AGENDA

Meeting Type	B
Date:	09-10-1984

City of Charlotte, City Clerk's Office

Charlotte

Public Service & Information Department
City Hall, 600 E Trade Street
Charlotte North Carolina 28202
704/336 2395

Meetings in September '84

THE WEEK OF SEPTEMBER 2 - SEPTEMBER 8

3	Monday	LABOR DAY HOLIDAY. All City Government Offices Closed. No City Council Meeting.
4	Tuesday, 4 30 p.m.	COMMUNITY RELATIONS COMMITTEE/Criminal Justice Subcommittee - Community Relations Conference Room, 623 E. Trade Street
	Tuesday, 7 30 p.m.	PLANNING COMMISSION - Cameron-Brown Bldg., 1st Floor Conference Room
5	Wednesday, 7 00 p.m.	CITY COUNCIL/Public Hearing on Nov. 6 Bond Referendum (Coliseum & Street Water & Sewer Improvements - City Hall Council Chamber
	Wednesday	CITY COUNCIL/Executive Session - City Hall, Council Chamber (Meeting Time is following the public hearing shown above.
6	Friday, 7 30 a.m.	PLANNING COMMISSION/Planning Liaison Committee - Cameron-Brown Bldg., 1st Floor Conference Room
	Friday, 7·30 a m.	PLANNING COMMISSION/2005 Plan Advisory Task Force - First Union Plaza, Suite 1980
	Friday, 4 00 p.m.	PLANNING COMMISSION/2005 Plan Update - Cameron-Brown Bldg., 1st Floor Conference Room

THE WEEK OF SEPTEMBER 9 - SEPTEMBER 15

10	Monday, 12 Noon	PLANNING COMMISSION (Work Session) - Cameron-Brown Bldg., 1st Floor Conference Room
	Monday, 7 00 p.m.	CITIZENS HEARING - South Mecklenburg High School, Park Road, Pineville
	Monday, 7 30 p.m.	CITY COUNCIL MEETING - South Mecklenburg High School, Park Road, Pineville
11	Tuesday, 7 30 a.m.	PLANNING COMMISSION/2005 Plan Advisory Task Force - Cameron-Brown Bldg., 1st Floor Conference room
	Tuesday, 8 00 a.m.	AIRPORT ADVISORY COMMITTEE - Charlotte/Douglas Municipal Airport, Conference Room A
	Tuesday, 9 00 a.m.	HISTORIC DISTRICT COMMISSION - Edwin Towers, 1st Floor Conference Room
	Tuesday, 1 30 p.m.	AUDITORIUM-COLISEUM-CIVIC CENTER AUTHORITY - First Union Towers, 28th Floor Conference Room
12	Wednesday, 8:00 a.m.	PRIVATE INDUSTRY COUNCIL - Chamber of Commerce, Briefing Center
	Wednesday, 3 00 p.m.	CITIZENS ADVISORY COUNCIL FOR HAZARDOUS CHEMICALS - City Hall Annex, Fire Dept., 3rd Floor Conference Room
	Wednesday, 7 30 p.m.	HISTORIC PROPERTIES COMMISSION - City Hall, 2nd Floor Conference Room
13	Thursday, 3 00 p.m.	UNCC DISTRICT PLAN BUS TOUR - Assembly point is Cameron-Brown Bldg.
	Thursday, 3 00 p.m.	ALARM CHARLOTTE TOTALLY (ACT) COMMITTEE - City Hall Annex, Fire Dept., 3rd Floor Conference Room

(Continued on back)

THE WEEK OF SEPTEMBER 16 - SEPTEMBER 22

17	Monday, 3 00 p.m.	UNCC DISTRICT PLAN PUBLIC HEARING - Education Center, Board Room
	Monday, 6.00 p.m.	CITY COUNCIL MEETING/Zoning Hearings - Education Center, Board Room
18	Tuesday, 2:00 p.m.	HOUSING AUTHORITY - Administrative Offices, 1301 South Blvd.
19	Wednesday, 8 30 a.m.	CIVIL SERVICE BOARD - City Hall, 3rd Floor Conference Room
	Wednesday, 2.00 p.m.	TECHNICAL COORDINATING COMMITTEE - City Hall Annex, Dept. of Transportation Conference Room
	Wednesday, 7:00 p.m.	METROPOLITAN PLANNING ORGANIZATION - City Hall Annex, Dept. of Transportation Conference Room
20	Thursday, 7 30 a.m.	PLANNING COMMISSION/2005 Plan Advisory Task Force - Cameron-Brown Bldg., 1st Floor Conference Room
	Thursday, 8.00 a.m.	CHARLOTTE CLEAN CITY COMMITTEE - Cameron-Brown Bldg., 5th Floor Conference Room
	Thursday, 4.00 p.m.	PLANNING COMMISSION (Deferred Rezoning Petitions) - Cameron-Brown Bldg., 1st Floor Conference Room
	Thursday, 7·30 p.m.	CHARLOTTE TREE COMMISSION - Park Operations, 701 Tuckaseegee Road
	Thursday, 7·30 p.m.	CITY-COUNTY CONSOLIDATION COMMITTEE/PUBLIC HEARING (To Solicit Input from Citizens on Consolidation) - County Office Bldg., Commissioner's Board Room

THE WEEK OF SEPTEMBER 23 - SEPTEMBER 29

24	Monday, 12 Noon	COUNCIL/MANAGER LUNCHEON (Housing Authority Tour of Coliseum Drive Project) - On Location (Coliseum Drive)
	Monday, 2 00 p.m.	CITIZENS HEARING - City Hall, Council Chamber
	Monday, 3 00 p.m.	CITY COUNCIL MEETING - City Hall, Council Chamber
	Monday, 4:00 p.m.	PLANNING COMMISSION/Executive Committee - Cameron-Brown Bldg., 1st Floor Conference Room
	Monday, 7 30 p.m.	SPECIALIZED TRANPORTATION ADVISORY COMMITTEE - City Hall, 3rd Floor Conference Room
25	Tuesday, 7.30 a.m.	CITY-COUNTY CONSOLIDATION STUDY COMMITTEE - City Hall Annex, Training Center
	Tuesday, 7.30 a.m.	PLANNING COMMISSION/2005 Plan Advisory Task Force - Cameron-Brown Bldg., 1st Floor Conference Room
	Tuesday, 3 00 p.m.	COMMUNITY FACILITIES COMMITTEE - Charlotte-Mecklenburg Utility Dept., 5100 Brookshire Blvd.
	Tuesday, 4.30 p.m.	MUNICIPAL INFORMATION ADVISORY BOARD - Cameron-Brown Bldg., 3rd Floor Conference Room
	Tuesday, 7 30 p.m.	COMMUNITY DIALOGUE/Generalized Land Use Plan 2005 - West Charlotte High School, 2219 Senior Drive
27	Thursday, 8 00 a.m.	BUSINESS OPPORTUNITY NETWORK (BON) ADVISORY TASK FORCE - Chamber of Commerce, Action Center
	Thursday, 3:30 p.m.	ADVISORY BOARD FOR CITIZENS WITH DISABILITIES - St. Mark's Center, 601 N. Graham Street
	Thursday, 7:30 p.m.	COMMUNITY DIALOGUE/Generalized Land Use Plan 2005 - East Mecklenburg High School, 6800 Monroe Road

Charlotte

District 7 City Council Meeting
Monday, September 10, 1984

South Mecklenburg High School
Park Road Extension
Pineville, N.C.

5:00 PM	-	Council-Manager Dinner o Executive Session o Presentation on Proposed Urban Development Action Grant (UDAG) Project Cafeteria
7:00 PM	-	Citizens Hearing
7:30 PM	-	City Council Meeting Auditorium

ITEM NO.

1. INVOCATION BY THE REVEREND TIM GILLESPIE OF PROVIDENCE ROAD CHURCH OF CHRIST.

2. CONSIDER APPROVAL OF MINUTES OF THE SPECIAL MEETING OF AUGUST 3, 1984 AND REGULAR MEETING OF AUGUST 13, 1984.

PUBLIC HEARINGS

3. A. CONDUCT A PUBLIC HEARING ON PROPOSED AMENDMENT NO. 5 TO THE REDEVELOPMENT PLAN, REDEVELOPMENT SECTION NO. 1, BROOKLYN URBAN RENEWAL AREA, WHICH CHANGES THE SETBACK REQUIREMENT FOR THE CITY BLOCK WHERE THE NEW CITY-COUNTY OFFICE BUILDING IS TO BE BUILT FROM 20 FEET TO 10 FEET.

