AGENDA

Meeting Type:	B
Date:	05-10-1982

City of Charlotte, City Clerk's Office

Charlotte

Public Service & Information Department
City Hall, 600 E Trade Street
Charlotte, North Carolina 28202
704/374 2395

Meetings in May '82

THE WEEK OF MAY 2 MAY 8

4	Tuesday, 9 00 a.m	HISTORIC DISTRICT COMMISSION Edwin Towers, 201 W 10th St , Conference Room
	Tuesday, 4 00 p m	CITY COUNCIL ENVIRONMENTAL HEALTH AND PROTECTION COMMITTEE - City Hall, Council Chamber
	Tuesday, 7 00 p m	PUBLIC HEARING/TRANSIT SYSTEM ROUTE & SERVICE CHANGES - City Hall, Council Chamber
	Tuesday, 7 30 p m	PLANNING COMMISSION - Cameron-Brown Building, First Floor Conference Room
5	Wednesday, 12 Noon	INSURANCE & RISK MANAGEMENT AGENCY Education Center, Room 239
6	Thursday, 4 00 p m	CITIZEN PARTICIPATION TASK FORCE/PLANNING COMMISSION - Cameron-Brown Building, First Floor Conference Room
	Thursday, 4 00 p m.	M/WBE REVIEW COMMITTEE - City Hall, Second Floor Conference Room

THE WEEK OF MAY 9 MAY 15

10	Monday, 12 Noon	PLANNING COMMISSION (Work Session) Cameron-Brown Building, First Floor Conference Room
	Monday, 4 00 p m.	CITY COUNCIL LONG RANGE FUNDING COMMITTEE City Hall, Second Floor Conference Room
	Monday, 7.00 p m	CITIZENS HEARING (District 5) - Cotswold Elementary School, 300 Greenwich Road
	Monday, 7 30 p.m	CITY COUNCIL MEETING (District 5) - Cotswold Elementary School, 300 Greenwich Road
	Monday, 7.30 p m	CITIZENS INPUT MEETING/Viewmont Neighborhood Park - Hidden Valley Elementary School, 5100 Snow White Lane
11	Tuesday, 9·00 a m	HISTORIC DISTRICT COMMISSION Edwin Towers, 201 W 10th St , Conference Room
	Tuesday, 11 00 a m	AUDITORIUM-COLISEUM-CIVIC CENTER AUTHORITY - Civic Center, Conference Room
	Tuesday, 3 30 p.m	PLUMBING ADVISORY BOARD City Hall Annex, Building Inspection Conference Room
	Tuesday, 7 30 p m	CITIZENS INPUT MEETING/Shannon Neighborhood Park - Devonshire Elementary School, 6500 Barringer Drive
12	Wednesday, 8 30 a.m	CIVIL SERVICE BOARD - City Hall, Third Floor Conference Room
	Wednesday, 9:30 a m	CIVIL SERVICE BOARD/HEARING - City Hall, Council Chamber
	Wednesday, 7 30 p.m.	CITIZENS INPUT MEETING/Archdale Neighborhood Park, Smith Junior High School, 1600 Tyvola Road
	Wednesday, 7 30 p m	HISTORIC PROPERTIES COMMISSION City Hall, Second Floor Conference Room
13	Thursday, 7 30 a m.	AD HOC COMMITTEE ON PLANNING/PLANNING COMMISSION Cameron-Brown Building, First Floor Conference Room
	Thursday, 4 00 p m.	SITE PLAN REVIEW COMMITTEE/PLANNING COMMISSION Cameron-Brown Building, First Floor Conference Room
	Thursday, 7 00 p m.	CITIZENS INPUT MEETING/Wilmore Neighborhood Park - Staff Development Center (Old Wilmore School), 428 West Boulevard

(Continued)

THE WEEK OF MAY 16 - MAY 22

17	Monday, 6 00 p m	CITY COUNCIL MEETING(Zoning Hearings) - Education Center, Board Room
	Monday, 7 30 p m.	CITIZENS INPUT MEETING/Cedarwood Neighborhood Park Idlewild Elementary School, 7101 Idlewild Road
18	Tuesday, 2 00 p.m	HOUSING AUTHORITY 1301 South Boulevard
	Tuesday, 3 00 p.m	COMMUNITY FACILITIES COMMITTEE - Utility Department Conference Room, 5100 Brookshire Boulevard
	Tuesday, 7 30 p m.	CHARLOTTE TREE COMMISSION Park Operations Conference Room, 701 Tuckaseegee Road
	Tuesday, 7 30 p.m.	CITIZENS INPUT MEETING/Olde Providence District School Park - Olde Providence Elementary School, 3800 Rea Road, Matthews, N C
19	Wednesday, 4 00 p.m.	SITE PLAN REVIEW COMMITTEE/PLANNING COMMISSION Cameron-Brown Building, First Floor Conference Room
	Wednesday, 4 00 p m.	EMPLOYMENT & TRAINING ADVISORY COUNCIL - Belmont Regional Center, 700 Parkwood Avenue
	Wednesday, 7 30 p.m	CITIZENS INPUT MEETING/Carmel Road Junior High District School Park Carmel Road Junior High School, 5001 Camilla Drive
	Wednesday, 7 30 p m	METROPOLITAN PLANNING ORGANIZATION Cameron-Brown Building, First Floor Conference Room
20	Thursday, 8 00 a.m	CHARLOTTE CLEAN CITY COMMITTEE - Cameron-Brown Building, Fifth Floor Conference Room
	Thursday, 4 00 p.m	PLANNING COMMITTEE/PLANNING COMMISSION - Cameron-Brown Building, First Floor Conference Room
	Thursday, 7 30 p.m	CITIZENS INPUT MEETING/Briarwood Elementary District School Park - Briarwood Elementary School, 1001 Wilann Drive

THE WEEK OF MAY 23 - MAY 29

24	Monday, 2 00 p m.	CITIZENS HEARING City Hall, Council Chamber
	Monday, 3 00 p m	CITY COUNCIL MEETING City Hall, Council Chamber
	Monday, 7 30 p m	SPECIALIZED TRANSPORTATION ADVISORY COMMITTEE City Hall, Third Floor Conference Room
25	Tuesday, 3 00 p.m.	ZONING BOARD OF ADJUSTMENT City Hall, Council Chamber
	Tuesday, 4 00 p m	MUNICIPAL INFORMATION ADVISORY BOARD - Cameron-Brown Building, Third Floor Conference Room
	Tuesday, 7 30 p m	CITIZENS INPUT MEETING/Pressley Road Neighborhood Park Amay James Recreation Center, 2425 Lester Drive
26	Wednesday, 4 30 p m	COMMUNITY RELATIONS COMMITTEE - Covenant Presbyterian Church, 1000 East Morehead St
	Wednesday, 7 30 p.m	CITIZENS INPUT MEETING/Derita Creek Neighborhood Park Druid Hills Elementary School, 2801 Lucena Street
27	Thursday, 3 00 p m.	PUBLIC HEARING ON PROPOSED ANNEXATION OF RAINTREE/PROVIDENCE PLANTATION & SETTLERS LANDING AREAS City Hall, Council Chamber

MAY 30 & MAY 31

31	Monday	CITY HOLIDAY/MEMORIAL DAY - ALL CITY OFFICES CLOSED NO CITY COUNCIL MEETI

*Any questions regarding the ten Citizens Input Meetings may be addressed to Citizen Input, Charlotte Parks & Recration Department, 310 N Kings Drive, Charlotte, NC 28204, 374-2464

ADDITIONS

4	Tuesday, 3 00 p m	COMMUNITY FACILITIES COMMITTEE Utility Dept Conference Room, 5100 Brookshire Blvd
20	Thursday, TBA	BUDGET PREPARATION TO CITY COUNCIL City Hall, Council Chamber

Charlotte

IN MEETING ON MONDAY, MAY 10, 1982

7 00 P M. - Citizens Hearing
7 30 P M. - Council Meeting
Cotswold Elementary School
300 Greenwich Road

ITEM NO.

1 Invocation

2 Consideration of minutes of the Council Meeting on April 26, 1982.

PUBLIC HEARING

3. CONTINUE PUBLIC HEARING CONCERNING STORM DRAINAGE IMPROVEMENTS MADE BETWEEN 1738 BRANDON ROAD AND 1659 HERTFORD ROAD, AND CONFIRM AND ADOPT THE FINAL ASSESSMENT ROLL IN ACCORDANCE WITH THE STORM DRAINAGE REPAIR POLICY.

This item was deferred by City Council on April 26 to allow the Legal Staff and Engineering Department to review questions raised by Attorney Hugh Campbell at the public hearing, and to provide additional explanation of project "benefits" to property owners.

The Engineering and Legal staffs have requested additional time to prepare the necessary paper work, and it is their desire to continue the hearing until the first meeting in June. (June 14, 1982, District 6 Meeting.)

council agenda

Mayor Eddie Knox Mayor Pro Tem Harvey B Gantt

Dave Berryhill
Charlie S Dannelly
Laura Page Frech
Ron Leeper
Ralph Reiss McMillan
Pamella G Patterson
Edwin B Peacock, Jr
George K Selden, Jr
Herbert Spaugh, Jr
Minette Conrad Trosch

POLICY AGENDA

4. CONSIDER REQUEST FROM THE CHARLOTTE-MECKLENBURG PLANNING ORGANIZATION (MPO) THAT THE CITY COUNCIL RECONSIDER ITS VOTE OF MONDAY, APRIL 5, 1982, AND ENDORSE THE RECOMMENDATION FROM THE MPO ON THE FUNDING CLASSIFICATION OF MONROE ROAD.
Attachment No. 1

5. RECONSIDER NAME CHOSEN FOR THE NEW AIRPORT TERMINAL FACILITY.

6. RECOMMEND THE FOLLOWING ACTIONS NECESSARY TO FILE AN APPLICATION WITH THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR FISCAL 1983, IN THE AMOUNT OF $4,575,000 AND PROGRAM INCOME IN THE AMOUNT OF $318,966, FOR A GRAND TOTAL OF $4,893,966.

(A) Approval of the "Final Statement of Community Development Objectives and Proposed Use of Funds "

In the Fiscal 1983 grant application process, HUD is requiring that Cities submit a Final Statement instead of a Preliminary Plan The Final Statement for the City of Charlotte is a summary of activities planned by the Community Development Department to accomplish the specific objectives of resolution of the Harris/Kannon Consent Order and reduction of the relocation workload, as well as the general objective of community improvement and revitalization. The program activities are Local Option Coverage and Last Resort Housing Assistance, City-wide Rehabilitation of Private Residential Structures for Owner-Occupants, Rental Rehabilitation, Minor Repair for Code Enforcement Assistance, Social Service Contracts, Economic Development Revolving Loan Fund, Program Support to continue in the Neighborhood Strategy Areas and General Administration.

This Final Statement replaces the Preliminary Plan City Council has reviewed in prior grant years. Staff has attempted to address the major concerns of City Council for expanded neighborhood assistance under its city-wide application of rehabilitation funds.

City Council will have the additional opportunity during the Manager's budget sessions to consider amendments to the program and priorities contained in the Final Statement.

(B) Extension of the current Housing Assistance Plan (HAP) goals to September 30, 1982.

The current HAP expires June 30, 1982. HUD now requires that all grant recipients have a HAP that corresponds with the Federal fiscal year or a HAP that expires on September 30. HUD will allow those cities with

(continued)

6. (continued)

approved HAPs to extend them through September 30 without any numerical adjustments. This means that the City of Charlotte can temporarily extend its HAP with no changes in order to meet grant application guidelines. An approved HAP is necessary to receive grant funding on time.

Extension of the current HAP will prevent delays in the grant process and allow the City Council additional time to consider staff proposals for changing the HAP.

Approval of these actions will allow the Community Development Department to submit its grant application to HUD on May 25, 1982. All grant documents must be submitted to HUD no later than June 1.

Attachments for this agenda item include the Final Statement of Community Development Objectives and Proposed Use of Funds, a summary from the City Attorney's Office of the Harris-Kannon Consent Order, and a memorandum from the Community Development Department with additional explanation of the HAP extension.

Attachment No. 2.

7. DISCUSSION OF A PROGRAM TO ENCOURAGE RECYCLING OF CERTAIN MATERIALS AT THE YORK ROAD LANDFILL AS RECOMMENDED BY THE AD HOC COMMITTEE ON SOLID WASTE.

The purpose of this program is to provide individuals who transport refuse to the landfill in exempted vehicles with an incentive to separate materials for recycling, and thereby divert some waste from the landfill. Under this program, private automobiles, pick-up trucks and vans would be charged from $1 and $4 to use the York Road Landfill. Individuals who presented separated recyclable materials would be exempted. Commercial users would not be exempted. The County Commission has already approved a similar program at the Harrisburg Landfill

The City Manager is not recommending that City Council approve implementation of this program today. Instead, City Council should discuss the costs and benefits and inform staff of any additional questions and concerns.

Attachments for this agenda item are an outline of the proposed fee structure, explanation of exemptions, alternative operating strategies, and an ordinance amending the City Code to establish the recycling exemption.

Attachment No. 3.

