error
Hudson, Neena Lindsay	33.74	Clerical error
Jeter, Robert R. Jr., and wife, Julia S.	20.15	Clerical error
Marks, Rebecca Widener	33.10	Clerical error
Bradshaw Brokerage, Inc.	49.51	Clerical error
Moore, Catherine Diane	67.39	Clerical error
Zaboratories, Chardon	54.65	Clerical error
Brewer, James H. and wife, Anita P.	177.22	Clerical error
Choiniere, C. Gorin and wife, Angie	106.52	Clerical error
Cooper, Betty Massey	21.26	Clerical error
Dougherty, Ellsworth Llovd and wife, Helen Louis	29.12	Clerical error
Frock, Ruth Elizabeth	131.71	Clerical error
Greene, Pamela R.	4.03	Clerical error
Jenkins, Luther Jr. and wife, Annie	21.63	Clerical error

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Koerber, Eric Gerald and Margaret Walker Wolfe	32.20	Clerical error
Leutgens, Kevin Mark	21.82	Clerical error
McManus, Donald Lynn	126.13	Clerical error
Morris, Larry Ralph	13.95	Clerical error
Morse, Everett Watson, Jr. and wife, Carol F.	78.14	Clerical error
Sims, Robert Howell	9.28	Clerical error
Thomason, Robert D.	67.20	Clerical error
Zerbinos, Paul Thomas	69.96	Clerical error
Concord Farms	156.58	Clerical error
Federal Paperboard Co., Inc.	236.16	Clerical error
Patton, G.S. & Assoc.	167.88	Clerical error
Tenntruco, Inc., Trustee c/o Bobby Smith	664.70	Clerical error
T & C International, Inc. Add ² 1 84	70.76	Clerical error
Olivanti, John Gerard	25.03	Clerical error
Penn Bottle & Supply Co.	54.78	Clerical error
Day, Allen Robert	4.86	Clerical error
Shotwell, Silas Howell	<u>30.00</u>	Clerical error

TOTAL \$ 4,420.87

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Resolution Book 22 - Page 27

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of The City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the extension of Tyvola Road, a temporary construction easement, and a down guy easement in the project known as "Tyvola Road Extension"; and

WHEREAS, the City has in good faith undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price.

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that pursuant to Section 7.81, Chapter 713 of the 1965 Session Laws of North Carolina, as amended, being the Charter of The City of Charlotte, condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the procedures set forth in Article 9, Chapter 136 of the General Statutes of North Carolina, as amended:

<u>Parties in Interest</u>	<u>Property Description</u>	<u>Appraised Value</u>
Malvena Alexander Greene and husband, William S. Greene	Rear of 6500 Nations Ford Road	\$ 1,800.00

Any Other Owners of Record

IT IS FURTHER RESOLVED that the appraised value of the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

CERTIFICATION

I, Pat Sharkey, City Clerk of The City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of The City of Charlotte, North Carolina, in regular session convened on the 27th day of January, 19 86, and the reference having been made in Minute Book 85, Page , and recorded in full in Resolutions Book 22, Page 27.

WITNESS my hand and the corporate seal of The City of Charlotte, North Carolina, this the 28th day of January, 19 86.

City Clerk

January 27, 1986
Resolution Book 22 - Page 28

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of The City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the extension of Tyvola Road, a temporary construction easement, and a down guy easement in the project known as "Tyvola Road Extension"; and

WHEREAS, the City has in good faith undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price.

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that pursuant to Section 7.81, Chapter 713 of the 1965 Session Laws of North Carolina, as amended, being the Charter of The City of Charlotte, condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the procedures set forth in Article 9, Chapter 136 of the General Statutes of North Carolina, as amended:

<u>Parties in Interest</u>	<u>Property Description</u>	<u>Appraised Value</u>
Malvena A. Greene and husband, William S. Greene	6400 Nations Ford Road	\$ 25,200.00

Any Other Owners of Record

IT IS FURTHER RESOLVED that the appraised value of the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

Approved as to form:

Henry W. Clodessie Jr.
City Attorney

CERTIFICATION

I, Pat Sharkey, City Clerk of The City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of The City of Charlotte, North Carolina, in regular session convened on the 27th day of January, 1986, and the reference having been made in Minute Book 85, Page , and recorded in full in Resolutions Book 22, Page 28.

WITNESS my hand and the corporate seal of The City of Charlotte, North Carolina, this the 28th day of January, 1986.

City Clerk