   B. ADOPTION OF A "RESOLUTION OF CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, APPROVING AMENDMENT NO. 5 TO THE REDEVELOPMENT PLAN, REDEVELOPMENT SECTION NO. 1, BROOKLYN URBAN RENEWAL AREA".

council agenda

Mayor Harvey B Gantt Mayor Pro Tem Minette Conrad Trosch

Charlie S Dannelly
Laura Page Frech
Ann Hammond

Paul Francis Juneau
Ron Leeper
Sue Myrick
Pamella G Patterson

Herbert Spaugh, Jr
Richard Vinroot
Velva W Woollen

This Redevelopment Plan was first adopted by City Council in 1960 and last amended on February 27, 1984. The last amendment involved changes to the zoning and parking requirements made to facilitate development of the new City-County office building. Since the amendment was approved, the project architect has identified an opportunity to better site the new facility in relation to the angles of the adjoining buildings. In order to accommodate this revision, it is recommended that the 20 foot setback requirement for the city block where the new office building is to be located be changed to a 10 foot setback requirement. This would be in conformance with other blocks located within the Redevelopment Area - Section No. 1; the reason for the difference in this single block is unknown.

North Carolina Redevelopment Law requires City Council to hold a public hearing prior to the approval of any amendment to an approved Redevelopment Plan.

4. A. CONDUCT A PUBLIC HEARING TO CONSIDER THE ABANDONMENT OF A PORTION OF MUSTANG LANE LOCATED OFF THE 8500 BLOCK OF SOUTH BOULEVARD.

B. ADOPTION OF A RESOLUTION APPROVING THE ABANDONMENT OF A PORTION OF MUSTANG LANE.

PETITIONER: The Walsh Corporation and Mr. & Mrs. R. A. Yount

This portion of Mustang Lane is a non-maintained right-of-way beginning approximately 549 feet southeast of Maggie Lane and extending 575 feet to its existing terminus. The petitioners own all property abutting this portion of Mustang Lane and intend to incorporate this right-of-way into adjoining tracts for proposed development of a residential apartment complex.

All adjoining property owners have been notified by public advertisement and direct mail.

No City Departments or private utility companies object to abandonment.

A map depicting the street location is attached.

Attachment No. 1

5. A. CONDUCT A PUBLIC HEARING TO CONSIDER THE CLOSING OF A PORTION OF WILORA LAKE ROAD.

B. ADOPTION OF A RESOLUTION APPROVING THE CLOSING OF A PORTION OF WILORA LAKE ROAD AND THE CONSTRUCTION OF TWO CUL-DE-SACS.

PETITIONER: Engineering Department

The Albemarle Road Small Area Plan, adopted by City Council as a policy guide in 1982, included a recommendation to close Wilora Lake Road and construct cul-de-sacs separating the northern, residential portion toward Sharon Amity Road from the southern portion toward Albemarle Road in order to protect the residential area from future commercial and cut-through traffic. Wilora Lake Road is a residential street that intersects major thoroughfares at both ends.

The street closing would be accomplished by removing a small portion of the roadway and constructing two cul-de-sacs. The existing right of way between the cul-de-sacs would remain; however, the area would be graded and seeded to match the adjacent yards. The adjacent property owners would assume routine maintenance responsibilities; the City and private utility companies would continue to maintain existing lines. Two small parcels of land would have to be acquired to construct the cul-de-sacs.

Three petitions requesting to rezone vacant land near the southern portion of Wilora Lake Road to commercial and multi-family uses are currently pending. A major factor in these rezoning cases is the closing of Wilora Lake Road and the resulting protection for the residential area from commercial traffic.

Funds for the construction of the cul-de-sacs are available through the Small Area Plan project account of the Fiscal 1985 Capital Improvement Program.

A map of the street location is attached.

Attachment No. 2

POLICY AGENDA

6. CONSIDER REPORT ON ZONE WRECKER SERVICE CONTRACTS.

The City Manager's findings and recommendations will be forwarded to City Council on Friday, September 7.

7. CONSIDER REPORT FROM THE CITY COUNCIL OPERATIONS COMMITTEE ON THE USE OF CITY COUNCIL AGENDA TIME.

At its meeting on July 31, 1984, the City Council Operations Committee voted unanimously to recommend for full City Council approval the following staff recommendations for reducing the number of agenda items:

- o Authorize the City Manager to approve the acquisition and disposal of real estate valued at $10,000 or less.

This action could reduce the Consent agenda by approximately 142 items annually and will require General Assembly approval.

- o Increase the City Manager's contract authority from $20,000 to $30,000.

This action could reduce the Consent agenda by approximately 39 items annually and will require General Assembly approval.

- o Authorize the City Manager to approve no-cost encroachment agreements.

This action could reduce the Consent agenda by approximately 10 items annually and will require General Assembly approval.

- o Authorize the City Manager to accept City streets for maintenance.

This action could reduce the Consent agenda by approximately 9 items annually and will also require General Assembly approval.

The Committee voted to keep beer and wine permits under City Council approval because of the concern that the overall policy may need to be changed.

Other general Committee recommendations made to the full Council include:

- o Time all public speakers. Enforce two-minute limit.

Provide the City Clerk with a electric timer and improved signal indicating when speaking time is up.

- o Encourage the Mayor to determine when an item may be deferred or sent to Council Committee in order to limit discussion.

- o The City Manager's Office to recommend rescheduling Council meetings to Tuesday when a holiday falls on Monday, if needed, because of heavy workloads.

The Committee also suggested that if a speaker requires more than two minutes, they submit their comments in writing prior to the meeting; that speakers signed up for an item that may go to Committee, limit their comments or consolidate their comments through one representative.

- o Reduce the number of meal meetings and increase the efficiency of the business agenda by:

  - -- Using afternoon Council meetings at City Hall for staff presentations, business, and consent items.

  - -- Emphasizing District meetings for broader community interest items requiring ~~City~~ citizen input, major policy items, and Committee reports.

  - -- Establishing a timeframe for meal functions whereby breakfast business will start promptly at 7:30 a.m. and luncheon business promptly at 12:30 p.m., food at 12 noon, and that all breakfast business be concluded by 9:00 a.m. where possible.

In reference to zoning matters, the Operations Committee made the following recommendation to the full Council.

- o Asked staff to come back with ideas for limiting the number of zoning matters to a reasonable number per meeting; have the option for a special meeting if workloads demand it; and look at establishing a cut-off time for the zoning meeting.

- o The City Manager's Office recommends the following:

  - -- Limit zoning hearings to no more than 10 per meeting, but allow the Planning staff to structure the zoning agenda so as to limit the number of complicated hearings scheduled for any one meeting.

  - -- The Planning staff will continue to accept and schedule petitions on a first-come basis but will schedule the most controversial ones at the top of the meeting.

  - -- Request the Planning staff to recommend scheduling a special zoning meeting if the actions above cause a work backlog.

Attached is an Executive Summary of the Committee meeting which includes other general comments made by the Committee members on agenda time-saving. Also attached is a report from the Planning staff on the past year's record of zoning business and other recommendations, as requested by the Committee, for streamlining time spent in zoning meetings.

Attachment No. 3

8. CONSIDER ADOPTION OF A RESOLUTION COMMENDING THE WORK OF THE SAFE DRIVE COMMITTEE, SUPPORTING THE CONCEPT OF ESTABLISHING A SAFE DRIVE PROGRAM IN CHARLOTTE-MECKLENBURG, AND REQUESTING THAT THE SAFE DRIVE COMMITTEE PRESENT ITS PROPOSAL TO THE BOARD OF COUNTY COMMISSIONERS AND SEEK FUNDING SUPPORT FROM THE COUNTY, THE SCHOOL BOARD, THE ABC BOARD, AND ANY OTHER APPROPRIATE SOURCES.

The Safe Drive Committee made its report on August 13, 1984 to City Council and recommended that a community-wide program be operated by the Seventh Street Center. By adopting this resolution, City Council expresses its appreciation for the work of the Committee, endorses the concept of establishing such a program, and asks the Committee to pursue program implementation with the Board of County Commissioners since they are responsible for the administration of the Seventh Street Center.

A copy of the resolution is attached for your review.

Attachment No. 4

9. CONSIDER APPOINTMENT AND NOMINATIONS TO COMMITTEES.

A. APPOINTMENT TO COMMUNITY FACILITIES COMMITTEE.

The following nominations were made at the August 13th meeting for one position for a two-year term.

a. David G. Richards, nominated by Councilmember Hammond.
b. Brian Sigmon, nominated by Councilmember Woollen.
c. Willa N. Cline, nominated by Councilmember Dannelly.

Attachment No. 5

B. NOMINATIONS FOR APPOINTMENT TO COMMITTEES.

a. Clean City Committee - Two appointments are to be made for unexpired terms. Bob Wujciak has resigned - his term expires June 30, 1985; W. H. Trotter, Jr.'s appointment has been terminated in compliance with Council's attendance policy - his term expires June 30, 1986. Appointees must reside in Mecklenburg County.

b. Citizen Committee for Recycling - Eugene Marsh has resigned; appointment will be to complete his term which expires February 23, 1985.