8. CONSIDERATION OF SUGGESTED 1982 CITY LEGISLATIVE PROGRAM.

The General Assembly will convene in early June in what is called the "short session". Traditionally, the City has used this opportunity to request that the Mecklenburg Delegation support certain "non-contraversial local bills" that would enhance the effectiveness or efficiency of Charlotte government operations. Attached to the agenda is a list of legislative suggestions from various sources compiled by the City Attorney's Office for City Council discussion.

Attachment No. 4.

9. RECOMMEND APPROVAL OF THE FINAL REPORTS FOR THE PROPOSED SETTLERS LANDING AND RAINTREE/PROVIDENCE PLANTATION ANNEXATION AREAS.

These reports,required under State annexation statutes, set forth how the City plans to provide municipal services to the annexation areas They must be approved by the governing body at least 14 days prior to the public hearing to consider the proposed annexation. The reports include relevant maps, a statement indicating how the area meets annexation criteria, a description of services to be provided, and a statement on the method by which the City plans to finance the extension of services. The reports may be amended by City Council following the public hearing to be held on May 27, 1982.

These documents will be delivered to City Council on Friday, May 7

10. DECISION ON PETITION NO 82-14 BY THE PARK ROAD COMMITTEE TO CHANGE ZONING FROM B-1 TO O-6 FOR A 1.7 ACRE TRACT FRONTING 117 FEET ON THE WEST SIDE OF PARK ROAD, DIAGONALLY ACROSS THE STREET FROM CHARLOTTE DRIVE.

A protest petition has been filed sufficient to invoke the 3/4 Rule requiring nine affirmative votes of the Mayor and City Council in order to rezone the property.

The Planning Commission recommends the petition be denied.

This decision was postponed at the City Council meeting on April 19, 1982 until this meeting date to allow additional discussion between petitioners and property owners

Attachment No. 5.

11. CONSIDERATION OF APPOINTMENTS, AS FOLLOWS·

(A) Auditorium-Coliseum-Civic Center Authority - one position.

The following nominations have been made
1) Larry Cobb, nominated by Councilmember Selden.
2) Robert Goodman, nominated by Councilmember Frech to succeed himself

(B) Charlotte Advisory Parks Committee - six positions.

The following nominations have been made·

1) Two appointments for one year terms.
   a) Charles Strickland, nominated by Councilmember Leeper
   b) Bob Burchett, nominated by Councilmember McMillan
   c) Tom Duggins, nominated by Councilmember Gantt.

2) Two appointments for two year terms.
   a) Tom McGill, nominated by Councilmember Dannelly.
   b) James A Basinger, Jr., nominated by Councilmember Berryhill.
   c) David Henderson, nominated by Councilmember Selden.

3) Two appointments for three year terms
   a) Susan Seaver, nominated by Councilmember Patterson.
   b) Annette Bedford, nominated by Councilmember Frech.
   c) Chuck Askev, nominated by Councilmember Trosch.

(C) Historic District Commission - one position

1) Ms. Patsy Kinsey was terminated under the attendance requirement. The Chairman of the Commission has requested she be reinstated to complete her term which expires June 30, 1982 A copy of the request is attached.

12 CONSIDERATION OF NOMINATIONS TO FILL POSITIONS, AS FOLLOWS·

(A) Spirit Square Board of Directors - two positions

1) Ms Eleanor Brawley and Mrs. A.V Kennedy were terminated under the attendance requirement A request has been made to reinstate Mrs Brawley A copy of the request is attached.

The following nominations were made at the last meeting, and left open to receive the information on Mrs. Brawley.
1) Jack Benson, nominated by Councilmember Dannelly.
2) Ruth Castleberry, nominated by Councilmember Frech.

(B) Specialized Transportation Advisory Committee - one position to fill unexpired term of Gregory Davis, resigned

Attachment No. 6

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The City Attorney advises that Agenda Items No 13 through No. 24 may be considered in one motion. However, any member of Council may request an item be divided, and voted on separately

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Budget Ordinance

13 RECOMMEND ADOPTION OF AN ORDINANCE TRANSFERRING $33,110 FROM THE GENERAL REVENUE SHARING FUND BALANCE TO THE SWEDEN ROAD SATELLITE YARD ACCOUNT IN THE CAPITAL IMPROVEMENT PROGRAM TO FINANCE A CONTRACT FOR CONSTRUCTION OF AN AUTOMATIC TRUCK WASHING FACILITY.

The new truck washing facility will save the City in travel time and energy use. The supplemental appropriation is necessary because bid amounts exceeded the total Sweden Road project balance Adoption of this ordinance will allow award of the construction contracts on the following bid list

Bid List

14 RECOMMEND APPROVAL OF BID LIST AS SHOWN

(A) Preformed Plastic Pavement
Marking Material as specified Transportation

Bid

3 M Company	St. Paul, Minn.	$ 180,843 80

This proposed purchase includes 53,550 feet of Preformed Plastic Pavement Marking Material and 220 school legends. This material will be used for marking school zones, pedestrian crossings, and lane lines on new and re-surfaced roadways. This material is a long life marking material to be utilized to increase productivity and minimize disruptions to traffic flow by reducing the frequency of re-marking

Recommendation By Transportation Director and Purchasing Director that the only bid received, 3 M Company, St Paul, Minn., in the amount of $180,843 8(be accepted for award of contract on a unit price basis

No other manufacturers chose to bid on this product possibly because their adhesive process and mechanical application were considered insufficient to meet specifications. As a result of extensive testing by CDOT of various "permanent" pavement marking materials, specifications required that all the marking materials be pressure sensitive and that automatic mechanical application be made available These two factors were found to influence installation costs, material reflectivity, skid resistance, appearance, durability and night visibility

Source of Funding· Department of Transportation - Traffic Control Construction Materials.

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14. (continued)

(B) Sanitary Sewer Rehabilitiation - Irwin, Briar, Sugar Creek Basins — Utility Department

Base Bids

Thackston Construction Co.	Greenville, S.C.	$ 488,754.50
Municipal & Industrial Pipe Services	Douglasville, Ga.	614,073 00
Bryant Utilities Constr. Co.	High Point, N. C.	667,759 00
Rea Brothers, Inc.	Pineville, N.C.	764,963.25
Ritchie Constr. Co.	Charleston, S.C.	790,723 75
Inner-View, Ltd.	Chesapeake, Va.	797,761.25
Blythe Industries, Inc.	Charlotte, N C.	1,094,598 00
Astor Bodlen Enterprises, Inc.	Capitol Heights, Maryland	573,430.50

Recommendation Acting Director, Charlotte-Mecklenburg Utility Department, recommends that the low bid by Thackston Construction Company, Inc. of Greenville, S. C., in the amount of $488,754 50 be accepted for award of contract on a unit price basis

Source of funding: This project is to be funded 75% by the United States Environmental Protection Agency, 12½% by the State, and 12½% by the City

(C) Sanitary Sewer Improvements Airport vicinity — Utility Department

This project funds portions of the Coffey Creek Outfall to be build in conjunction with new airport development.

Base Bids

Sanders Brothers, Inc.	Charlotte, N C.	$ 39,526 00
Rea Brothers, Inc.	Pineville, N C.	44,430 50
Dellinger, Inc.	Monroe, N C	49,515.00
Rand Construction Co.	Richfield, N C.	67,450 00
Palmer Mountain Farm	Concord, N.C	68,405 00
Blythe Industries, Inc.	Charlotte, N C.	71,662 50
John E. Jenkins, Inc.	Gastonia, N.C.	84,875 00

Recommendation· Acting Director, Charlotte-Mecklenburg Utility Department, recommends that the low bid by Sanders Brothers, Inc of Charlotte, N C. in the amount of $39,526.00 be accepted for award of contract on a unit price basis.

Source of funding· This project will be funded 75% by the United States Environmental Protection Agency, 12½% by State and 12½% by City

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14. (continued)

(D) Sweden Road Truck Wash Facility — Engineering Department

This project consists of the construction of a facility for washing city trucks and vehicles. The facility will utilize an automatic three arch, high pressure detergent washing system, houses in a single story brick veneer building, designed to accomodate a wide range of vehicle bodies and cleaning needs.

The building will also contain hand held washing wands for spot cleaning.

Bids

A complete bid summary can be reviewed in the Office of the City Clerk.

Recommendation: By the City Engineer that the base bid as submitted by the following low bidders be accepted for award of contract on a lump sum price basis.

General		
Cresent Constructon Co,Inc.	Concord, N.C.	$ 134,113 00
Plumbing		
J.V Andrews Co.	Charlotte, N.C.	19,000 00
Electrical.		
John Bisanar, Inc.	Gastonia, N.C.	7,805 00
	TOTAL ALL CONTRACTS	$ 160,918.00

Source of funding: General Capital Improvement Projects Fund - Public Works Satellite Yard.

(E) Pedestrian Signal Heads, as specified. — Transportation

Bid		
Signal Engineering Co.	Jacksonville, Fla.	$ 87,642.50

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14. (E) (continued)

Other bid received not meeting specifications Winko-Matic Signal Company Avon Lake, Ohio, in the amount of $27,500. This pedestrian signal does not conform to material requirements, overall size type signal display, message type and lense size outlined in bid specifications. In addition, this Unit uses an incandescent lamp instead of the Quartz Halogen lamp found in the unit produced by Signal Engineering Company The Halogen lamp will save $19 97 per signal on an annual usage

Recommendation By Transportation Director and Purchasing Director that the only bid received meeting specifications, Signal Engineering Company, Jacksonville, Florida, in the amount of $87,642 50, be accepted for award of contract on a unit price basis.

Source of funding General Fund Capital Improvement Program - School Zone Signs, Traffic Signal Improvements, Central Avenue TSM Project

Contracts and Change Orders

15 (A) RECOMMEND THE FOLLOWING ACTIONS IN ORDER TO ACQUIRE UP TO FORTY-TWO REGULAR, NON-WHEELCHAIR LIFT EQUIPPED BUSES FOR THE CHARLOTTE TRANSIT SYSTEM.

(1) Approval of a contract between the City and Grumman Flxible Corporation for the purchase of forty 40-inch advanced design buses, in the total amount of $5,616,080.
(2) Approval of an option to purchase two additional 40-inch advanced design buses from the Grumman Flxible Corporation, at the unit price of $140,402.
(3) Approval of an option to purchase forty-two electronic destination signs for these buses, in the amount of $43,134

On August 5, 1981, the Urban Mass Transportation Administration (UMTA) approved the final component of a 1979 grant request from the City of Charlotte for the purchase of forty buses, with an option to pruchase two additional buses dependent on price On December 14, 1981 the City advertised for bid on these buses. Bid opening was delayed until April 8, 1982 because of questions raised by a manufacturer, who subsequently chose not to bid, on the city policy to require a 100% performance bond

The bid prices received on April 8, 1982 were as follows

	Item	No.of Items	Unit Price	Total
General Motors Corporation	40' Advanced Design buses	40	$141,983	$5,679,320
Grumman Flxible Corporation	40' Advanced Design buses	40	$140,402	$5,616,080

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15. (A) (continued)

Staff recommendation is to purchase 40 advanced design buses on the basis of lowest cost per unit Although the Grumman buses are different in body style from the new RTS II General Motors buses which the City now owns, both buses have the same type engines and transmission. The buses are not the articulated type which bends in the middle, nor are thev the Grumman models that recently received unfavorable publicity for mechanical defects.

Bids were also submitted for two additional buses, for electronic destination signs, and for wheelchair lifts and tie-down positions to serve the transportation needs of the disabled, especially the wheel chair-bound. The city has enough money to cover the purchase of 42 buses with electronic destination signs, however, if all the new buses were to be equipped with wheelchair lifts and tie-downs, there would be enough money for only forty-one buses. Staff is recommending that these buses not be equipped to serve specialized transportation needs, and that the existing Special Transportation Service (lift-equipped van service) initiated last summer be continued for this purpose. This would allow for the complete purchase of forty-two regular transit buses and still meet UMTA requirements for services to the handicapped.

The Finance Department and Charlotte Department of Transportation are also investigating the possibility of using a lease arrangement concurrent with the operation of the new buses

Total funding available for this purchase is $6,228,950, based on 80% UMTA contributions, 10% North Carolina Department of Transportation, and 10% City of Charlotte.

(B) RECOMMEND APPROVAL OF CHANGE ORDER NUMBER ONE TO THE CONTRACT AWARDED REA BROTHERS, INCORPORATED OF PINEVILLE, NORTH CAROLINA ON JUNE 1, 1981 FOR CONSTRUCTION OF SANITARY SEWER FACILITIES, FOUR MILE CREEK INTERCEPTOR, INCREASING TOTAL CONTRACT COST BY $28,140, FROM $1,055,188 50 TO $1,083,328.50

Change Order Number One is necessary to allow for construction of seven additional concrete piers on the aerial portions of the Four Mile Creek Interceptor. Additional supports are needed to provide greater stability to the pipeline in the floor plain area

Seventy-five percent of the cost increase will be covered by the grant from the Environmental Protection Agency for this project, with 12 5% from a state grant, and 12 5% from local funds.