Attachment No. 6

BUSINESS AGENDA

10. A. RECOMMEND APPROVAL OF THE ACQUISITION OF 44,997.48 SQUARE FEET, AT 4525 MCKEE ROAD, FROM THE PROVIDENCE VOLUNTEER FIRE DEPARTMENT, INC. (PVFD), FOR $200,000, FOR FIRE STATION #9.

B. RECOMMEND APPROVAL OF A CONTRACT BETWEEN THE CITY OF CHARLOTTE AND THE PROVIDENCE VOLUNTEER FIRE DEPARTMENT THAT DETAILS THE RESPONSIBILITIES OF EACH PARTY AND THEIR RELATIONSHIP UNDER THE ACQUISITION.

The annexation of the Providence Plantation/Raintree area requires an additional engine company and a station to provide fire protection services comparable to other parts of the City.

Officials of the PVFD have approached the City with a proposal to sell the Providence fire station. The Charlotte Fire Department has studied the offer and concludes that while some renovations will be necessary to render the building suitable, the building is adequate to meet the City's needs and the total cost will be significantly less than the cost of buying land and constructing a new fire station. Therefore, City Council is asked to approve a contract between the City and the Providence Volunteer Fire Department for the acquisition of their facility.

This contract is a comprehensive agreement defining a relationship that will be mutually advantageous to both parties. The City realizes savings in buying an existing station, and the PVFD receives valuable training and the use of space to house its apparatus and equipment at nominal cost. Currently, the City is working with the PVFD to provide service in this area.

The expenditures required to meet this contract are provided for in the annexation budget.

This contract has been approved by the City of Charlotte Fire Department, the Providence Volunteer Fire Department, the City Attorney's Office, and the City Manager's Office.

11. A. RECOMMEND APPROVAL OF AGREEMENTS BETWEEN THE TOWN OF DAVIDSON AND THE CITY OF CHARLOTTE FOR TRANSFER OF THEIR WATER SYSTEM TO THE CITY FOR OPERATION AND MAINTENANCE.

City Council has already approved transfer agreements with Matthews and Pineville for water and sewer systems and with Davidson, Huntersville, and Cornelius for sewer system only.

City Council is now asked to approve the final agreement for the purchase of the Davidson water intake and treatment plant at the independently appraised price of $851,932. The remainder of the

system, including elevated tanks, will be donated at no cost to Charlotte.

The requested action involves two separate agreements. One is the main negotiated agreement; the second is an agreement that provides for disposition of the utility systems in the event that the main agreement is declared void for any reason.

Under the main agreement, the City agrees to accept employees of Davidson into the Utility Department. One employee, the water plant supervisor, lives outside Mecklenburg County and in order to honor the employee transfer provision of the agreement, City Council is requested to accept this employee under a "grandfather" provision that will allow him to remain a resident of another county.

The Utility Director recommends approval of these agreements and the special consideration for the one Davidson employee. The Town of Davidson has approved these agreements.

B. RECOMMEND ADOPTION OF A BUDGET ORDINANCE ESTIMATING ADDITIONAL WATER REVENUES DURING FISCAL 1985 IN THE AMOUNT OF $150,000 AND APPROPRIATING THESE REVENUES INTO THE WATER AND SEWER DEBT SERVICE FUND.

The ordinance appropriates the first year's cost to the City of Charlotte for the acquisition of the Davidson plant by appropriating revenues anticipated from the sale of water to Davidson water customers.

12. CONSIDER ADOPTION OF A RESOLUTION FOR PARTICIPATION BY THE NORTH CAROLINA HOUSING FINANCE AGENCY IN A PRIVATELY-OWNED PLANNED DEVELOPMENT OF A 172-UNIT APARTMENT ON REDDMAN ROAD, UNDER AN AGENCY BOND FINANCED PROGRAM.

The developer, Crow-Terwilliger Partners, Inc., a Trammel Crow residential company, proposes to build 6 units per acre of rental housing on a 29.56 acre site, located on the west side of Reddman Road, approximately 1,050 feet from the intersection of Albemarle Road. Twenty percent of the units (34 1-bedroom units) will be occupied by households earning 80 percent of the median income (Rental rates will not exceed $393 per month including utilities on these units. Annual incomes will range from $20,560 to $25,700). Market rate rents will prevail for the remaining 138 units in a range up to $550 per month. None of the units will be subsidized.

The proposed resolution makes the developers eligible for consideration in the North Carolina Housing Finance Agency's (NCHFA) below-market interest rate bond financing. Pursuant to North

Carolina General Statutes, participation by the NCHFA in a local housing project can take place only following the approval of the governing body where the project is to be located.

The proposed project is in compliance with the approved Albemarle Road Small Area Plan. The project will have no negative impact on roads or schools. The overall building density is within the range specified by the Small Area Plan, and is lower than other multi-family housing projects in the immediate Albemarle/Reddman Road area. The only known opposition to the project comes from representatives of the Coventry Woods Neighborhood Association. Their major objection is that the project should be converted from rental to condominium units sooner than what is allowed under NCHFA's policies. Existing NCHFA policy allows the developer to sell the units as condominiums no sooner than after 12 years' use as rental units.

Site maps can be reviewed in the Community Development Department. City Council approved Rezoning Petition No. 83-73 on November 21, 1983 by Bryon W. Pittman and others for the purpose of this proposed development.

13. RECOMMEND APPROVAL OF THE FOLLOWING HUMAN SERVICES CONTRACTS FOR HOUSING REHABILITATION, MANAGEMENT, AND COUNSELING IN FISCAL 1985, USING GENERAL REVENUE SHARING, IN SUPPORT OF THE GOALS AND OBJECTIVES OF THE CITY'S COMMUNITY DEVELOPMENT PROGRAM.

EACH CONTRACTOR RECEIVED A POSITIVE EVALUATION FOR PERFORMANCE UNDER THEIR FISCAL 1984 CONTRACTS. COPIES OF THEIR EVALUATION REPORTS ARE ATTACHED.

A. APPROVAL OF A CONTRACT FOR TECHNICAL OR PROFESSIONAL SERVICES BETWEEN THE CITY OF CHARLOTTE AND CHERRY COMMUNITY ORGANIZATION, INC. (CCO) FOR A REHABILITATION MANAGEMENT AND SALES PROGRAM, IN THE AMOUNT OF $110,687.

On September 14, 1981, City Council approved the Cherry Two Year Plan which outlined properties in the Cherry Community to be major repaired and rehabilitated by November 30, 1983.

The CCO intends to complete all work remaining under the Two Year Plan - the major repair of 3 housing units the rehabilitation of 6 others - under the proposed contract at an estimated cost of $210,000 derived from Community Development Block Grant funds. They intend to complete the repair work by November 1984 and the rehabilitation work by July 1985.

Although the CCO was successful in meeting a majority of its work objectives in Fiscal 1984, they were not successful in their goal to achieve financial independence from the City. Plans formulated

by the CCO to reach this financial goal -- efforts to buy the school building in First Ward to create a business, and a proposed management contract with the Housing Authority -- brought no positive results.

The Community Development Department staff is continuing to work with the CCO to help them attain financial independence from the City and to complete the tasks outlined under the Two Year Plan in a timely fashion. The first in a series of sessions to explore alternatives between the two staffs has already taken place.

Approval of this contract would fund 48% ($112,000) of their total administrative budget for Fiscal 1985. The CCO is able to self-finance the remaining 52% of the budget it needs to continue operation, in the amount of $121,000.

B. APPROVAL OF A CONTRACT WITH THE COMMUNITY REVITALIZATION SERVICES, INC., A NORTH CAROLINA NON-PROFIT CORPORATION FOUNDED BY THE CHARLOTTE BOARD OF REALTORS, TO PROVIDE REHABILITATED HOUSING FOR LOW AND MODERATE INCOME FAMILIES, IN THE AMOUNT OF $100,000.

The Community Revitalization Services, Inc., (CRS) was founded in 1981 by the Charlotte Board of Realtors to provide low-cost owner-occupied housing for people who might not otherwise be able to afford decent, safe, sanitary housing.

On October 5, 1982, the City Council's Community Development and Housing Committee recommended that the City contract with CRS, Inc., to acquire and rehabilitate four (4) single-family detached housing units for resale to low and moderate income families within the Villa Heights Project area. Under its initial one-year contract, approved by City Council November 8, 1982, and effective December 1, 1982, CRS acquired and rehabilitated four (4) residential housing units in the Villa Heights area. Three (3) of the structures have been sold and are occupied. Sale of the remaining unit was delayed due to vandalism, but is now repaired and available for sale.

The Charlotte Board of Realtors/Community Revitalization Services, Inc., offers to provide the following services under a second performance contract.

- Acquire and rehabilitate a minimum of 3 residential units for resale to low and moderate income families or individuals with priority given to City Relocatees.

  Assist buyers approved by the City to assume permanent loans.

- The proposed contract will not require any administrative costs to be paid by the City. However, CRS would be allowed to add 10% rehabilitation cost of the housing unit before it is sold.

The buyer would assume the low-interest loan the City makes to the CRS as the permanent mortgage on the unit. A three (3) percent sales commission may be added to the total sales price if a real estate agent assists in the sale. The loan assumption limits for the buyers would range from $25,000 to $33,333, based on actual acquisition and rehabilitation costs.

C. APPROVAL OF TWO CONTRACTS WITH FAMILY HOUSING SERVICES, INC. THE FIRST IS A HOME MANAGEMENT AND IMPROVEMENT PROGRAM, FOR RESIDENTS CITY-WIDE, IN THE AMOUNT OF $218,198; THE SECOND IS A CONTRACT COVERING RELOCATEE REFERRALS FROM THE COMMUNITY DEVELOPMENT DEPARTMENT, IN THE AMOUNT OF $75,951. THE TWO CONTRACTS TOTAL $294,149.

The first contract is designed to provide general professional counseling and consumer education services to low and moderate income families who presently own, rent or are seeking standard housing units. The second contract is designed to provide general professional counseling and consumer education services to relocatees who are being displaced by the Community Development action and who are seeking standard housing units to purchase or rent.

The proposed contract amount represents an increase of $14,149 or 5% over the Fiscal 1984 contract amount of $280,000. A projected total of 1,580 clients will be served. The Community Development Department and Family Housing Services staffs are in agreement with the proposed budgets and work objectives.

ATTACHED ARE THE EVALUATION REPORTS AND CONTRACT SUMMARIES FOR ALL THREE HUMAN SERVICE PROGRAMS.

Attachment No. 7

14. RECOMMEND AUTHORIZATION OF AN AGREEMENT AND RELATED DOCUMENTS WITH FIRST UNION NATIONAL BANK COVERING THE LEASE/PURCHASE OF CAPITAL EQUIPMENT TOTALLING APPROXIMATELY $4,850,000, APPROVED IN THE FISCAL 1985 BUDGET.

On August 9, 1982, City Council approved the first Master Lease Agreement with First Union National Bank covering the lease/purchase of capital equipment for Fiscal 1983. On August 8, 1983, a second agreement with First Union for the acquisition of equipment needed during Fiscal 1984, including rolling stock, fire prevention equipment, and traffic control, was also approved by City Council.

City Council is requested to approve a lease agreement with First Union National Bank for an amount of $4,850,000 for Fiscal 1985,

ITEM NO.

covering the purchase of General Fund equipment in the amount of $3,780,000, and Water Fund equipment in the amount of $1,070,000. The agreement covers the acquisition of police cars, certain pieces of motorized equipment, specific computer systems, and traffic signal controllers.

The Finance Director recommends approval of the agreement with First Union based on an analysis of proposals submitted by several financial institutions which indicates that the proposal bv First Union provides the most favorable interest rate to the City, a weighted average of 8.45% per annum, to remain fixed throughout the life of the agreement.

The source of funding is the Lease/purchase appropriation in the Fiscal Year 1985 budget for General Fund and Water Fund.

15. RECOMMEND THE FOLLOWING ACTIONS AUTHORIZING THE CITY MANAGER TO SEEK GRANT ASSISTANCE IN SUPPORT OF VARIOUS CAPITAL PROJECTS IN THE TRANSPORTATION PROGRAM:

A. ADOPTION OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR AND ACCEPT A GRANT THAT WILL COMMIT THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION TO A 1/3 COST SHARE IN THE 1985 RIDESHARE PROGRAM, IN THE AMOUNT OF $28,478.

In 1982 the Mecklenburg County Rideshare Program was consolidated into the Charlotte Department of Transportation and since then the City, County and State have shared in the expenses.

The total estimated 1985 rideshare budget is $85,436. Funding is derived from the North Carolina Department of Transportation ($28,478), the City of Charlotte ($28,479) and Mecklenburg County ($28,479). The City share has already been appropriated in this year's budget.

Various carpooling and vanpooling efforts by the Transportation Department over the past year have led to: (1) an increase in understanding of and a commitment to alternative transportation strategies by Uptown business leaders, (2) a survey of major employers to determine the level of interest in transportation options, (3) recommendations for incentives to carpoolers and vanpoolers, and (4) a recommendation that a survey be conducted in the fall to determine employee interest in ridesharing and other options.

The City received over 1000 requests for carpool matching during the past year and processed all requests within two weeks.

The major work program for Fiscal 1985 will be the survey of the 15 largest employers in uptown Charlotte and perhaps several of the rapidly growing suburban employment centers.

B. ADOPTION OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR AND ACCEPT 1985 TRANSIT ASSISTANCE GRANTS TOTALLING $2,054,231 UNDER SECTION 9 FROM THE URBAN MASS TRANSPORTATION ADMINISTRATION AND FROM THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.

Each year the City applies to the Urban Mass Transportation Administration (UMTA) for operating and capital assistance. In 1982, Section 9 became the primary source for Federal funding, and by a formula based on the 1982 operating deficit, operating assistance was capped at $1,506,759 annually. Capital projects are still funded by an 80-20 match, with UMTA providing 80% of all eligible costs and the City and the State each paying 10%. This resolution authorizes the City Manager to apply to the Urban Mass Transportation Administration for a total of $2,054,231, ($1,506,759 for operating assistance and $547,472 in capital assistance) and to the North Carolina Department of Transportation for $68,634 (10% match) in capital assistance.

The capital assistance includes the purchase and installation of 10 bus pass vending machines to be placed in high-volume pedestrian areas in downtown and shopping locations, purchase of two vehicles for elderly and handicapped transportation, development of park and ride lots, purchase and installation of bus information signs, purchase of replacement service vehicles - one pick-up truck and one supervisory car, and purchase and installation of 10 passenger benches.

The City will fund the remaining estimated operating deficit and ten-percent local match for capital assistance from Public Transportation Funds.

C. ADOPTION OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR AND ACCEPT GRANTS FROM THE URBAN MASS TRANSPORTATION ADMINISTRATION UNDER SECTIONS 3, 5 AND 9/9A, AND FROM THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, FOR A TOTAL OF $25,000,000, FOR THE US 74/INDEPENDENCE BOULEVARD CORRIDOR PROJECT.

The total cost of this project is estimated at $75,000,000. The mass-transit portion (exclusive busway and high-occupancy vehicle lanes) represents approximately one-third of the project costs and is eligible for 80% funding from the Urban Mass Transportation Administration and 10% match from the State.

Therefore, the City is applying for a total of $18,855,616 under three separate grant applications to the Urban Mass Transportation

Administration and a total of $3,072,192 from the North Carolina Department of Transportation. The remaining $3,072,192 is the 10% City match.

16. RECOMMEND ADOPTION OF AN ORDINANCE AMENDING CHAPTER 20, SECTION 86, OF THE CHARLOTTE CITY CODE RELATING TO SPEED LIMITS.

This ordinance proposes an increase in the speed limit on Tyvola Road between Farmbrook Drive and Park Road from 35 mph to the roadway design speed limit of 45 mph, and Providence Road (NC 16) from Vernon Drive (near Briar Creek) to the corporate limit approximately 1000 feet north of Pineville-Matthews Road (NC 51), from 35 mph to 45 mph to duplicate an existing school speed limit. The remaining speed limits contained in the ordinance affect recently annexed streets and either match, or are less than, the previous speed limits in effect.

The ordinance and Request for Council Action Summary are attached for your review.

Attachment No. 8

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THE CITY ATTORNEY ADVISES THAT AGENDA ITEMS NO. 17 THROUGH 34 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 Ordinances

17. A. RECOMMEND ADOPTION OF AN ORDINANCE APPROPRIATING $2,450,000 FROM 1984 AIRPORT REVENUE ANTICIPATION NOTES TO COVER ANTICIPATED AIRPORT NOISE SUIT SETTLEMENTS.

Since the opening of the North/South Runway at the Airport on June 19, 1979, over 270 property owners have filed suit against the City to recover damages alleged to result from aircraft noise. On April 21, 1984, City Council authorized the City's attorneys to make offers to settle certain pending airport noise suits. Subsequently over $1.5 million in City offers were accepted by a number of plaintiffs to settle pending court actions prior to the first series of trials, held in May and June, 1983. On January 9, 1984, City Council authorized the City's private attorneys to make

additional settlement offers on certain pending airport noise suits. Adoption of this ordinance provides the additional funding needed in anticipation of these settlements.