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15 (C) RECOMMEND APPROVAL OF CHANGE ORDER TO CONTRACT WITH NEW TERMINAL SITE ARCHITECTURAL PAVING WITH BLYTHE INDUSTRIES WITH NO CHANGE IN TOTAL CONTRACT AMOUNT

On March 22, 1982, Council awarded a contract in the amount of $237,627 to Blythe Industries for site architectural paving as part of the overall landscaping plan for the New Terminal Facility.

This change order provides for additional escavation, grading, and paving modifications The additional work is offset by deleting the installation of granite stone pavers on the slopes under the elevated roadway abutments.

(D) RECOMMEND APPROVAL OF A NON-EXCLUSIVE CONTRACT WITH MEREDITH RELOCATION CORPORATION ("BETTER HOMES AND GARDENS") TO PROVIDE EMPLOYEE RELOCATION SERVICES CONSISTENT WITH THE EMPLOYEE RELOCATION POLICY ADOPTED BY CITY COUNCIL ON APRIL 26, 1982.

The reason for using an employee relocation firm is to remove the home selling burden from the executive employee recruited from outside the City

Staff believes the plan offered by Better Homes and Gardens is best suited to the overall relocation philosophy of removing time and money pressures associated with relocation.

(E) RECOMMEND APPROVAL OF CONTRACT WITH CHARLOTTE SKYCAP SERVICE TO PROVIDE PERSONNEL FOR THE GROUND DISPATCHER' COORDINATOR AT DOUGLAS MUNICIPAL AIRPORT AT A RATE OF $6.50 PER MAN HOUR

The taxicab dispatcher (coordinator) service at the old terminal facilities has been handled through a contract agreement with the Wackenhut Corporation, a security service. Wackenhut was chosen on the basis of the lowest cost per man hour of $4.95. Problems encountered in the contract with Wackenhut have included

(1) Un atisfactory personnel are being provided (High turnover ate, low reliability, insensitivity to customer ground transportation needs.)
(2) Greater than anticipated Airport Department staff time was required for operations and coordination supervision.

Consequently, a contract with Charlotte Skycap has been developed that would provide the following advantages

(1) Guaranteed personnel who would project a more professional image to the travelling public
(2) Improved personnel management and supervision that would greatly reduce need for Airport staff involvement.

(continued)

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(E) (continued)

Charlotte Skycap has been operating at the Airport for more than ten years and has the appropriate experience and expertise to provide a better quality of service at the new airport facility. Staff believes that superior operation of the ground transportation coordinator service is worth the increased cost per man hour

Funds are available in the Airport Operating Account for this contract Contract costs during the first year of operation are estimated at $30,000.

(F) RECOMMEND RATIFICATION OF AN AGREEMENT FOR EXCLUSIVE ISSUE ISSUED TO COMPUTER TECHNOLOGY CORPORATION FOR THE MANUFACTURE OF PORTABLE ELECTRONIC EVENT RECORDER (PEER) UNDER CITY OF CHARLOTTE PATENT NO 42297726.

In 1976, Traffic Engineer Department staff began exploring a concept for conducting manual turning movements counts at intersections by the use of an electronic recording device. Over the past five years, staff has demonstrated, by the use of proto-type units, equipment flexibility for collecting the turning movement counts as well as other traffic movement counts. On October 20, 1980, three individuals, W. R. Deaton, H. M Raynor, and John I. Clark were granted a patent which was signed over to the City of Charlotte and presented to the Charlotte City Council on February 23, 1981. Since receiving the patent, staff has attempted to interest a number of manufacturers in marketing the Portable Electronic Event Recorder (PEER) for distribution.

Computer Technology Corporation, a North Carolina Corporation, based at 1409 East Boulevard in Charlotte, has been the only company to express any significant interest in the manufacture of PEER.

The agreement to grant Computer Technology Corporation an exclusive license to manufacture PEER is therefore being presented for City Council ratification

Key points in the fifteen-year agreement are

Year 1 through Year 5

(1) The City will receive a one-time fee payment of $500 for an exclusive license
(2) Computer Technology Corporation is required to spend a minimum of $5,000 per year for advertising and marketing PEER.

(continued)

15. (F) (continued)

(3) Computer Technology Corporation will furnish the City one unit for each 15 units sold up to a maximum of 15 units per year resulting in a total of 75 units at the end of 5 years furnished to the City at no charge

(4) If during any year, Computer Technology Corporation does not sell 225 units (15 x 15), they will not be obligated to furnish the City with 15 units, but the City will have the option to convert the exclusive license to a non-exclusive license (However, Computer Technology Corporation can provide the City with 15 units and maintain the exclusive license.)

(5) Computer Technology will pay the City of Charlotte a royalty fee of 7% on all units over 225 per year sold during the 5 year period

Year 6 through 15

(1) Computer Technology Corporation will pay a royalty of 5% per unit with a minimum of $4,000 per year to maintain the exclusive license

(2) In the event annual sales are less than required to meet the minimum, the City will have the option to convert the exclusive license to a non-exclusive license

(G) RECOMMEND APPROVAL OF A CHANGE ORDER TO CONTRACT BETWEEN THE CITY AND BLYTHE INDUSTRIES, INC FOR THE CONSTRUCTION OF TERMINAL ACCESS ROADS AND AUTO PARKING AREAS, TO PROVIDE ADDITIONAL ROADWAY CONNECTIONS AT THE REQUEST OF THE RENTAL CAR COMPANIES AND THE FEDERAL AVIATION ADMINISTRATION, IN THE AMOUNT OF $124,162.

This change order will cover the additional asphalt and stone base materials needed to provide additional roadways to connect the Air Traffic Control Tower area with the main roadways, and a connector from the service road to the inbound roadway to facilitate customer transfer to the terminal from rental car return area. Funds are available in project contingency to cover this expense.

Economic Development Loan Agreements

16. (A) RECOMMEND APPROVAL OF A LOAN AGREEMENT BETWEEN THE CITY OF CHARLOTTE AND GEORGE GODWIN, D/B/A GODWIN ASSOCIATES, IN THE AMOUNT OF $30,000 FOR THE REHABILITATION OF A HOUSE LOCATED AT 505 NORTH CHURCH STREET IN FOURTH WARD.

Mr. Godwin owns a house at 505 North Church Street in Fourth Ward that he wishes to renovate into the business office for Godwin Associates, Architects and Planners These Economic Development loan funds will be used to supplement private financing for the renovation project The terms of the loan will be five years at 6% per annum. A second Deed of Trust and a personal guarantee will be the loan security As part of the loan commitment, one Community Development Neighborhood Strategy Area resident will be employed by the company within six months, and two more within 18 months.

(continued)

16. (Continued)

(B) RECOMMEND THE FOLLOWING ACTIONS TO PROVIDE FOR THE PURCHASE AND REHABILITATION OF FIRE STATION #4, LOCATED IN FOURTH WARD.

(1) Adoption of a second amendment to contract for sale of land dated August 27, 1981 between the City of Charlotte and Jan Thompson in the Fourth Ward Urban Renewal Area for the sale of Fire Station #4 located at 418 West Fifth Street.

The sale of this property to Jan Thompson for development of the office complex and studio area was approved by City Council on Septemeber 14, 1981, at a bid price of $93,987. City Council approved an amendment to this contract on February 8, 1982 extending the time for delivery of deed to April 30, 1982, in order to allow the purchase or to arrange additional financing for the development of the property.

Adopting the second amendment to Contract for Sale of Land between the City and Jan Thompson will extend the time for delivery of deed to August 31, 1982 and should permit the purchaser to secure all necessary financing arrangements, including an Economic Development loan from the City of Charlotte as requested below.

(2) Approval of a loan agreement between the City of Charlotte and Jan Thompson, Pat Hall, Jr. and Richard Aldridge, D/B/A CFD #4, in the amount of $50,000.

After City Council approved the land sale, a general partnership, composed of Jan Thompson, Pat Hall, Jr. and Richard Aldridge was formed to own and rehabilitate the property. In addition to the purchase price, the partnership plans to invest approximately $125,000 to $135,000 for rehabilitation

These Economic Development loan funds will be used to supplement private financing for the rehabilitation project

The terms of the loan will be five years at 6% per annum. A second Deed of Trust and the personal guarantee of each partner will be the loan security As part of the loan commitment, at least seven Community Development Neighborhood Strategy Area residents will be hired during the first year of the loan period. The Jan Thompson Agency employs people to appear in commercials and advertisements. Pat Hall, Jr. will operate a real estate development business, and Richard Aldridge operates a media production studio.

Grant Application for Energy Management Assistance

17 RECOMMEND ADOPTION OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR AND RECEIVE TECHNICAL ASSISTANCE FROM THE NORTH CAROLINA DEPARTMENT OF COMMERCE, ENERGY DIVISION, IN THE AREA OF ENERGY MANAGEMENT FOR WATER AND WASTEWATER FACILITIES.

The N. C. Department of Commerce, Energy Division, has received funding from the Federal Department of Energy to provide technical assistance to local governments operating municipal water and/or wastewater systems. This program offers free detailed engineering analysis of municipal water and/or wastewater facilities for identifying energy conservation measures while maintaining water quality standards. No funds are required by the City.

Adoption of this resolution is necessary for the City to be eligible for participation in the technical assistance program.

Substitute Mortgagors in the Third and Fourth Ward Loan Programs

18 RECOMMEND APPROVAL OF SUBSTITUTE MORTGAGORS UNDER THE THIRD AND FOURTH WARD LOAN PROGRAMS.

(a) Michael R Juergensen and Elspeth Anne Juergensen, Unit 2, Clarkson Place, Third Ward, $74,600. Jo Anne Barnes, original borrower, unable to fulfill contingency requirements.
(b) Quang An Huynh, Unit 33, Clarkson Place, Third Ward, $70,850. Bobby Burton, original borrower, unable to fulfill contingency requirements.
(c) Janis G. Bunting, Unit 40, Clarkson Place, Third Ward, $66,600. John Scarborough, original borrower, unable to fulfill contingency requirements.
(d) H. Bryan Ives III, Unit 15, Clarkson Place, Third Ward, $64,400. Susan Leggett, original borrower, health problems.
(e) Deborah M. Langsam & Dorothy M. Langsam, Unit 34, Clarkson Place, $68,450. Wallin Honeycutt, original borrower, unable to fulfill contingency requirements.
(f) Louis H. Honey, Jr , Unit 30, Clarkson Place, Third Ward, $75,250. Duane Johnson, original borrower, unable to fulfill contingency requirements.
(g) Steven E. Reilly & Leo E. Reilly, Unit 22, Hackberry Court, $78,550 Charles Douglas, original borrower, insufficient assets to close loan.
(h) La Fleur Paysour, Unit 30, Churchill, Fourth Ward, $62,300. Aubrey Keen, original borrower, unable to fulfill contingency requirements.
(i) John H Nance & Rebecca W. Nance, 410-B W Eighth Street, Fourth Ward, $36,000. Sarah T Whitley, original borrower, unable to sell present residence

(continued)

18 (continued)

(j) Neal F. Ganzert, Jr. Unit 82, Springfield Square, $57,600, Fourth Ward. John Kimley, original borrower, changed to Unit 103.

(k) Charles R. Gilpin, Unit 18, Barringer Square, $61,650, Fourth Ward Frank Jonas, original borrower, unable to fulfill contingency requirements.

(l) Craig C. Huggins & Joseph F Freeman, Unit 14 Churchill, $67,400, Fourth Ward. Donna W. McGinnis, original borrower, unable to fulfill contingency requirements.

(m) Janie L. Kendrick, Unit 6, Churchill, $54,000, Fourth Ward. Kayno Goswami, original borrower, unable to fulfill contingency requirements

Encroachment Agreements

19 (A) RECOMMEND APPROVAL OF A DEED OF EASEMENT AND RIGHT OF WAY ENCROACHMENT CONTRACT BETWEEN THE CITY OF CHARLOTTE AND THE MARRIOTT CORPORATION TO ALLOW AN UNDERGROUND PARKING GARAGE AND AT GRADE AND AERIAL ENCROCHMENTS IN THE CONSTRUCTION OF A MARRIOTT HOTEL AT THE CORNER OF NORTH CHURCH AND WEST TRADE STREET.

The Marriott Corporation wishes to build an underground parking garage on their site which would encroach beneath North Church and West Trade Street rights of way extending to the existing line of curb and gutter along each street. In addition, they wish to encroach at grade with special brick pavers, trees and tree grates in the sidewalk area, and a physical overhang fourteen feet above street level that would extend both on North Church and West Trade at a maximum distance of 5 feet into the public right of way

Site plans for the Marriott Hotel and the subject agreements have been reviewed and approved by the Tryon Street Mall Project Management Team and City Legal, Insurance and Risk Management, and Engineering staff.

(B) RECOMMEND APPROVAL OF A RIGHT OF WAY ENCROACHMENT CONTRACT BETWEEN THE CITY OF CHARLOTTE AND CHARLOTTE OFFICE TOWER ASSOCIATES TO ALLOW FOR A PLACEMENT OF SPECIAL SIDEWALK PAVERS, TREE WELLS AND GRATES WITHIN THE RIGHTS OF WAY OF SOUTH COLLEGE, EAST THIRD AND EAST FOURTH STREETS, AS PART OF THE SITE IMPROVEMENTS FOR THE CHARLOTTE PLAZA OFFICE BUILDING.