The Executive Session planned for City Council on Monday preceding this meeting will provide additional information on the proposed settlements.

The source of funding is 1984 Airport Revenue Anticipation Notes.

B. RECOMMEND ADOPTION OF A BUDGET ORDINANCE APPROPRIATING FUNDS IN THE AMOUNT OF $2,000,000 FROM THE MUNICIPAL DEBT SERVICE FUND FOR THE GOVERNMENTAL CENTER OFFICE BUILDING AND PARKING STRUCTURE.

The 1985 Capital Improvement Program includes $2,150,000 for the Governmental Office Building and Parking Structures. Funds are to be provided by the sale of 1984 Public Building Bonds, scheduled to be sold in February 1985. This is a bookkeeping budget ordinance to provide temporary funding through the Municipal Debt Service Fund; funds will be reimbursed when the bonds are sold.

The Finance Department, the Budget Office and the Engineering Department concur with this request.

C. RECOMMEND ADOPTION OF AN ORDINANCE APPROPRIATING FUNDS IN THE AMOUNT OF $350,000 TO THE PARKWOOD AVENUE EXTENSION PROJECT.

This ordinance makes a temporary loan of $350,000 from the Municipal Debt Service Fund to the Parkwood Avenue Extension Project Account in order to encumber the approved design contract and estimated land acquisition costs in advance of the bond sale. These funds will be returned when the 1983 Transportation Bond Funds are sold in February 1985.

Bid List

18. RECOMMEND APPROVAL OF THE BID LIST AS SHOWN. THE FOLLOWING CONTRACT AWARDS ARE ALL LOW BID AND WITHIN BUDGET ESTIMATES UNLESS *OTHERWISE NOTED. EACH PROJECT OR PURCHASE WAS AUTHORIZED IN THE* ANNUAL BUDGET.

A. First Ward Shopping Center Modifications — Community Development Department

GENERAL CONTRACT

Recommendation: By the City Engineer that the low bid of $107,749.80, as submitted by Bobby Richmond & Son Construction Co, Inc., be accepted for award on a lump sum basis, including Alternates 1 and 2.

ITEM NO.

Alternate 1 calls for removal of existing partitions and relocation of restroom in the barber shop.

Alternate 2 calls for installation of a window in barber-shop.

MECHANICAL CONTRACT

Recommendation: By the City Engineer that the low bid of $22,262.00, as submitted by Tar-Heel Mechanical Contractors, be accepted for award on a lump sum basis.

The First Ward Shopping Center Modifications Project consists of improvements that will make the structure permanent, and enhance its appearance and durability. The construction will add a brick facade, a mansard roof, new floor tile, improved security and upgraded HVAC (heating, ventilation, air conditioning) systems. In addition, the site will be enhanced by adding curb and gutter and asphalt paving in the parking lot and additional landscaping on the site.

The structure was built in 1980 as a temporary location for First Ward merchants. In 1981, the original designers, Clary Architects, were hired to design needed modifications. On September 12, 1983, the City Council voted to sell the structure to the First Ward Corporation contingent upon completion of the approved modifications.

CITY COUNCILMEMBERS MAY REVIEW THE DESIGN PLANS IN THE OFFICE OF THE COMMUNITY DEVELOPMENT DEPARTMENT.

Source of Funding: Community Development Block Grant.

B. Roof Replacement
Fire Station #20

General Services

Recommendation: By General Services Director that the low bid, submitted by Roof-tek, Inc., in the amount of $21,420.00 be accepted for award of contract.

Project Description: This roof replacement has been requested by the Fire Department to alleviate a chronic leak in the dormitory area and the apparatus floor area.

This project will include removal of the existing built-up roof; replacement of faulty insulation; inspection of metal deck; and installation of a new single-ply roof system with stone ballast.

Source of Funding· General Revenue Sharing.

C. Roof Replacement — General Services
City Garage/Motor Transport Building

Recommendation: By General Services Director that the low bid, Stroup Sheet Metal Works, Inc., of Charlotte, N.C., in the amount of $93,840.00, be accepted for award of contract.

Project Description: This roof replacement has been requested by Motor Transport Division to alleviate a chronic leak throughout the City Garage.

The project will include replacement of the existing built-up roof; replacement of faulty insulation; repair of metal deck as necessary; installation of new skylights and power ventilators; and installation of a new single-ply roof system.

Source of Funding: General Revenue Sharing.

D. Pedestrian Signal Heads — Department of Transportation

Recommendation: By Transportation Director and Purchasing Director that the only bid received, Signal Engineering Company, Jacksonville, Florida, in the amount of $33,852.00, be accepted for award of contract on a unit price basis.

Project Description: This proposed purchase is for 100 Pedestrian Signal Heads manufactured of a special black polycarbonate material to be used in the Downtown Transit Mall Project. These Pedestrian Signal Heads, which match the decor of the Traffic Signal Heads already on order, conform to the color harmony in the overall design of the Transit Mall Area.

Source of Funding: Department of Transportation (Operating Budget).

E. 1 - Side Loading Refuse Collection Vehicle — Operations Department., Sanitation Division

Recommendation: By Operations Director and Purchasing Director that the only bid received, Carolina Waste Equipment, Inc., Hamlet, N.C., in the amount of $89,550.00, be accepted for award of contract on a unit price basis.

Project Description: This Side Loading Refuse Collection Vehicle is the second vehicle of its type purchased for the City's fleet. It uses a 2 - member crew versus the 3 - member crew used on the conventional rear loading refuse collection vehicles. This vehicle is needed to expand the existing fleet in order to provide refuse collection to the recently annexed areas of Raintree and Providence Plantation.

Source of Funding: General Capital Improvement Fund (General Revenue Sharing) - Reserve for Future Annexations.

Personnel Actions

19. A. RECOMMEND ADOPTION OF A RESOLUTION AMENDING THE PAY PLAN TO ADD THE CLASSIFICATION OF WORD PROCESSING SPECIALIST, PAY RANGE 16 ($17,587 - $22,447 ANNUALLY)

The Personnel Department recommends that a new classification, Word Processing Specialist, be established and assigned at Pay Range 16. This action upgrades an existing employee whose responsibilities in the coordination, use, maintenance, and training requirements for the City's word processing network have increased significantly to include unique and varied and more complex work assignments.

The Fiscal 1985 cost of establishing this position is approximately $300 which can be accommodated within the current departmental appropriation.

B. RECOMMEND ADOPTION OF A RESOLUTION AMENDING THE PAY PLAN TO ADD THE CLASSIFICATION OF ASSISTANT MUNICIPAL INFORMATION SYSTEMS DIRECTOR, PAY RANGE 30 ($34,823 - $44,444 ANNUALLY)

The Budget and Evaluation Department has approved a position trade-off in order to create a new position in the Municipal Information Systems Department which will provide assistance to the MIS Director, as identified by the Personnel Department.

The proposed position will be responsible for relieving the MIS Director of routine administrative and supervisory functions, including direction of the Systems and Programming, Operations, and Technical Support functions. The position will also be the focal point for departmental planning and control activities and for specific project assignments. The pay assignment at Pay Range 30 will provide an appropriate differential with subordinates and is comparable to other City positions of similar scope and complexity.

The position trade-off will equalize costs, so additional funding should be minimal and can be absorbed within the Departmental budget.

Resolutions

20. A. RECOMMEND THE ADOPTION OF A RESOLUTION OF INTENT TO ABANDON A PORTION OF OVERHILL ROAD AND SET MONDAY, OCTOBER 8 AT 3:00 PM IN THE CITY COUNCIL CHAMBER AS THE DATE FOR PUBLIC HEARING.

B. RECOMMEND CALLING A PUBLIC HEARING ON MONDAY, OCTOBER 8, 1984 AT 3:00 PM IN THE CITY COUNCIL CHAMBER TO DETERMINE IF SIGHT OBSTRUCTION AT THE CORNER OF BENTLEY PLACE AND GREENCREST DRIVE IS A PUBLIC NUISANCE.

Section 20-15.1 of the City Code makes it unlawful to install, set out or maintain any shrub which obstructs cross-visibility at intersections. The purpose of this ordinance is to provide for safe movement of both motorists and pedestrians at an intersection.

Mr. Mark Nettles of 2000 Bentley Place, was notified by registered letter of a sight obstruction on his property. The sight obstruction is a large juniper bush approximately eight feet high. The bush completely fills the right-of-way and the prescribed 35-foot visibility triangle. Mr. Nettles has been contacted by telephone, and requested to trim the bush to 30 inches. Mr. Nettles objects to trimming the bush, and in accordance with Section 20-15.1(g)(3), is requesting a hearing before City Council to determine if the obstruction is a public nuisance.

C. RECOMMEND ADOPTION OF A RESOLUTION AUTHORIZING THE REFUND OF CERTAIN TAXES IN THE TOTAL AMOUNT OF $3,070.65 WHICH WERE ASSESSED THROUGH CLERICAL ERROR OR ILLEGAL LEVY AGAINST 25 TAX ACCOUNTS.

ITEM NO.

Housing Code Enforcement

21. RECOMMEND ADOPTION OF AN ORDINANCE TO RENOVATE THE HOUSE LOCATED AT 1226 BEATTIES FORD ROAD USING THE IN REM REMEDY AND AUTHORIZE THE CITY MANAGER TO APPROVE CONTRACT FOR SUCH WORK.

This house was inspected on August 8, 1983, and found to be unfit for human habitation. The owner was notified on September 12, 1983, by certified mail that a hearing would be held on October 5, 1983. The owner was ordered to repair the dwelling by January 5, 1984. The house is occupied and the owner has not corrected the unfit conditions. The estimated value of the house is $12,500.00 and the lowest responsible bid received to repair the house is $7,914.00, which is less than 65% of the value of the house. Repairs include: repairing holes and cracks throughout house, painting interior walls and ceilings, repairing holes and cracks in foundation walls, replacing all defective joists and sills at bath and kitchen area, installing complete door unit at rear including sill and trim, installing weatherstripping on front and rear doors, replacing defective window screens, repairing loose and missing bricks in chimney top and painting exterior.

Housing Loans

22. A. RECOMMEND APPROVAL OF A NEW LOAN AMOUNT OF $91,350 TO SEAN E. MURPHY & FRILEY A. SAUCIER FOR PERMANENT FINANCING TO PURCHASE PROPERTY IN THE THIRD WARD AREA UNDER THE THIRD WARD LOAN PROGRAM.

On August 13, 1984, City Council approved a loan amount of $91,200 to Sean E. Murphy & Friley A. Saucier for permanent financing of property located at Unit 11, Clarkson Green under the Third Ward Loan Program. The Community Development Department has received a request from NCNB National Bank to increase the previously approved loan amount of $91,200 to a new loan amount of $91,350, a difference of $150, because the borrower is requesting a 95% loan on the property.

The loan application has been reviewed by the City Loan Officer, Community Development Department, and contains sufficient information to form the basis for approval.

Approval of the increased loan amount is necessary in order to proceed with the loan closing.

B. RECOMMEND APPROVAL OF A NEW LOAN AMOUNT, $67,800, TO BRUCE DAVID HUFFMAN FOR PERMANENT FINANCING TO PURCHASE PROPERTY IN THE THIRD WARD AREA UNDER THE THIRD WARD LOAN PROGRAM.

On July 9, 1984, City Council approved a loan amount of $66,450 to Bruce David Huffman for permanent financing of property located at 244-1 Cedar Street under the Third Ward Loan Program. The Community Development Department has received a request from NCNB National Bank to increase the previously approved loan amount of $66,450 to a new loan amount of $67,800, a difference of $1,350, because of added options to the unit Mr. Huffman is purchasing.

The loan application has been reviewed by the City Loan Officer, Community Development Department, and contains sufficient information to form the basis for approval.

C. RECOMMEND APPROVAL OF THE FOLLOWING LOANS FOR PERMANENT FINANCING TO PURCHASE PROPERTY IN THE PLAZA-MIDWOOD REDEVELOPMENT AREA UNDER THE PLAZA-MIDWOOD LOAN PROGRAM.

Borrower	Property Address	Loan Amount	Appraised Value
Joe M. Lee	1913 The Plaza	$68,850	$73,000
Ralph E. Johnson	1530 Hawthorne Ln. #7	$28,450	$31,000

The Plaza-Midwood Loan Agreement between the City and First Union National Bank in the amount of $3,000,000 was approved on August 30, 1983. The interest rate on loans under the program is 9-7/8%.

The loan applications have been reviewed by the City Loan Officer, Community Development Department, and contain sufficient information to form the basis for approval.

D. RECOMMEND APPROVAL OF THE FOLLOWING LOANS FOR PERMANENT FINANCING TO PURCHASE PROPERTY IN THE THIRD WARD AREA UNDER THE THIRD WARD LOAN PROGRAM.

Borrower	Property Address	Loan Amount	Appraised Value
Cynthia Blalock	300-2 Cedar Street	$51,450	$54,160
Jorge G. Frank	Unit 20, Clarkson Green	$85,400	$89,900
Brenda L. Starnes	244-8 South Cedar St.	$50,200	$51,520
Cash Coyne	244-9 South Cedar St.	$66,450	$69,950

ITEM NO.

Lee & Mary E. Callicutt	Unit 19, Clarkson Green	$75,400	$85,400
Henry & Kristina Nickels	Unit 7, Clarkson Green	$89,000	$94,500
Stacy A. & Bonnie C. Teague	Unit 4, Clarkson Green	$86,200	$94,000

The Third Ward Loan Agreement between the City and North Carolina National Bank in the amount of $15,000,000 was approved on December 14, 1981, and amended December 19, 1983. The interest rate on loans under the program is 9-3/4%.

The loan applications have been reviewed by the City Loan Officer, Community Development Department and contain sufficient information to form the basis for approval.

Economic Development Loan

23. RECOMMEND THE APPROVAL OF A LOAN AGREEMENT FOR $38,000 BETWEEN THE CITY AND JIM GRIFFIN ROOFING CO., INC., FOR THE PURPOSE OF EXPANDING A COMMERCIAL OFFICE AND WAREHOUSE BUILDING.

Jim Griffin has requested a $38,000 loan for five years at 6% interest from the Economic Development Loan Fund. First Union National Bank has provided a commitment of $56,000, and Jim Griffin will invest $20,515 for the business expansion. The bank will file a first Deed of Trust as security, and the City will file a second Deed of Trust. The loan agreement requires the company to hire at least ten low income citizens at a minimum wage of $3.35 per hour. The business is located in the West Morehead Neighborhood Strategy area and the two parcels of land needed for the expansion were purchased from the Community Development Department and closed in July 1984.

The Economic Development Loan Committee approved the $38,000 loan on February 21, 1984, and the land acquisition from the City was completed in July. Council Action was withheld until title to the real estate was obtained by Mr. Griffin in July.

The loan funds will be drawn from the Community Development Revolving Loan Trust Fund.

Storm Drainage Improvements

24. RECOMMEND APPROVAL FOR CONSTRUCTION OF STORM DRAINAGE IMPROVEMENTS ON PRIVATE PROPERTY FROM 229 BOYCE ROAD TO 301 BOYCE ROAD, IN ACCORDANCE WITH THE STORM DRAINAGE REPAIR POLICY FOR A TOTAL ESTIMATED COST OF $10,750; AND THAT ONE-FIFTH OF THE COST BE ASSESSED TO THREE OF THE FOUR PROPERTY OWNERS INVOLVED.

In May 1984, the Engineering Department investigated a drainage problem affecting several properties on Boyce Road. The problem involved erosion along an open drainage channel from 229 to 301 Boyce Road. Assistance to relieve the problem was offered through the City's Storm Drainage Repair Policy. On July 25, 1984, a petition was received requesting the City make necessary improvements to alleviate the problem with the involved property owners paying one-fifth of the private property cost. The proposed improvements involve installation of approximately 136 feet of 18-inch reinforced concrete pipe and approximately 134 feet of paved ditch. The total estimated cost for this project is $10,750. In accordance with the Storm Drainage Repair Policy, the City pays for all work within street right of way ($300) and four-fifths of the cost on private property ($8,360); the involved property owners share the remaining one-fifth ($2,090).

Three of the four involved property owners have agreed to share in the cost of improvements. All four have signed a limited petition committing to participation in the project in lieu of circulating a petition throughout the drainage basin as provided in the Storm Drainage Repair Policy.

It is recommended that this project be approved for construction in accordance with the Storm Drainage Repair Policy.

The source of funding is the 1.5 million dollar storm sewer bond approved in 1978.

Application for Special Officer Permit

25. RECOMMEND APPROVAL OF APPLICATION FOR SPECIAL OFFICER PERMIT TO CYNTHIA FRANCES ZANE FOR USE OF THE PREMISES OF CHARLOTTE/DOUGLAS INTERNATIONAL AIRPORT.

This is a standard procedure to allow the authorized individual to carry out enforcement duties in the specific area. This permit conveys the right to use the regulation equipment in the performance of duties.

Condemnation Settlements

26. A. RECOMMEND THAT THE CITY COMPROMISE AND SETTLE THE ACTION CITY OF CHARLOTTE V. NCNB (82-CVS-9497) AND CITY OF CHARLOTTE V. JAMES E. CREEKMAN, ET AL. (82-CVS-9673) FOR THE TOTAL AMOUNT OF $269,508.00.