This work has already been completed on the basis of preliminary approval from the Tryon Street Mall Project Team. A minimum eight foot clearance has been maintained for pedestrian travel and substantial plaza type seating has been provided throughout the property for the general public. Engineering, Legal and Insurance and Risk Management Staff have reviewed and approved the encroachment contract. Denial of the contract will result in the Charlotte Office Tower Associates having to remove all encroachments from street rights of way and restoring the area to prior conditions

Property Transactions

20 (A) RECOMMEND ADOPTION OF A RESOLUTION AUTHORIZING CONDEMNATION ACTION TO ACQUIRE PROPERTY LOCATED AT 618 SPARROW STREET IN THE FIVE POINTS NEIGHBORHOOD STRATEGY AREA.

This parcel is part of property being assembled for the future expansion of Johnson C. Smith University. Condemnation action is being initiated because unknown heirs and liens have created problems which may prevent the City from gaining clear title.

A vacant structure located on this property is unsuitable for rehabilitation and will be demolished The fair market value of the property is $5,000.

(B) RECOMMEND APPROVAL OF THE ASSIGNMENT OF EASEMENT FOR SANITARY SEWER RIGHT OF WAY OF 65.70 LINEAR FEET, AT $1.00, FROM CAROLINA FINCORP, INC. LOCATED AT THE SOUTHEASTERLY TERMINUS OF EAST LANE DRIVE, FOR SANITARY SEWER TRUNK RIGHT OF WAY ON PINEY GROVE AT IDLEWILD SOUTH SUBDIVISION.

Acceptance of Streets for Continuous Maintenance

21 RECOMMEND ACCEPTANCE OF 1.52 MILES OF STREETS FOR CONTINUOUS MAINTENANCE BY THE CITY OF CHARLOTTE.

These streets were constructed in accordance with the Charlotte Subdivision Ordinance and have been approved by the Engineering Department. A complete listing of street names and locations can be reviewed in the Office of the City Clerk. The addition of these streets will bring the total City street system to 1268.74 miles.

Condemnation Settlement

22 RECOMMEND A PROPOSED SETTLEMENT IN THE CONDEMNATION ACTION, CITY OF CHARLOTTE VS. W.H. LOWE, ET AL, IN A TOTAL AMOUNT OF $3,000, REQUIRING AN ADDITIONAL DEPOSIT OF $1,400 FOR THE IDLEWILD ROAD NORTH WIDENING PROJECT.

This project will result in the changing of Idlewild Road from a two-lane road to a four-lane road in front of the subject property The street right of way will be 32 feet from the front of the house. The taking will include seven trees providing screening for the property as well as shading and will take portions of an improved lawn. The property owner disagrees with the City appraisal of property loss and damage but is willing to settle this condemnation with an additional deposit of $1,400 for a total settlement of $3,000

Minor Amendment to the City Code

23 RECOMMEND APPROVAL OF AMENDMENTS TO CHAPTER 19, ARTICLE I, OF THE CITY CODE, REGULATING TAXICAB ORDINANCES. THESE AMENDMENTS WILL (1) DELETE THE REQUIREMENT THAT A TAXICAB OPERATOR'S LICENSE BE ISSUED BY THE STATE OF NORTH CAROLINA, (2) ESTABLISH FEES FOR TAXICAB DRIVER'S PERMITS, AND (3) REQUIRE INSURANCE COMPANIES TO NOTIFY THE TAXICAB INSPECTOR OF ANY CHANGES IN THE INSURANCE COVERAGE OF TAXICAB COMPANIES.

The three proposed changes are minor amendments to Chapter 19 of the City Code which regulates Taxicab Operations. None of them substantially alter the intent or provisions of the Code.

Section 1 amends Chapter 19, Section 19-28(g) by deleting the requirement that taxicab drivers have a driver's license issued by "the State of North Carolina". It has been ruled unconstitutional to require that a driver's license needed for employment be issued by a particular state Taxicab drivers will now be required to simply possess a valid driver's license. The current code requirement has already been an issue in two cases where the driver was denied a permit because his driver's license was issued in another state.

Section 2 amends Section 19-32.1 by establishing fees to cover the administrative costs of issuing a Taxicab Driver's Permit. The fees to be paid by the drivers themselves would be·

Issuing new permit or reinstating permit	$5.00
Renewal of permit annually	2 00
Transferring or duplicating lost permit	1 00

Section 3 amends Section 19-43 by requiring that any insurance company which insures City-licensed taxicabs notify the City (via the Taxicab Inspector) of the cancellation, reduction in coverage, or material changes in any insurance policies covering taxicab companies.

Water & Sewer Contracts

24 RECOMMEND APPROVAL OF CONTRACTS FOR THE CONSTRUCTION OF WATER MAINS AND SANITARY SEWER MAINS, ALL AT NO COST TO THE CITY, AS FOLLOWS

(A) Contract with Province Development, Ltd for construction of 1,910 feet of 8-inch water mains, and 1,330 feet of 2-inch water mains to serve Old Concord Subdivision, outside the city, at an estimated cost of $41,700.

(B) Contract with RVH, Inc. (Richard V. Hechenbleikner) for the construction of 1,775 linear feet of 8-inch sanitary sewer mains to serve Ingelow Subdivision, inside the city, at an estimated cost of $35,500

(continued)

24 (continued)

(C) Contract with Bogan Development & Construction Company, Inc for the construction of 3,069 feet of 8-inch sanitary sewer mains to serve Hickory-Ridge Subdivision, Section 6, outside the city, at an estimated cost of $61,380.

(D) Contract with The Mathisen Company for the construction of 1,021 feet of 8-inch sanitary sewer mains to serve Mill Valley, Section II, outside the city, at an estimated cost of $20,420.

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SCHEDULE OF MEETINGS
MAY 10 - 14, 1982

Monday, May 10	City Council Long Range Planning Committee Second Floor Conference Room City Hall	4 00 P M.
	City Council Meeting Citizens Hearing Council Meeting Cotswold Elementary School 300 Greenwich Road	 7:00 P M. 7:30 P.M.
	Citizens Input Meeting/Viewmont Neighborhood Park - Hidden Valley Elementary School 5100 Snow White Lane	7 30 P.M.
Tuesday, May 11	Citizens Input Meeting/Shannon Neighborhood Park Devonshire Elemntary School 6500 Barringer Drive	7 30 P.M.
Wednesday, May 12	Citizens Input Meeting/Archdale Neighborhood Park Smith Junior High School 1600 Tyvola Road	7 30 P.M
Thursday, May 13	Ad Hoc Committee on Planning/ Planning Commission First Floor Conference Room Cameron-Brown Building	7·30 A M
	Citizens Input Meeting/Wilmore Neighborhod Park Staff Development Center (Old Wilmore School) 428 West Boulevard	7·30 P M

PENDING MATTERS

In meeting on Monday, May 24, 1982, City Council will make nominations to fill an unexpired term on the Charlotte Boxing Commission.

Dr. C. Warren Williams, term expires July 31, 1982. Dr Williams died in April, 1982.

Attachments

#1

Charlotte-Mecklenburg Metropolitan Planning Organization
April 7, 1982
Special Meeting on Funding Classification of Monroe Road

The following motion was made by Mr. T. L. "Fountain" Odom (County Representative):

"Mr. Chairman, I would like to make the following motion which will be in three parts:

First, that we revise the urbanized area boundary so as to include Monroe Road from Route 4 to McAlpine Creek as a portion of the Federal-Aid Urban Highway System and further to designate Monroe Road from McAlpine Creek to Highway 51 in Matthews as a portion of the Federal-Aid Secondary Highway System.

That the MPO recommends that as quickly as possible the bridge, railroad bridge and the bridge itself, adjacent, over and near McAlpine Creek in the area set forth above, be replaced and that the portions of Monroe Road as appropriate be widened to four lanes.

That the MPO emplore the City Council to reconsider its vote of Monday, April 5, 1982 and endorse unanimously the MPO's recommendation so we will have consensus in this community on this matter.

Seconded by Mr. William Mayhew.

Mr. Dave Berryhill (City of Charlotte) requested that the motion be amended in the second part where you said that Monroe Road be widened to also include specially, not only the portion from Sardis Road North to Village Lake but the portion from Village Lake to Old Post Lane.

Mr. Odom: "I would agree to amend that second portion but with a proviso that the road be widened to the extent that funds are available within that area."

Amendment to the second paragraph:

Mr. Odom: "I would add the following sentence to the second paragraph of the motion - 'We recommend that the widening extend from Sardis Road to Old Post Lane, however, in the very least that road be widened from Sardis Road North to Village Lake'."

I will add a fourth paragraph to the motion:

"Because of the extremely dangerous nature of the railroad bridge and the bridge over McAlpine Creek that all efforts be made to expedite this project and to move its funding to the earliest possible date."

Mr. Troy Pollard: "City of Charlotte, do you wish to invoke the weighted vote?"

Mr. Berryhill: "Yes, Mr. Chairman."

Vote Tally:

Mr. Fowler	- For (1)	
Mr. Wise	- For (1)	
Mr. Berryhill	- Nay (6)	7 - 6 approved.
Mr. Mayhew	- Yea (1)	
Ms. McAulay	- Yea (1)	
Mr. Odom	- Yea (2)	
Mr. Pollard	- Yea (1)	
Mr. Barnett	- Abstain (neutral)	

#2

FINAL STATEMENT OF COMMUNITY DEVELOPMENT OBJECTIVES AND PROJECTED USE OF FUNDS

Community Development Objectives

The primary national objective of the CD Program is the development of viable urban communities, including decent housing, a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income. Consistent with this primary objective, the City Council has established the following general objective for the City of Charlotte Community Development Program:

> "To plan for physical growth, to eliminate blight, and its causes, to increase the number of habitable housing units, to prevent the decline of residential neighborhoods, to encourage private reinvestment and improve the economic and social well being of the existing CD Strategy Areas and other areas of the City that might qualify."

Additionally, Council has set two specific objectives:

1. Resolution of Harris/Kannon Consent Order.
2. Reduction of the City's relocation workload.

In order to accomplish the stated objectives, we anticipate the expenditure of $4,575,000 in CD Block Grant Funds which we will receive from the Department of Housing & Urban Development in Fiscal Year '83 and the authorization to expend $318,966 in program income.

Projected Use of Funds

It is projected that the $4,893,966 Community Development Block Grant Funds will be used to implement the following activities to accomplish the stated objectives:

Revenue

•CDBG funds for FY'83	$4,575,000
•Program Income (7/1/81 - 4/30/82)	318,966
	$4,893,966

Programs	Cost	# of Units
•Local Option Coverage and Last Resort Housing Assistance	$1,000,000	91 families and individuals
•City-wide Rehabilitation of Private Residential Structures for owner-occupants	500,000	50 housing units

• Rental Rehabilitation	500,000	50 housing units
• Minor Repair for Code Enforcement Assistance	50,000	100 housing units
• Social Service Contracts -Bethlehem Center -Charlotte-Mecklenburg Youth Council -Gethsemane Enrichment	450,000	1300 persons
• Economic Development Revolving Loan Fund	150,000	5 loans/create 15 jobs
• Program Support for new programs and to continue in Neighborhood Strategy Areas	1,470,105	49 Staff persons
• General Administration/Management	773,861	22 Staff persons
TOTAL	$4,893,966	

Extension of Existing Housing Assistance Plan (HAP)

In accordance with the HUD Interim Instructions for Recipients, dated January, 1982, it is proposed to extend the current HAP goals to September 30, 1982, with no numerical adjustments or other changes. This would establish the effective period of the current HAP as July 1, 1979, to September 30, 1982.

Local Option Coverage and Last Resort Replacement Housing Assistance

These provisions allow the Community Development Department (CD) to make payments to relocatees in excess of the statutory $4,000 established by HUD. These additional relocation assistance payments to persons displaced in CD target areas are necessary to provide affordable replacement housing resources due to the high cost of rents and the rather limited income of those to be relocated. The local option coverage approved by City Council on March 22, 1982, permitted the payment of an additional $7,000. All such payments are to provide rental assistance for a period of 48 months. The Last Resort Replacement Housing Assistance, authorized in HUD regulations §42,601, allows for the amount of assistance to be paid to be determined on a case-by-case basis. The proposed budget of $1,000,000 for both of these types of programs may provide relocation assistance for 91 families and individuals.

City Wide Rehabilitation Program

This program is to offer rehabilitation loans to owner-occupants of homes containing no more than two dwelling units. Loans will be available to such owners located within the 27 census tracts with 80% or less median income as shown on the attached map.* It is estimated these loans will average $10,000 and the proposed budget of $500,000 will rehabilitate an estimated 50 housing units. The interest rate will be fixed on a sliding scale according to applicants income, to be approved by City Council.

Rental Rehabilitation Program

The objective is to provide investor owners an incentive to rehabilitate vacant and substandard housing units. This program is designed to increase housing opportunities for low to moderate income renters and to assist the City in providing relocation resources. Such incentive may be created through leveraging private loans to an effective interest rate below market. Processing time may be reduced by allowing the investor and private lender to provide some of the necessary services connected with this program. Leveraging arrangements should greatly increase the effectiveness of the funds budgeted. By establishing $10,000 per housing unit as a maximum subsidy to be paid by the City, the projected budget for Rental Rehabilitation could create 50 standard housing units.

*HUD no longer requires a Neighborhood Strategy Area designation. Any section of the City will qualify for rehabilitation loans if the criteria of low income and urban blight are met, as illustrated by shaded areas on the census tract map.

Minor Repair Program (for Code Enforcement Assistance)

This program is planned to help provide housing resources for relocatees by offering up to $500 financial assistance to owners of substandard vacant units. This provides an incentive to such owners to properly repair their property and to rent them to the City's displaced households. The $50,000 proposed budget will aid in repairing up to 100 units.

Social Service Contracts

The social assistance programs are designed to provide youth and adults residing in the CD target areas with educational, career learning and communicative skills. The purpose is to prepare the students for schooling and gainful employment. The proposed budget of $450,000 should provide such services to an estimated 1300 persons.

Economic Development Revolving Loan Fund Program

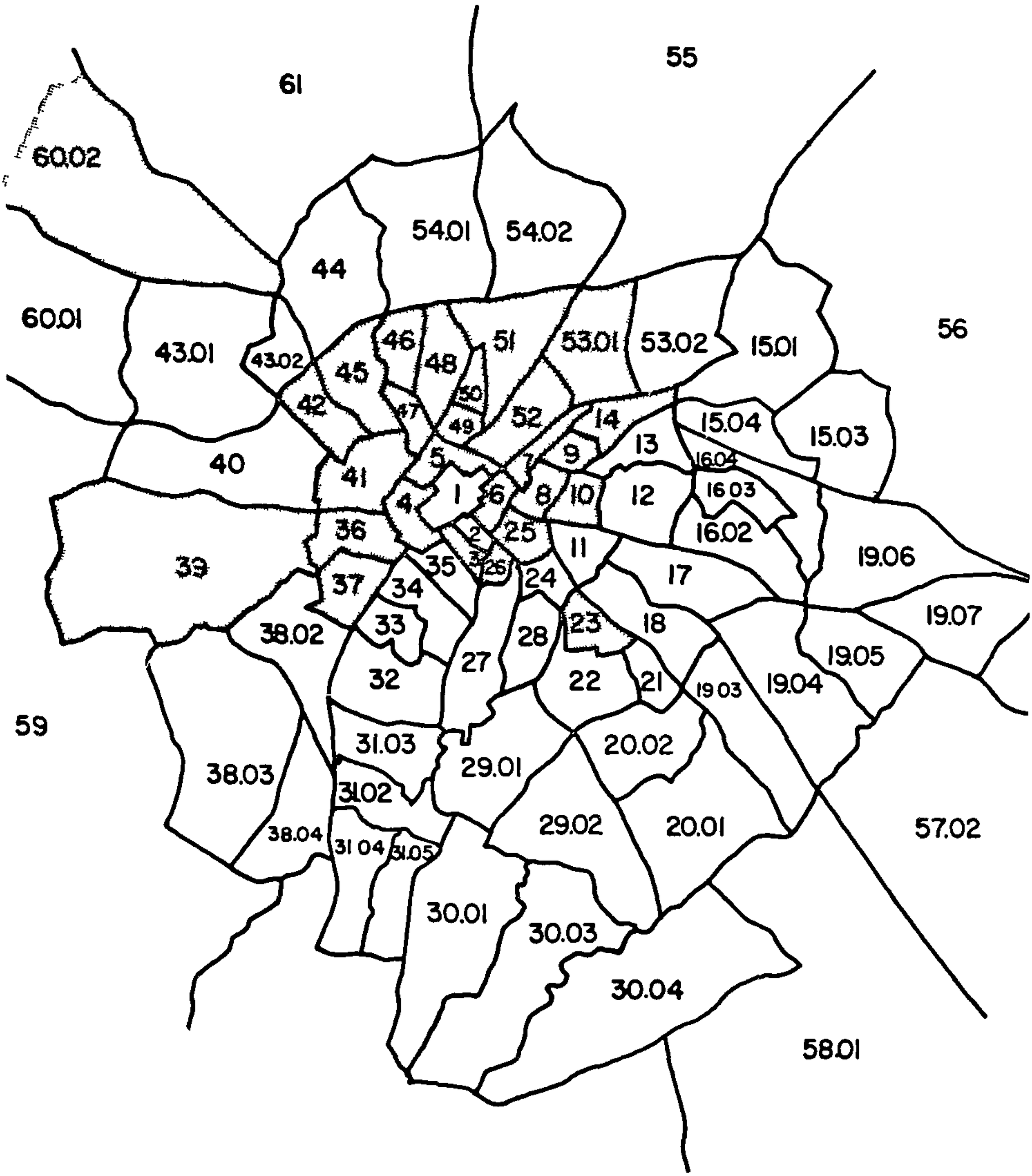
This program provides economic development loans to area businesses. These loans are made at 6% interest and require the creation of employment for target area residents. The proposed budget of $150,000 should fund approximately 5 loans and create 15 jobs for target area residents.

Program Support For New Programs And To Continue In Neighborhood Strategy Areas

This category includes direct costs associated with the delivery of individual program activities. This includes costs directly related to new programs planned to be implemented with FY 83 Community Development Block Grant funds and programs remaining from prior years. Such programs are relocation, rehabilitation, property management and physical development. This category incorporates the services of 49 staff persons.

General Administration/Management

This category includes direct cost of overall program management, coordination, monitoring and evaluation. It also includes similar costs associated with carrying out multi-activity projects. Included are salaries, related expenses and all other costs directly related to the overall management, oversight and coordination of new programs planned to be implemented with FY 83 funds and programs remaining from prior years. This category includes the services of 22 staff persons. The projected budget represents 17% of the Fy 83 entitlement grant. HUD generally limits such expenditures to 20%



CENSUS TRACTS WITH 80% OR LESS OF CITY-WIDE MEDIAN INCOME

CENSUS TRACTS	ELECTION DISTRICTS	NEIGHBORHOOD AREAS*
3	6	N/A
4	2, 3, 6	West Morehead
5	1, 2	Third Ward, Fourth Ward
6	1	First Ward
7	1	N/A
8	1	Belmont
9	1	Plaza Hills
10	1	Plaza-Midwood
14	1, 4	North Charlotte
23	1	Grier Heights
25	1	Elizabeth
26	1	Cherry
36	3	Wilmore
37	3	Southside Park, Brookhill
39	3	West Boulevard, Westover Hills, Revolution Park
41	2, 3	Wesley Heights
42	2	Enderly Park
45	2	Hoskins, Oakview Terrace
46	2	University Park
47	2	Five Points/Biddleville
48	2	Lincoln Heights, Oaklawn, McCrorey Heights
49	2	Greenville
50	1, 2	Double Oaks
51	1, 2	Druid Hills
52	1	Tryon Hills
53.01	1	Sugaw Creek
60.02	2	Coulwood

*Based on Perceived Neighborhood Boundaries developed by Charlotte-Mecklenburg Planning Commission.
Also, neighborhood boundaries do not necessarily coincide with census tracts boundaries and may overlap census tracts.

CITY OF CHARLOTTE
INTER-OFFICE COMMUNICATION

DATE: March 3, 1982

FROM: Laura A. Kratt,
Assistant City Attorney

TO. Jay Walton,
Acting Assistant Director

SUBJECT Harris-Kannon Consent Order

Pursuant to your request, I am outlining in "very simple" form the obligations of the City as set forth in the Consent Order entered in the above-referenced matter in 1981.

1. The City shall continue to implement the Revised Relocation Plan, as amended.

2. The City shall implement the remainder of the Additional Commitment.

3. The City shall give relocation assistance, as required by the Uniform Relocation Assistance Act and the Fair Housing Act, to all persons and families in the City's relocation workload on account of urban renewal projects, Community Development projects, Code enforcement projects, and other projects, if any, covered by the Uniform Relocation Assistance Act.

4. The City shall appropriate the sum of Five Hundred Thousand Dollars ($500,000.00) annually from General Revenue Sharing Funds, contingent on General Revenue Sharing Funds being available, for the purpose of providing housing for low-income relocatees. (These housing units may be either new construction or rehabilitation of suitable existing housing units. The $500,000.00 annual appropriation will be made in each of fiscal years 1982, 1983, and 1984, for a total of One Million Five Hundred Thousand Dollars ($1,500,000.00). This $1,500,000.00 appropriation will be above and beyond normal budgetary commitments that the City would otherwise be required to make or would make for housing purposes set forth in the Housing Strategy Three-Year Action Plan. This $1,500,000.00 appropriation shall represent the maximum amount that the City shall be required to expend for housing purposes under the term of this Order, including any housing repair costs associated with the application of the in rem repair remedy set forth later in this list. The cost of "providing housing" does not include the City's administrative cost in implementing this paragraph.)

5. Prior to June 1, 1981, the parties were required to select a Monitor of Relocation. (Fred Hicks was selected to do this and has been active in carrying forth his duties which include reviewing the City's performance of its obligations expressed in the Revised Reloca-

tion Plan and in this Consent Order with respect to decent, safe, sanitary, and affordable relocation housing. The Monitor of Relocation has no power to review the amount of payments due or made to relocatees, nor any policy matter of the City, nor any personal action of the City, nor any other matters not generic to the said obligations. He shall serve until July 1, 1984, unless discharged earlier by the Court. He shall be paid by the City on an appropriate time and expense basis, and we are to provide him with such office space and other assistance as is necessary to allow him to function effectively. We are not obligated to pay any sum in excess of $32,000.00 in the first year or $72,000.00 in the first three years for fees, assistance, or any other costs associated with the services to be provided by the Monitor. The City may apply any fees or expenses incurred as a result of the services provided by the Monitor against the $1,500,000.00 appropriation set forth in the paragraph above. The Monitor is to submit an itemized, detailed statement of services to the City Attorney on a monthly basis.)

6. Promptly upon appointment, the Monitor was to determine which persons and families, if any, in the workload at the time since December 7, 1977, have relocated to housing in Charlotte which was not decent, safe, sanitary, and affordable within the meaning of the Revised Relocation Plan at the time of relocation. The City agreed to offer the opportunity to be returned to the workload to all persons and families determined to be within this category;(however, any persons and families in this category were not to be eligible for further monetary benefits, except moving expenses when and if again relocated, and Section 8 subsidies if available.)

7. The City must offer to each person and family in the workload the opportunity to select from among at least three available relocation housing units which comply in all respects with the Uniform Relocation Assistance Act, and which are located in geographical areas which are "average" or better as defined in the Charlotte Housing Assistance Plan in effect at the time. The City is obligated to give notice to the Monitor upon entry of a person or family into the workload, and the Monitor is to promptly inform each such person or family of the City's obligation. Whenever any person or family in the workload relocates, either with assistance from the City or on their own, the City must notify the Monitor within two (2) working days, and the Monitor must promptly determine whether such person or family has been offered the opportunity required by this paragraph. If they have not, then the City shall offer such person or family the opportunity to be returned to the workload, but such person or family shall not be on that account eligible for further monetary benefits, except moving expenses when and if relocated, and Section 8 subsidies, if available.

8. The Monitor was to develop appropriate procedures for use by the City's Building Inspection Department to insure that each unit of housing which is proposed for or utilized as re-housing for persons in the workload shall be properly inspected for substantial compliance with the health and safety requirements of the City's Housing Code and the Uniform Relocation Assistance Act and the regulations thereunder. The Monitor is empowered to develop appropriate forms to insure such result and may require that such forms be executed under oath and delivered to the Monitor within two (2) working days after inspection of the housing involved.

9. The Monitor is to make monthly reports to the Court and to all lawyers involved regarding the City's performance under this Agreement. This includes information about the availability of relocation housing.

10. The City shall apply the in rem repair remedy in all Community Development areas, as at present, and additionally in all areas which are "marginal" or less desirable under the current Housing Assistance Plan, in accordance with a Resolution of the City Council adopted on May 14, 1979. (This obligation shall continue until completion of relocation from existing Community Development Strategy Areas. All housing repair costs associated with the application of the in rem repair remedy as required by this paragraph may be charged against the $1,500,000.00 appropriation described above. "Housing repair costs" as used in this paragraph do not include the City's administrative costs in implementing the in rem repair remedy. All monies collected from property owners through the enforcement of the in rem repair remedy shall be returned to the $1,500,000.00 fund and shall constitute a credit against that obligation.)

11. The City shall pay reasonable counsel fees and expenses of George Daly, attorney for plaintiffs.

I believe, Jay, this is as succintly as this material can be expressed and yet be accurate. Should you have any questions, please let me know.

/klw

CITY OF CHARLOTTE
INTER-OFFICE COMMUNICATION

DATE. April 30, 1982

TO L. Paul Bobo
Assistant City Manager

FROM. Harry L. Jones, Sr., Director
Community Development Department

SUBJECT Housing Assistance Plan (HAP) Recommendations

The Community Development Block Grant (CDBG) Entitlement Program Interim Instructions for Recipients for fiscal year 1982, dated January 1982, allow cities with HUD approved HAPs to extend those HAPs through September 30, 1982, if no numerical adjustments are required with regard to housing conditions, needs, or goals. September 30, 1982, is the date ending the federal fiscal year 1982.