This settlement involves two separate lawsuits arising out of condemnations of two parcels at the intersection of South Tryon Street and West Trade Street being acquired for the proposed Independence Plaza Park. The first is for the acquisition of Parcel 3 at 104 South Tryon Street, and the second is for the acquisition of Parcel 2 at 106 South Tryon Street. The City's total appraised value for these two lots was $173,300.00. Defendants have informed the City that they have an MAI appraisal at $150.00 per square foot, for a total of $364,200.00.

It is recommended that these two matters be settled jointly for a total sum of $269,508.00, or $111.00 per square foot. This figure is inclusive of all interest, costs, and other claims. Settlement at this point will avoid further expenses to the City and defendants in the matters now pending in court. It would preclude any further legal action being necessary as well as settling all interest claims, attorney's fees, appraiser fees, and other matters at issue between the parties. There are sufficient funds in the Independence Plaza Park account to cover this settlement amount.

B. RECOMMEND THAT THE CITY COMPROMISE AND SETTLE THE ACTION CITY OF CHARLOTTE V. NCNB, ET AL. (82-CVS-9931) AND CITY OF CHARLOTTE V. 100 SOUTH TRYON, INC., ET AL. (82-CVS-10134) FOR THE TOTAL AMOUNT OF $656,528.22.

This settlement involves two separate lawsuits arising out of condemnations of two parcels at the intersection of South Tryon Street and West Trade Street being acquired for the proposed Independence Plaza Park. The first is for the acquisition of Parcel 6 at 105-107 West Trade Street, and the second is for the acquisition of Parcel 5 at 100 South Tryon Street. The City's total appraised value for these two lots was $370,750. Defendants have informed the City that they have MAI appraisals that show the fair market values of these two lots ranging from $720,107 to $823,300.

The City Attorney recommends that these two matters be settled jointly for a total sum of $656,528.22, is inclusive of all interest, costs, and other claims. There are sufficient funds in the Independence Plaza Park account to cover this settlement amount.

C. RECOMMEND ADOPTION OF A BUDGET ORDINANCE TRANSFERRING THE SUM OF $381,987 IN TWO-THIRDS BONDS TO THE GENERAL CAPITAL IMPROVEMENT ACCOUNT FOR THE INDEPENDENCE PLAZA PARK TO COVER THE COSTS OF CONDEMNATION SETTLEMENTS PROPOSED IN CITY V. NCNB, CITY V. JAMES E. CREEKMAN, ET AL., CITY V. NCNB, ET AL., AND CITY V. 100 SOUTH TRYON, INC. ET AL.

Street Maintenance

27. RECOMMEND ACCEPTANCE OF 0.90 MILES OF STREET FOR CONTINUOUS MAINTENANCE BY THE CITY OF CHARLOTTE, NORTH CAROLINA

These streets were constructed in accordance with the Charlotte Subdivision Ordinance and have since been approved by the Engineering Department. Following the addition of these streets, the City Street System will stand at 1299.68 miles.

A complete list of street names and locations is available in the City Clerk's Office.

Disposal of Purchasing Records

28. RECOMMEND AUTHORIZATION FOR THE DISPOSAL OF PURCHASING RECORDS MAINTAINED BY THE PURCHASING DEPARTMENT.

The Purchasing Department has followed the requirements of maintaining Purchasing records as required by the Municipal Records Manual, published by the State Department of Archives and History, and now requests authorization to dispose of records consisting of: Bids - Formal, Informal & Contracts (1970 - 1978) and Purchase Orders & Requisitions (1977 - 1980).

Utility Contracts

29. A. RECOMMEND APPROVAL OF CONTRACTS BETWEEN THE CITY OF CHARLOTTE AND THE APPLICANTS LISTED BELOW:

These are extension contracts for new subdivision development in accordance with the Water/Sewer Extension Policy.

Items 1 through 7 are to be constructed by the applicants at their own proper cost and expense. The City is to retain all revenue. There is no cost to the City and no funds are needed.

Item 8 is a standard 15-year reimbursable extension contract. The applicant is to deposit 10% of the estimated cost for engineering and right-of-way. The remaining 90% will be deposited prior to construction. Refund is as per agreement. No City funds are needed.

ITEM NO.

1. Carley Capital Group, to construct 2,160 linear feet or 12-inch water main to serve University Place Subdivision, Phase I, located on U. S. 29 at W. T. Harris Boulevard, outside the Charlotte City Limits. Water Contract No. 84-026. Estimated Cost - $62,000.00.

2. JRS Enterprises, to construct 4,865 linear feet of 8-inch water main, 1,925 linear feet of 6-inch water main and 2,600 linear feet of 2-inch water main, to serve Morris Farms Subdivision, located south of Lawyers Road and west of Lebanon Road, outside the Charlotte City Limits. Water Contract No. 84-020. Estimated Cost - $124,000.00.

3. Rea Brothers Management Company, to construct 1,455 linear feet of 6-inch water main and 1,530 linear feet of 2-inch water main to serve Carmel Station Section 4, located north of Highway 51 and east of Carmel Road, inside the Charlotte City Limits. Water Contract No. 84-035. Estimated Cost - $31,700.00.

4. Coffey Creek Joint Venture, to construct 9,746 linear feet of 8-inch sanitary sewer main to serve Coffey Creek Business Park, located east of Beam Road, south of Wilmount Road and west of York Road, outside the Charlotte City Limits. Sanitary Sewer Job No. 621-84-108. Estimated Cost - $292,380.00.

5. Province Development, Ltd, to construct 1,250 linear feet of 8-inch water main, 780 linear feet of 6-inch water main and 1,140 linear feet of 2-inch water main to serve Vernedale Farms, Section 4 Subdivision, located east of Sharon Amity Road and south of Hickory Grove Road, inside the Charlotte City Limits. Estimated Cost - $40,000.00. Water Contract No. - 66-402.

6. Carley Capital Group, to construct 2,867 linear feet of 10-inch sanitary sewer main to serve University Place Subdivision, Phase I, located north of W. T. Harris Boulevard, west of U. S. Highway 29 and east of I-85, outside the Charlotte City Limits. Estimated Cost - $86,010.00. Sanitary Sewer Job No. 621-84-088.

7. Sparta Brook Homes, Inc., to construct 4,169 linear feet of 8-inch sanitary sewer main to serve Eastland Estates, located north of Hickory Grove Road, east of Sharon Amity Road and west of Hobbs Hill Road, outside the Charlotte City Limits. Estimated Cost - $104,225.00. Sanitary Sewer Job No. 621-84-097

8. Benton Woods , Inc., to construct 1,900 linear feet of 8-inch sanitary sewer main to serve Benton Woods Subdivision, located in Morning Dale Road on a 46.8 acre tract located north of Sardis Road, outside the Charlotte City Limits. Sanitary Sewer Job No. 621-84-106. Estimated Cost - $73,000.00.

Utility and Planning Directors recommend approval.

B. RECOMMEND APPROVAL OF AN AMENDMENT TO SEWER CONSTRUCTION CONTRACT NO. 621-79-148 TO SERVE THE PROPOSED PROVINCETOWNE SUBDIVISION LOCATED ON PROVIDENCE ROAD WEST AND LYING IN THE SIX MILE CREEK DRAINAGE BASIN.

On November 19, 1979, City Council approved a sewer extension contract with The Dowd Company to provide sanitary sewer service to Provincetowne Subdivision, located on Providence Road West and lying in the Six Mile Creek drainage basin. The contract covered the proposed development of 239 acres and would provide service through a gravity collection system and a pumping station that would transfer wastewater to the Four Mile Creek Outfall.

The Dowd Company recently redesigned the subdivision streets and lot layout and now proposes to construct the subdivision in phases instead of as originally proposed. There is no change in the development area covered by the 1979 contract. Because the streets and construction phases were redesigned, City Council must approve amendments to the original contract. An amendment for Phase I construction was approved by City Council on August 8, 1983.

Approval of this amendment will permit the Dowd Company to construct Phase II of the subdivision under the same terms and conditions of the original 1979 contract with only this change. The Utility Director recommends approval and the Planning Commission has given preliminary approval.

Amendment to Contract for Sale of Land in Third Ward

30. RECOMMEND APPROVAL OF AN AMENDMENT TO CONTRACT FOR SALE OF LAND TO THOMAS E. LOW IN THE THIRD WARD NEIGHBORHOOD STRATEGY AREA FOR THE SALE OF BLOCK 23, PARCEL 19, LOCATED AT 1100 GREENLEAF AVENUE, FOR $1,200.00.