Recommendation (1) That the City notify the Greensboro Area HUD Office that it is extending its HAP through September 30, 1982, without numerical adjustments. This notification letter will be forwarded to HUD with the CDBG Application following approval by City Council.

--Rationale - Data necessary for a valid up-date of low income housing needs is not yet available from the 1980 census.

Recommendation (2) - That the new Charlotte HAP, effective October 1, 1982, be based primarily upon the following:

A. Exclude any category ranking of census tracts for the location of new construction assisted housing (public housing or Section 8.) The new Locational Policy Statement would include the following:

-Ineligible areas for new construction assisted housing would be identified as:

1. Census tracts with 50 percent or more lower-income households;
2. Census tracts with 40 percent or more black population;
3. Census tracts with two or more 100 percent public housing and/or Section 8 projects existing or approved;
4. Areas within 3/4 mile (property line to property line at the closest point) must be maintained between 100 percent Section 8 new construction or public housing projects--existing or approved.

B. All HUD required statistical tables dealing with housing conditions, low income housing needs and goals, maps and other related information would be up-dated based upon 1980 Census data.

The proposed new HAP would not include the following kinds of specific information as found in the current HAP:

1. The ranking of census tracts in categories from "Best" to "Depressed" to determine eligibility for new construction assisted housing (pp. 149-151).

2. The "Locational Policy Statement" with its references to the "Best" to "Depressed" census tracts and eligible census tracts for 80/20 percent (Section 8) combination new construction housing project (pp.166-167A).

Nothing in these proposed changes to the HAP will preclude a HAP amendment in response to the developing plans to build 50 units of multi-family housing under Model A as approved by City Council on March 22, 1982.

cc: O. Wendell White
City Manager

#3

Request for Council Action

Charlotte

To the City Manager

From C Don Steger, Assistant City Manager

April 29, 1982
Date

Action Requested Discuss a program to encourage recycling of certain materials at York Road Landfill

In 1981 both the City and County adopted landfill user fees To encourage further use of its recycling program, the County included provisions to allow individuals carrying separated recyclable materials to use its landfills without charge. However, since there is no charge for private automobiles, cars and pickup trucks hauling household refuse, individuals who transport refuse in exempted vehicles have no incentive to separate materials for recycling.

The Board of Commissioners has given initial approval to extend both the user fee and fee exemption for separated waste to all vehicles The intent is to encourage recycling, thereby diverting some waste from the landfill The Board has asked that City Council consider establishing a recycling facility at the York Road landfill and the same fee schedule so that opportunities and regulations are consistent county-wide In order to do this, it will be necessary to adopt the County's supplemental fee structure, amend the current schedule to include a fee exemption for vehicles which, in addition to household or commercial refuse, have separated recyclable materials, and provide a location for recyclable materials at the York Road landfill.

The proposals outlined below are designed for the current York Road landfill and should be viewed as an interim operational plan Every attempt has been made to minimize costs for this temporary facility. When a new landfill is built, improvements will be included to better accommodate the public's needs

It should be noted that implementation of the same plan as the County has proposed presents operational problems at the York Road landfill because of the higher traffic volume An average of 275 - 300 vehicles daily use the York Road landfill compared to approximately 130 vehicles daily at Harrisburg Since vehicles will be subject to a charge, all traffic will have to be routed by the scale house This will increase the waiting time to enter the landfill

Implementation of a recycling facility will eliminate the four (4) green boxes outside the York Road landfill entrance which have been provided as a convenience to citizens hauling bagged household refuse and trash 24 hours a day, 7 days a week These boxes would be moved to a restricted location, and individuals without recyclable materials would be subject to the appropriate fee Based on a recent survey (Attachment I) by landfill personnel, it is estimated that over 79,000 vehicles use these boxes annually.

FEE STRUCTURE

The proposed fee structure, applicable to private residential refuse is

Automobiles	$1.00
Pickup Trucks (½ ton or less)	$2 00
Vans (½ ton or less)	$2.00
Automobiles with Utility Trailers (single axle 10 feet or less)	$2.00
Pickup Trucks and Trucks with Utility Trailers (single axle 10 feet or less)	$4.00

In addition, all out-of-county vehicles, residential and commercial, would be charged three times the norma. fee

The intent of the proposal to charge higher fees to non-Mecklenburg County vehicles is to discourage the disposal of non-county waste in our landfills There will be a problem implementing this at the York Road landfill because it is used by out-of-county contractors who are doing business in Mecklenburg and therefore hauling waste generated in the County. Adoption of the higher fee would impose an unfair burden on a company that is legitimately doing business in Mecklenburg County An alternative is to require these firms to register with the York Road landfill for the duration of the job and charge them the regular fee.

EXEMPTION

Individuals who, in addition to household refuse and trash, present separated recyclable materials will not be charged To reduce possible abuse of the recycling exemption, it is recommended that a minimum quantity of recyclable materials be established to determine eligibility. County staff is considering one grocery bag of separated materials per dollar of the applicable rate, i e., one bag for an automobile, two bags for a pickup truck or van The recycling exemption is not available to commercial users.

OPERATING HOURS, PERSONNEL NEEDS AND COSTS

GENERAL

Establishing a recycling center at York Road landfill will require minor modifications inside the gate to accommodate the four (4) green boxes for refuse and additional containers for paper, aluminum, other metals and glass The estimated cost is $6,000. In addition, modifications to the existing computer programs will be necessary and are expected to cost $5,000 This $11,000 is referred to as "start up cost" in later calculations.

Since it will be necessary to monitor incoming loads to determine which materials are recyclable, additional personnel will be necessary The County has a Recycling Technician I classification, these responsibilities can be handled by an Office Assistant II level position in the City.

The major difference in the alternatives offered is the hours of operation and therefore in the level of service to current York Road landfill users Costs for each alternative are estimates and represent only Operations Department costs. No funds are currently available for implementation

ALTERNATIVE "A"

Operating hours - Monday - Friday - 7 a m - 4 p m.
Saturday - 8 a m - 4 p m
Sunday - Closed

"Recycling technician" positions at the Office Assistant II level (one permanent, one permanent part-time) will be needed during operating hours. Since these hours are the same as the landfill operating hours, no other staffing changes are required.

A disadvantage to the public is, since the green boxes will be in a restricted area, the City of Charlotte will not offer an opportunity to dispose of household garbage and trash and/or recycle after 4 p m. daily and all day Sunday The Harrisburg Park recycling facility is open Monday - Saturday from 7 30 a m - 7 p m. and from 1 30 p m - 7 p m. on Sunday

Start Up Cost	$11,000
Personnel	15,000
	$26,000

ALTERNATIVE "B"

Operating hours - Monday - Saturday - 7 a.m - 7 p.m
Sunday Closed

ALTERNATIVE "B" cont'd

In addition to the "recycling technician" positions, cashier positions are needed during recycling center hours when the landfill is not open Two permanent part-time Cashier I positions and one full-time and two permanent part-time "recycling technicians" positions will be needed. Although the Cashier I staffing level may appear excessive, it is necessary because the Finance Department, for security reasons, requires two (2) cashiers to be on duty at all times.

This alternative will provide a limited disposal facility 72 hours a week During regular landfill operating hours, an individual with a large trash load in a pickup truck or trailer can have access to the landfill to unload. After 4 p m Monday - Saturday, however, these vehicles cannot be accommodated because there is no area in which to dump Only the green boxes would be available, and their use is restricted to bagged household garbage and trash. Since the Harrisburg Park landfill has special equipment, an individual with a large trash load in a pickup truck or trailer could go there

Start Up Cost	$11,000
Personnel	30,000
	$41,000

ALTERNATIVE "C"

Operating hours - Monday - Saturday - 7 a m. - 7 p m
Sunday 1 30 p.m - 7 p m

Although this alternative extends the recycling facility hours to Sunday, the problem of not being able to accommodate pickup trucks and trailers still exists. Green boxes for bagged household trash and garbage would be available Since there is an increase of only 5½ operating hours over Alternative "B", the staffing requirements are the same, and the increase in personnel costs is minimal.

Start Up Cost	$11,000
Personnel	33,000
	$44,000

ALTERNATIVE "D"

Operating hours - Monday - Saturday - 7 a m. - 7 p m.
Sunday 1.30 p.m - 7 p.m

ALTERNATIVE "D" cont'd

This alternative provides a means to accommodate pickup trucks and trailers all hours that the recycling center is open A 40 cubic yard container similar to ones seen at construction sites can be rented and placed so that these vehicles can back up to it and dump Since the landfill does not have the equipment to empty the container, there are three (3) possible alternatives for emptying it

1) Contract with a private company to empty it It is estimated that one pick up per day will be needed at an annual cost of $11,000

2) Since the County has purchased the necessary equipment, an arrangement might be made with it to empty the container

3) Purchase the equipment - $110,000.

The additional cost for this service if contract pick up is required is:

Construction of an area for the container	$ 1,000
Container rental	1,140
Container pick up	11,000
Total	$13,140

The total cost for this alternative is

Start Up Cost	$11,000
Personnel	33,000
Container Cost	13,140
	$57,140

Regardless of the alternative chosen, the Operations Department will need approximately four (4) weeks to implement a recycling program

ATTACHMENT I

"NO CHARGE" USE OF YORK ROAD LANDFILL

	Vehicle Type			
Day	Auto	Pick-Up Truck	Van	Total
WED	51	21	7	79
THUR	110	57	7	174
FRI	98	54	7	159
SAT	151	89	17	257
SUN	160	82	27	269
MON	113	55	16	184
TUE	151	76	15	242
WED	117	76	33	226
THUR	100	51	15	166
SAT	150	85	37	272
SUN	210	131	10	351
TOTALS	1,411	777	191	2,379

Based on this data, an average of 216 vehicles use the green boxes daily or over 79,000 annually In addition, during this period there were 265 vehicles which used the landfill at no charge Although this survey did not cover all 24 hours each day, it is estimated that 85% to 90% of all vehicles were recorded

ORDINANCE_____

AN ORDINANCE AMENDING CHAPTER 10, ENTITLED "HEALTH AND SANITATION", OF THE CODE OF THE CITY OF CHARLOTTE.

BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that

Section 1. Chapter 10, §24.1, of the city code shall be deleted in its entirety and an entirely new section is substituted in lieu thereof to read as follows

"Sec. 10-24.1 City of Charlotte Landfill Fee Schedule.

(A) Fees. Sec. 10-24.1 shall apply only to landfills operated by the City of Charlotte in Mecklenburg County and shall be so construed throughout this section. It shall be unlawful for any vehicle, except as otherwise provided herein, to enter and use a City of Charlotte landfill within Mecklenburg County except upon the payment of the following fees·

Vehicle Type	Charge
1. Automobiles	$1.00 per load
2. Automobiles with utility trailers (less than 10 ft., single axle, no dual wheels), Vans (1/2 ton or less), Pickups (1/2 ton or less)	$2.00 per load
3. Vans or pickups with utility trailers (less than 10 ft., single axle, no dual wheels)	$4.00 per load
4. Trucks, small, open, no dual wheels	$5.00 per load
5. Compactor, rear loading, front loading, roll-off container, roll-off container with open top	$1.10 per cubic yard vehicle capacity
6. Van, commerical	0.55 per linear foot of cargo body
7. Trailers, commercial: (a) Closed	0.55 per linear foot of cargo body

(b) 'Open·

To ten (10) feet, no dual wheels or tandem axle	$5.00 per load
To twenty (20) feet	$16.50 per load
To thirty (30) feet	$22.00 per load
To forty (40) feet	$27.50 per load

8. Trucks [large]·

(a) Open or dump, single-axle	$11.00 per load
(b) Open or dump, tandem-axle	$16.50 per load
(c) Open, non-dump	$19.25 per load

9. Any vehicle owned and operated by the City of Charlotte shall pay the appropriate fee designated by this schedule for the particular type of vehicle using the landfill

(B) Triple fee for vehicles not registered in Mecklenburg County.

All of the above fees shall be tripled for any and all of the vehicles registered in the name of an owner residing in counties other than Mecklenburg County using landfills owned and/or operated by the City of Charlotte.

(C) Recycling exemption. If a vehicle has separated recyclable products into (a) newspapers or similarly acceptable recyclable paper products, (b) into aluminum products, (c) into other metals, (d) into unbroken glass and (e) remaining materials to be disposed of as refuse, the applicable landfill fee may be waived.

This shall only apply to vehicle types (1), (2), and (3) in section (A), above, and only when those vehicles are loaded with household garbage and/or trash.

The following minimum amounts of recyclable items must be provided in order to have an applicable fee waived

(D) Nonprofit exemption. The operations department of the City of Charlotte shall have the authority to issue landfill entry exemption permits, eliminating the fee required under subsection (A) above, for the use of a City of Charlotte landfill, to nonprofit institutions. Those nonprofit institutions must provide direct rehabilitation services, consisting of employment and training to disabled and disadvantaged citizens of the City of Charlotte and Mecklenburg County and must include the routine collection of household items from the residents of the city and county in order to carry out the purposes of such institutions.

(E) Credit application. The finance department of the city is authorized to accept, review and approve applications for credit by users of the landfill and to provide for periodic billing to frequent users of the landfill. This shall also include the authority to establish the time periods within which periodic billing must be paid and the authority to apply a one and one-half (1 1/2) per cent monthly penalty delinquency charge. The finance department is authorized to charge a fifteen dollar ($15.00) fee for each permit for each vehicle in order to implement and carry out the billing process.

(F) Decal. If an owner or agent of the owner seeks to have a vehicle use a City of Charlotte landfill and does not intend to pay at the time of use of the landfill, then the vehicle must have a decal issued by the finance department. A prenumbered decal will be the method by which the city recognizes customers to be billed for use of the landfill. The decal must be affixed to the driver's side of the vehicle.

(G) Authority to refuse use of City of Charlotte landfill. The operations department of the city shall have the authority to deny a vehicle the use of a City of Charlotte landfill in the following circumstances:

(1) The vehicle does not have the decal identified in subsection (F) above, and the operator of the vehicle refused to pay the fee, at the time of using the landfill, required by the City of Charlotte Landfill Fee Schedule identified in subsection (A) above.

(2) Any person failing or refusing to pay the fees described herein within the times prescribed by the finance department of the city in its periodic billing may be denied further use of a City of Charlotte landfill for any purpose.

(H) Enforcement. In addition to the city's authority to deny any use of a City of Charlotte landfill as provided for in subsection (G) above, the finance department of the city may, at its discretion, take any one or more of the following courses of action

(1) The violator may be charged with a misdemeanor and be subject to any penalty prescribed by section 1-6 of this code; or

(2) The city may apply to the appropriate court for an injunction and order of abatement in order to require that any violator comply with the provisions of this section, or

(3) The city shall have the power to collect delinquent accounts by any remedy provided by law for collecting and enforcing private debts as provided for in North Carolina General Statutes Section 160A-314(b)." .

Sec. 2. This ordinance shall be effective upon adoption.

Approved as to form

City Attorney

Attachment 4

MEMORANDUM

April 29, 1982

To: Mayor and City Council

From: Henry W. Underhill, Jr., City Attorney

Subject: Suggested 1982 City Legislative Program

As with previous years, when the General Assembly is scheduled to be in session, the City Attorney's office has compiled a list of legislative suggestions from various sources for consideration as part of the official legislative program of the City. Suggestions have originated from council members, the City Manager's office, City department heads, and from within the Legal Department. The General Assembly will convene in early June in what is called the "short session," and due to the rather severe limitations placed upon the introduction of bills, the City's legislative program should be limited to "non-controversial local bills." In legislative parlance, "non-controversial local bills" basically means that the legislation must have both the unanimous support of the governing body seeking the legislation, and the unanimous support of the local delegation involved.

I have reviewed the following legislative suggestions with the City Manager and his staff, and they are being transmitted to you with his approval.

1. Amend Sec. 4.61 (2) (b) of the City Charter to eliminate the provision that prohibits the hiring of individuals as police officers who are 35 years of age or older. The Police Department believes that their screening process is a good one, and that anyone successfully completing it would make a good police officer regardless of age. Hence, the Police Department feels that age limitation requirement is no longer necessary. The Personnel Department concurs in this recommendation.

2. Councilmember Laura Frech has suggested that the Charter be amended to allow the Mayor Pro Tem to vote while presiding in the absence of the Mayor. Presently the Mayor Pro Tem, while presiding, may vote only in those cases when the Mayor would be allowed to vote, which are: a) in the case of a tie, b) contested zoning amendments; or c) in considering the employment or dismissal of the City Manager, City Attorney, or City Clerk.

3. Amend the applicable provisions of the City Charter to increase the present interest rate of 6% to 10% that the City is allowed to charge on housing and building demolition liens, as well as grass and weeds liens. As indicated, the City presently charges interest at the rate of 6% on the cost incurred by the City for housing and building demolition, as well as grass and weed cutting, when the property owner fails or refuses to take the necessary action. Gerald Bentley, the City's Chief Accountant, has suggested that the interest rate be increased in order to be more in line with interest rates charged on other debts.

4. Amend Sec. 9.82 of the City Charter to increase the authority of the City Manager to approve contracts from their present limit of $10,000 to $30,000. As indicated, this Charter section authorizes the Manager to award, approve and execute contracts on behalf of the City when the amount of the contract does not exceed $10,000, provided that the City Council had approved a sufficient appropriation in the budget for the current fiscal year for the general purpose specified in the contract. This suggestion, if approved, would increase that amount to $30,000. This item was suggested by Councilmember McMillan, as well as a number of City department heads.

5. Amend Sec. 4.41 of the City Charter, which sets forth the conditions and standards of employment, to make the section consistent with federal guidelines relative to employment of the handicapped as contained in Sec. 504 of the Rehabilitation Act of 1973. This Charter provision presently states: "Employment shall be based on merit ... unless the defect or impairment to some degree shall prevent the applicant from performing the duties required by the employment sought." However, the Rehabilitation Act of 1973 provides that the handicapped person only be required to perform the essential functions of the job, and that "reasonable accommodation" be made as necessary. This suggestion emanates from the Personnel Director who advises that the amendments would pose no employment problem and would make the Charter consistent with federal guidelines relative to handicapped employment.

6. Amend Sec. 7.61 of the City Charter pertaining to the appointment of Special Peace Officers to eliminate the requirement that such appointments be valid only for one year, and substitute in its place that appointments shall be valid for the duration of the person's employment. This section of the City Charter permits the City Council to designate any individuals as Special Peace Officers which gives them full authority as law enforcement officers while upon designated premises. Presently, because of state training and certification requirements, the only persons designated under this provision are Airport and Park Police employees who have received the required law enforcement

training. Currently, these departments must seek Council approval for reappointments on an annual basis. This suggestion, made by the Airport Manager, would make such appointments valid so long as the person so appointed remained in the City employment.

7. Amend the appropriate sections of the City Charter to clarify the City's authority to require property owners to keep their property free from trash, obnoxious weeds and overgrowth even though a portion of the property might be subject to a public right-of-way, and further clarify the City's authority to require private utility companies, including railroads, to maintain their rights-of-way free from trash, obnoxious weeds and overgrowth. The present provisions in the Charter have caused reoccurring problems with enforcement, particularly with private utility companies who, in some instances at least, take the position that the City lacks authority to enforce these provisions against a private utility company. Periodically, we also encounter some difficulty in enforcing these Charter requirements against property owners who contend that they should not be required to maintain property subject to a public right-of-way. Amendments of the type suggested would eliminate this ambiguity, and is suggested by the Legal Department.

8. Seek approval of appropriate legislation to clarify the City's authority to establish, own, operate, equip, maintain, and acquire property necessary for the establishment of a farmer's market, as well as the authority to appropriate and expend non-property tax funds for such purpose. There presently exists "significant gray area" relating to the City's authority to spend funds for a farmer's market activity as well as the City's legal ability to acquire property or otherwise participate in the operation of a farmer's market. This legislation would eliminate this "gray area" and is suggested by the City Manager's office.

X 9. Amend the City Charter to provide that the City Manager be empowered to establish pay range assignments. As a result of previous actions, the City Council has delegated to the City Manager the authority to reclassify a position from one existing job classification to another. However, the City Council continues to approve the addition of new job classes and the reassignment of existing job classes to pay ranges, and in order to grant the City Manager this authority, a Charter amendment is required. This suggestion was made by the Personnel Director.

You will observe that I have not listed the legislative amendments necessary to fully authorize the proposed resource recovery facility. These proposals are not on this list since they have already been approved by the Council and, furthermore, will constitute a legislative request of state-wide application as opposed to local bills affecting only the city of Charlotte.

I will be pleased to review this list with you at your convenience.

HWUjr:ps

Attach #5

DATE March 15, 1982

PETITION NO. 82-14

PETITIONER(S) The Park Road Committee

REQUEST Change from B-1 to O-6.

LOCATION A 1.7 acre tract located on the westerly side of Park Road opposite the Charlotte Drive intersection.

ACTION The Planning Commission recommends that the petition be disapproved.

VOTE Yeas: Boyce, Culbertson, Cummings, Curry, Ervin, Evans, Jernigan, Lawing, McCoy & Trotter.

Nays: None.

REASONS:

The purpose of this request is to recognize the existing land use and to make the parcel consistent with zoned properties to the east and west.

The following issues associated with this request can be identified:

1. Area objectives. Is this request consistent with existing and anticipated land use patterns?

2. Dilworth Plan. Is this request consistent with the recently prepared plan for the Dilworth neighborhood?

3. Proposed development. How will the rezoning of this property affect announced plan for development of land associated with this request?

In arriving at answers to the above questions, the following facts should be considered:

1. Existing zoning. The petitioned property is zoned B-1 as is contiguous property both to the north and south. Property to the west is zoned O-6. Across Park Road from the property in question land is zoned both O-6 and R-6MF.

2. Existing land use. The subject property currently has on it a single family structure in the rear and another structure which houses an architectural office. South on the same side of Park Road are several commercial establishments and

the pattern repeats itself to the north. Directly across Park Road are two single family homes and an apartment building and further to the north are a series of offices. To the west of the site property is vacant.

3. Petition background. The subject parcel is part of an area announced for the development of a grocery store chain. Recently a petition to rezone a lot along Ideal Way to be used as a part of the development was heard at public hearing. A decision is still pending. That petition sparked considerable neighborhood debate about the proposed development.

The following general findings can be arrived at:

1. Comprehensive Plan 1995. The Plan Map indicates office usage, high density residential usage with 10 - 20 units per acre and commercial development in the general vicinity of the property in question.

2. Capital Improvement Program. The Park Road Arterial Signal System is proposed as an interconnected system of eleven signals along Park Road from Ideal Way to Tyvola Road. The project is scheduled for 1981-82 at a cost of $160,000 and is unfunded.

3. Transportation Improvement Program. The Park Road Arterial Signal System shows a very high priority under the TIP and includes seven NCDOT high accident locations. It is proposed as an addition to the funded program.

Based on the above issues, facts and general findings, the following detailed findings may also be made:

1. The subject property is zoned B-1 and has been zoned such since 1962.

2. The site is part of an overall development plan that calls for the construction of a grocery store chain.

3. Rezoning the property to O-6 could effectively prohibit the construction of the announced development plans.

4. The property owner is not the petitioner in this request and opposes the rezoning of her property. The petition was submitted by a neighborhood organization opposed to the proposed grocery store development.

5. The Dilworth Plan recognizes the commercial activities that are established in this area.

6. The approval of this petition cannot be justified in light of the existing zoning pattern, plans and policies for the area.

Based on the above findings, the Planning Commission recommends the petition be disapproved.

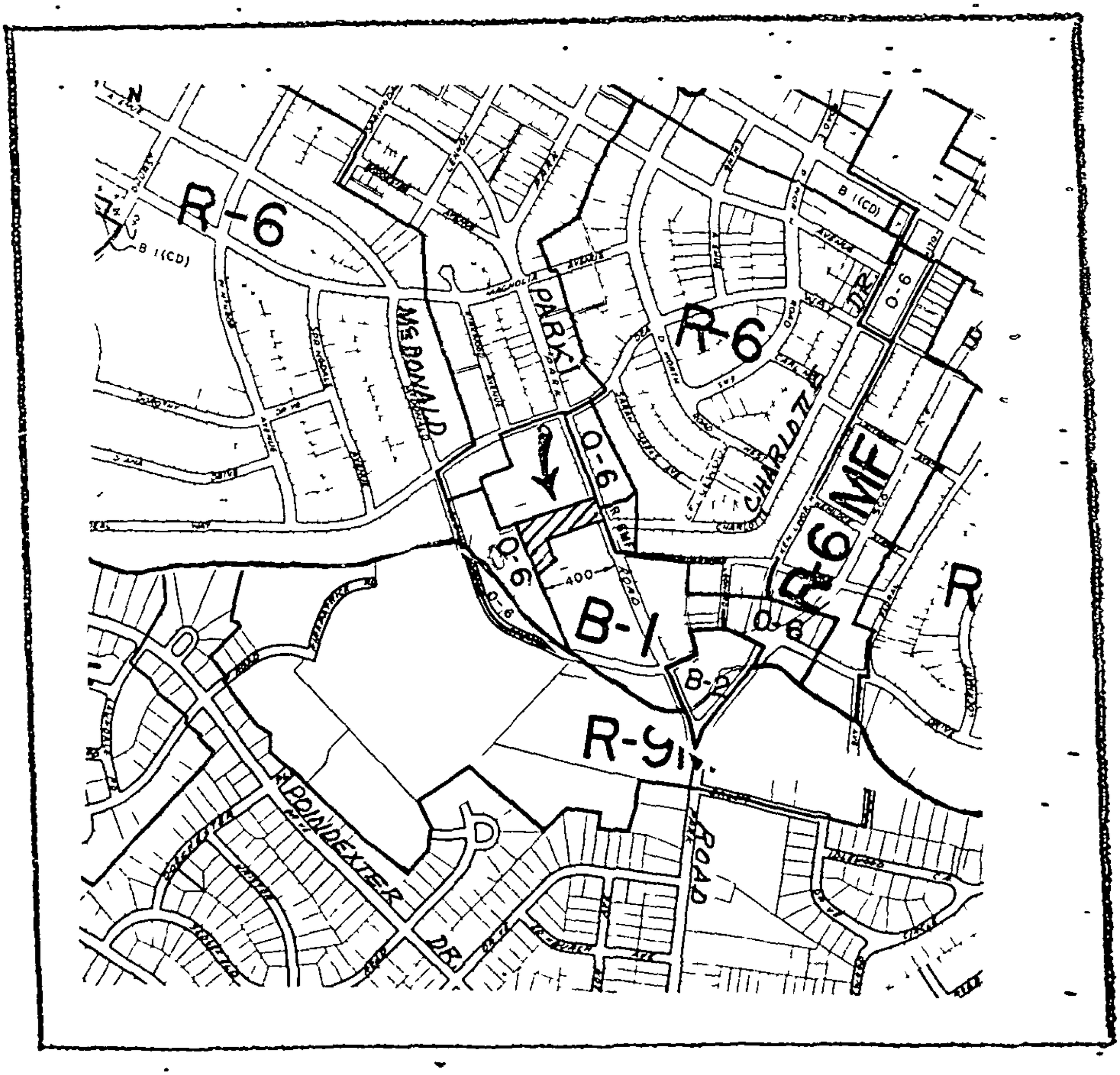
PETITIONER The Park Road Committee

PETITION NO. 82-14 HEARING DATE 3/15

ZONING CLASSIFICATION, EXISTING B-1 REQUESTED O-6

LOCATION An approximately 1.7 acre tract fronting 117± feet on the westerly side of Park Road, diagonally across the street from Charlotte Drive.