On August 8, 1983, City Council approved the sale of Block 23, Parcel 19 to Mr. Thomas E. Low at a sales price of $1,200.00. This parcel contains approximately 5,232 square feet and is for the Development of a three unit townhouse. The Redeveloper has advised that he has encountered difficulty in securing the required financing, and has requested that he be allowed an additional six months. He has also requested that he be permitted to develop a minimum of one residential structure rather than the three he had proposed.

Engineering/Real Estate and the Community Development Department concur in this request.

ITEM NO.

Encroachment Agreement

31. A. RECOMMEND APPROVAL OF A RIGHT OF WAY ENCROACHMENT AGREEMENT BETWEEN THE CITY AND CHARLOTTE NEUROSURGICAL ASSOCIATES, P.A., FOR THE CONSTRUCTION OF AN IRRIGATION SYSTEM ALONG EDGEHILL ROAD NORTH.

In conjunction with the construction of their new medical facility at 1010 Edgehill Road North, Charlotte Neurosurgical Associates plans to install an irrigation system four inches behind the sidewalk. They wish to enter into a Right of Way Encroachment agreement with the City for the installation of this irrigation system in public right of way. The system will lie just behind the sidewalk running along their property line on Edgehill Road North and approximately 80 feet along East Morehead Street. Through this agreement the owners accept full responsibility for the irrigation system including its maintenance.

The Engineering Department and Insurance and Risk Management have no objections to this encroachment agreement.

B. RECOMMEND APPROVAL OF AN AGREEMENT WITH CENTRAL PIEDMONT COMMUNITY COLLEGE THAT WILL ALLOW THE PARKS AND RECREATION DEPARTMENT TO ENCROACH ON PARK DRIVE IN MAKING IMPROVEMENTS TO MEMORIAL STADIUM.

The Parks and Recreation Department is in the first phase of an approved program to upgrade Memorial Stadium. This phase includes renovations to the South Concourse concession stands and restroom areas. Part of this work also involves rebuilding and narrowing Park Drive, and to accomplish this work City Council had to abandon a certain portion of the roadway in a public hearing on May 14, 1984. Approval of this agreement will allow the City to create and maintain encroachments on the portion of Park Drive which would otherwise revert to Central Piedmont Community College.

Disposal of Laboratory Equipment

32. RECOMMEND AUTHORIZATION FOR THE DONATION OF LABORATORY EQUIPMENT CONFISCATED BY THE POLICE DEPARTMENT TO THE UNIVERSITY OF NORTH CAROLINA AT CHARLOTTE (UNCC).

On December 9, 1983, Charlotte police officers obtained a search warrant and searched a building containing a clandestine drug laboratory in which controlled substances were being manufactured illegally. On August 17, 1984, a court order was issued giving the Police Department full ownership of the property and the authority to keep it, destroy it or donate it to another public agency.

The Police Crime Laboratory will keep some pieces of equipment useful in their work. The City would like to donate the remaining equipment (approximately 100 to 150 pieces) to UNCC because it is the only area institution with the facilities to make use of the surplus equipment, and could possibly be used in conjunction with their Law Enforcement studies program. This equipment includes a Naycraft Muffle Furnace, a number of pieces of glassware such as multi-neck reaction vessels, heating mantles, reactions stands with associated clamping materials, metal stands for heating mantels, and a large laboratory lattice work stand.

Property Transactions

33. RECOMMEND APPROVAL OF THE FOLLOWING RIGHT OF WAY ACQUISITIONS.

A. Acquisition of 1,373 square feet of right-of-way for the McDowell Street Widening, at 901 Elizabeth Avenue, from John D. Warren and wife, Rowena C., for $14,750.00, for the McDowell Street Widening Project. (Option)

B. Acquisition of 208 square feet, at 901 Elizabeth Avenue, from John D. Warren and wife, Rowena C., for $1.00, for the McDowell Street Widening Project. (Permanent Sidewalk Easement)

C. Acquisition of 32.0 square feet plus temporary construction easement, at 120 N. McDowell Street, from John D. Warren and wife, Rowena C., for $1.00, for the McDowell Street Widening Project. (Permanent Sidewalk Easement)

D. Acquisition of 160.00 square feet plus temporary construction easement, at West Tenth and North Graham Streets, from Pioneer Investments, Inc., for $1.00, for the Fourth Ward Sidewalks Phase V. (Right of Way Agreement)

E. Acquisition of 104.83 linear feet, at the 1400 Block of Muddy Pond Road, from the Housing Authority of the City of Charlotte, for $1.00, for the Sanitary Sewer to serve 7143 South Boulevard. (Easement)

F. Acquisition of 56.34± linear feet, at 16.85 ac. N. side Sardis Road North, from Sardis Executive Park, for $1.00, for Transfer Sanitary Sewer Right-of-Way on Trunk to serve Orchard Lake Drive. (Assignment of Easement)

G. Acquisition of 261.74 linear feet plus severance. trees, manhole and temporary construction easement, at 8009 Lawyers Road, from Frank Edward Mangum and Wilma W. Mangum, for $800.00, for Sanitary Sewer to serve Harri Ann Drive. (Easement)

H. Acquisition of 5,882.50± square feet, at 8522 Belhaven Boulevard, from H. M. Thompson, Jr., and Charlotte K. Thompson, for $6,950.00, for Sanitary Sewer to serve Westbourne Subdivision - Phase I. (Temporary Construction Easement)

I. Acquisition of 176.42 linear feet, at the acreage at 600 block of Silverleaf Road, from Silverleaf Associates, for $225.00, for the Sanitary Sewer Trunk to serve Silverleaf Road. (Easement)

J. Recommend adoption of a resolution for condemnation for 19,515 square feet, at 408 Beatties Ford Road, from the Heirs of W. H. Stinson, for $26,400.00, for the Five Points Neighborhood Strategy Area.

K. Acquisition of 45.97 linear feet plus severance: trees and temporary construction easement, at 5500 Trotters Ridge Road, from Norman F. Nixon and Ann C. Nixon, for $250.00, for Sanitary Sewer to serve Harri Ann Drive. (Easement)

L. Acquisition of 2.236 acres, at New Dixie Road, from J.N.J. Pipe & Boiler Co., for $45,000.00, for the Airport Master Plan Land Acquisition Project.

M. ACQUISITION OF 4,910± SQUARE FEET PLUS OFFICE BUILDING, AT 121 WEST SEVENTH STREET, FROM CTHL PROPERTIES, OR ITS NOMINEE, FOR $800,000, FOR THE DISCOVERY PLACE EXPANSION PROJECT.

City Council approved the purchase of this property for Discovery Place at its meeting on August 13, 1984. City Council will need to approve specific financing arrangements with the Science Museums, Inc. Board, a lease agreement, and a budget ordinance appropriating the first-year cost under a lease/purchase plan on a future agenda.

Waiver of Notice Prescribed by Annexation Agreement between the City of Charlotte and Town of Pineville

34. RECOMMEND ADOPTION OF A RESOLUTION AGREEING TO WAIVE THE SIXTY (60) DAYS WRITTEN NOTICE REQUIREMENT FROM THE TOWN OF PINEVILLE IN THEIR PROPOSED ANNEXATION OF 32.12 ACRES OF PROPERTY FRONTING ON N. C. HIGHWAY 51 AND JOHNSTON ROAD.

Adoption of this resolution will allow the Town of Pineville to forego the sixty-day notice requirement to the City of Charlotte and proceed with their proposed annexation. The property proposed for annexation is within the area identified by the Annexation Agreement as being within the sphere of influence of the Town of Pineville and is therefore eligible for annexation by the Town.

The City Attorney's and the City Manager's Offices have reviewed this resolution and have no objections to its adoption. The Town of Pineville gave prescribed notice to the City of Charlotte of its intent to annex on August 22, 1984.

- PENDING MATTERS -

In meeting on Monday, September 24, 1984, City Council will make nominations for the following positions

(1) Certified Development Corporation - Two positions for unexpired terms L. J. Stanley, whose term expires April 30, 1985, and Omar Leatherman, whose term expires April 30, 1987, have resigned. Both represent business organizations

(2) Clean City Committee - One position for a term expiring June 30, 1987 The appointment of William W. Fitzhugh has been terminated in compliance with Council's attendance policy

(3) Historic Properties Commission - One position for a term expiring July 16, 1985 Bruce C. McMillen has submitted his resignation

SCHEDULE OF MEETINGS
September 10 - 14, 1984

Monday, September 10	COUNCIL/MANAGER DINNER	5 00 p m.
	Executive Session	
	UDAG Presentation	
	CITIZENS HEARING	7 00 p m.
	CITY COUNCIL MEETING	7 30 p. m.
	South Mecklenburg High School	
Thursday, September 13	UNCC DISTRICT PLAN BUS TOUR Assemble at Cameron-Brown Bldg.	3 00 p. m.