Acreage: 1.7



ZONING MAP NO. 9 SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE

#6

CITY OF CHARLOTTE, NORTH CAROLINA

BACKGROUND AND PERSONAL DATA OUTLINE ON CANDIDATES
FOR APPOINTMENT TO COMMITTEES, COMMISSIONS AND BOARDS

COMMITTEE, COMMISSION OR BOARD Charlotte Advisory Parks Committee

NAME: Charles Strickland SEX & RACE: M-B

ADDRESS: 1208 Clanton Road DISTRICT NO ___ TELE. 523-7061 Home

_____ Office

EDUCATIONAL BACKGROUND

High School Olympic College: A & T State Univ &Rockingham Comm. College

Type of Course Business Administration & Mechanical Drawing

Presently Employed By White Mop Wringer Co.

Job Title: Warehouse Manager

Duties Performed

Current membership in organizations and offices held

St. Mark's United Methodist Church

Past membership in organizations and offices held

Additional information and comments Mr. Strickland plans to become involved in more organizations in the future.

Date 5/5/82

Ron Leeper
Signature

CITY OF CHARLOTTE, NORTH CAROLINA

BACKGROUND AND PERSONAL DATA OUTLINE ON CANDIDATES
FOR APPOINTMENT TO COMMITTEES, COMMISSIONS AND BOARDS

COMMITTEE, COMMISSION OR BOARD Charlotte Advisory Parks Committee

NAME Robert L. Burchette SEX & RACE· M-W

ADDRESS 316 Providence Road DISTRICT NO ___ TELE. 372-6273 Home

374-1600 Office

EDUCATIONAL BACKGROUND:

High School ___ College· Gilford College & Wake Forest Univ.

Type of Course· Law

Presently Employed By· Golding Crews Meekins Gordon & Gray

Job Title· Attorney

Duties Performed

Current membership in organizations and offices held

Young Lawyers

Parks Bond Advisory Committee

Myers Park United Methodist Church - coached basketball team.

Past membership in organizations and offices held

Played all sports in high school.

Morehead nominee

Parks Bond Advisory Committee

Additional information and comments·

Date: 5/5/82

Robert McMillan
Signature

CITY OF CHARLOTTE, NORTH CAROLINA

BACKGROUND AND PERSONAL DATA OUTLINE ON CANDIDATES
FOR APPOINTMENT TO COMMITTEES, COMMISSIONS AND BOARDS

COMMITTEE, COMMISSION OR BOARD Charlotte Advisory Parks Committee

NAME: Tom Duggins SEX & RACE

ADDRESS: 2036 E. 7th Street (business) DISTRICT NO. TELE. Home
28204

332-1204 Office

EDUCATIONAL BACKGROUND

High School College: Univ. of Georgia - Athens

Type of Course: Bachelor of Landscape Architecture

Presently Employed By: DPR Associate Landscape Architect - Planner

Job Title: Partner

Duties Performed

Current membership in organizations and offices held

N. C. Chapter of American Society of Landscape Architects

National Recreation and Park Assn.

Institute of Urban Design

Charlotte Uptown Development Committee

Past membership in organizations and offices held

Additional information and comments:

Date: 5/5/82

Harvey Gantt
Signature

CITY OF CHARLOTTE, NORTH CAROLINA

BACKGROUND AND PERSONAL DATA OUTLINE ON CANDIDATES FOR APPOINTMENT TO COMMITTEES, COMMISSIONS AND BOARDS

COMMITTEE, COMMISSION OR BOARD Charlotte Advisory Parks Committee

NAME Tom McGill SEX & RACE· M-B

ADDRESS· 1625 McAllister Drive DISTRICT NO ___ TELE. 399-4008 Home

_____ Office

EDUCATIONAL BACKGROUND

High School _____ College _____

Type of Course· _____

Presently Employed By: Disabled (Former Post Office employee)

Job Title· _____

Duties Performed _____

Current membership in organizations and offices held· _____

Past membership in organizations and offices held _____

Parks Bond Advisory Committee

Additional information and comments·

Mr. McGill would be an asset to the Charlotte Advisory Parks Committee.

I urge fellow councilmembers to support him also because Mr. McGill would bring a special expertise to the committee.

Date: 5/5/82

Charlie Dannelly
Signature

CITY OF CHARLOTTE, NORTH CAROLINA

BACKGROUND AND PERSONAL DATA OUTLINE ON CANDIDATES
FOR APPOINTMENT TO COMMITTEES, COMMISSIONS AND BOARDS

COMMITTEE, COMMISSION OR BOARD Charlotte Advisory Parks Committee

NAME: James A. Basinger, Jr. SEX & RACE M-W

ADDRESS: 301 Wilby Drive DISTRICT NO ___ TELE. 366-8353 Home

376-8154 Office

EDUCATIONAL BACKGROUND:

High School Old Central High School College: UNC - Chapel Hill

Type of Course:

Presently Employed By: J. A. Basinger Realty Co.

Job Title Realtor

Duties Performed:

Current membership in organizations and offices held:

Board of Realtors - President Co-Chairman - RPAR for CBR

Professional Standards Committee

NCAR - Director

Past membership in organizations and offices held

Parks Bond Advisory Committee

NCAR - Regional V. P.

Additional information and comments: Jimmy's knowledge of Charlotte, interest and expertise will be invaluable to this committee.

Date: 5/5/82

Dave Benfield
Signature

CITY OF CHARLOTTE, NORTH CAROLINA

BACKGROUND AND PERSONAL DATA OUTLINE ON CANDIDATES
FOR APPOINTMENT TO COMMITTEES, COMMISSIONS AND BOARDS

COMMITTEE, COMMISSION OR BOARD Charlotte Advisory Parks Committee

NAME: David Henderson SEX & RACE: M-W

ADDRESS: 1122 Berkley Avenue DISTRICT NO ___ TELE. 334-4125 Home

333-4183 Office

EDUCATIONAL BACKGROUND:

High School Central High School College Duke University

Type of Course: Law

Presently Employed By: Henderson and Shuford

Job Title: Attorney (Partner)

Duties Performed.

Current membership in organizations and offices held:

Myers Park Church

Past membership in organizations and offices held

State Legislature

Additional information and comments

Date 5/5/82

George Selden
Signature

CITY OF CHARLOTTE, NORTH CAROLINA

BACKGROUND AND PERSONAL DATA OUTLINE ON CANDIDATES
FOR APPOINTMENT TO COMMITTEES, COMMISSIONS AND BOARDS

COMMITTEE, COMMISSION OR BOARD Charlotte Advisory Parks Committee

NAME· Susan Seaver SEX & RACE. F-W

ADDRESS. 2435 Randolph Road DISTRICT NO ___ TELE. _____ Home

372-8900 Office

EDUCATIONAL BACKGROUND

High School Melburn High School College Univ. of Georgia - Athens

Type of Course· Art

Presently Employed By· Belk

Job Title Interior Designer

Duties Performed

Current membership in organizations and offices held

Big Brothersand Big Sisters

Charlotte Education Outdoor Recreation Center

Past membership in organizations and offices held

Sierra Club - Board Member

County Park & Recreation Commissioner

Additional information and comments·

Date: 5/5/82

Pam Patterson
Signature

CITY OF CHARLOTTE, NORTH CAROLINA

BACKGROUND AND PERSONAL DATA OUTLINE ON CANDIDATES
FOR APPOINTMENT TO COMMITTEES, COMMISSIONS AND BOARDS

COMMITTEE, COMMISSION OR BOARD Charlotte Advisory Parks Committee

NAME Annette Bedford SEX & RACE: F-W

ADDRESS: 7502 Shady Lane DISTRICT NO 4 TELE. 568-2302 Home
Charlotte, NC 28215

537-7974 Office

EDUCATIONAL BACKGROUND:

High School: Cleveland Heights College Miami University, Oxford Ohio
Cleveland Heights, Ohio

Type of Course: Masters of Education from Univ. of Georgia in Education and Geography. MUA/Masters in Urban Administration from UNCC

Presently Employed By: Hornet's Next Girl Scout Council

Job Title: Director of Field Services

Duties Performed: Planning, providing and evaluating service to the membership.

Current membership in organizations and offices held:

Charlotte Women's Political Caucus member - 7 years
American Society for Public Administration - Local Chapter - Member

Past membership in organizations and offices held

Additional information and comments:

Date 5/5/82

Laura Frech
Signature

Attach # 6
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CITY OF CHARLOTTE, NORTH CAROLINA

BACKGROUND AND PERSONAL DATA OUTLINE ON CANDIDATES FOR APPOINTMENT TO COMMITTEES, COMMISSIONS AND BOARDS

COMMITTEE, COMMISSION OR BOARD Charlotte Advisory Parks Committee

NAME: Charles Askey SEX & RACE: M-W

ADDRESS: 1220 Bearmore Drive Charlotte, NC 28211 DISTRICT NO. 7 TELE. 365-3890 Home

554-5138 Office

EDUCATIONAL BACKGROUND:

High School: College: Queens College

Type of Course: Business

Presently Employed By: IBM

Job Title: Branch Manager

Duties Performed:

Current membership in organizations and offices held:

Parks Bond Advisory Committee

Past membership in organizations and offices held

Junior Achievement

PTA Board

Additional information and comments: Chuck has been involved in park activites for a long time; he is interested in running and canoeing; he has been active in Boy Scouts, Junior Achievement and has served on the PTA Board. He also served on the Parks Bond Advsiory Committee.

I highly recommend him for membership on the Advisory Parks Commitee as he is the kind of balance needed to bring the business perspective and park advocate perspective together.

Date: May 10, 1982

Minette Troech
Signature

#6
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HISTORIC DISTRICT COMMISSION

EDWIN TOWERS
201 WEST 10TH STREET BOX B
TELEPHONE (704) 374 2302

City of Charlotte

Charlotte North Carolina 28202

March 15, 1982

Mayor H. Edward Knox
City Hall
600 E. Trade St.
Charlotte, N. C. 28202

Dear Mayor Knox:

I was very surprised to receive a copy of a letter removing Mrs. Patsy Kinsey from the Historic District Commission. Mrs. Kinsey is the veteran member of the Commission and her final term ends in June of this year. She has been an active, devoted and hard-working member of the Commission and it came as somewhat of a shock that her attendance record was less than 75 percent.

After analyzing her lack of attendance, I am certain it relates to the many special meetings held by the Commission in order to help various contractors meet deadlines. In many cases when the Commission defers a decision, we determine if at least a quorum of the Commission can attend a special meeting one week later to allow the applicant to modify his/her proposal to remove concerns expressed by the Commission. The meetings are scheduled hastily and with the understanding some Commission members will find it difficult or impossible to attend. I am afraid that Mrs. Kinsey has been a victim of the Commission's goodwill toward applicants.

If possible, I would like to have Mrs. Kinsey reinstated so that she can complete the last three months of her appointment. Please contact me if you have any questions concerning this matter.

Sincerely,

Edward S. Perzel

Edward S. Perzel, Chairperson
Historic District Commission

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April 30, 1982

Ms. Ruth Armstrong
City Clerk
600 East Trade Street
Charlotte, North Carolina 28202

Dear Ms. Armstrong:

On behalf of Spirit Square I would like to have Eleanor Brawley reinstated to the Board of Directors of Spirit Square to serve out her term.

The attendance problem has been settled.

Sincerely,

Harald Hansen

Harald Hansen
President - Board of Directors

HH·ss

Spirit Square Arts Center 110 East Seventh Street, Charlotte, North Carolina 28202 (704) 372-9664