AGENDA

Meeting Type:	B
Date:	12-30-1985

City of Charlotte, City Clerk's Office

Charlotte

CITY COUNCIL AGENDA

Monday, December 30, 1985

12:00 noon	-	Council-Manager Luncheon Training Center Highway 51
2:00 p.m.	-	Citizens Hearing
3:00 p.m.	-	Council Meeting Council Chamber

ITEM NO.

1. Invocation by the Reverend Ellison L. Bowman of Bethel AME Zion Church.

2. Consider approval of minutes of the zoning meeting of October 21, and regular meeting of October 28, 1985.

PUBLIC HEARINGS

3. A. Conduct a public hearing to abandon a portion of Highview Road.

   B. Recommend adoption of a resolution abandoning a portion of Highview Road.

Mr. and Mrs. John Bullock and Mr. and Mrs. Charles Raines, Jr. submitted a petition to abandon a portion of Highview Road off Landerwood Drive. The portion of Highview Road in question is a non-maintained, unopened right of way 50-feet wide and approximately 150-feet long lying east from Landerwood Drive. The petitioners own all abutting property and it is their intent to incorporate this right of way into the adjoining tracts to enhance the properties and reduce sideyard setbacks.

council agenda

Mayor Harvey B. Gantt **Mayor Pro Tem Al Rousso**

Charlie S. Dannelly
Gloria Fenning
Ann Hammond
Ron Leeper
Roy Matthews
Cyndee Patterson
Pamella G. Patterson
Minette Conrad Trosch
Richard Vinroot
Velva W. Woollen

All City departments, private utility companies and the Mountainbrook Civic Association were notified and are in concurrence with the abandonment.

A map is attached.

Attachment No. 1

4. A. Conduct a public hearing to abandon two alleyways off North Church Street and West Eighth Street.

B. Recommend adoption of a resolution abandoning two alleyways off North Church Street and West Eighth Street.

Mr. Burton A. Gellman submitted a petition requesting the abandonment of two alleyways in the block bounded by North Church Street, West Seventh Street, North Tryon Street and West Eighth Street. Both are used to serve the adjacent properties, but are not maintained by the City. The first, located off North Church Street, is 8-feet wide and approximately 106-feet long. The second, off West Eighth Street, is 10-feet wide and approximately 188-feet long The petitioner owns all abutting property and intends to incorporate these rights of way into the adjoining parcels for resale or development.

All City departments, private utility companies, the Historic District Commission and Friends of Fourth Ward were notified and are in concurrence with the abandonment.

A map is attached.

Attachment No. 2

POLICY

5. A. Recommend adoption of ordinances designating properties known as: (1) "Representative Shotgun House A", including the interior and exterior of the house, located at 153 West Bland Street, as historic property, and (2) "Representative Shotgun House B", including the interior and exterior of the house, located at 155 West Bland Street, as historic property

Public hearings to consider designations of three shotgun houses were held on November 18, 1985. Council is being asked to designate two, and defer the third

The Historic Properties Commission (HPC) judges that the properties known as Representative Shotgun Houses do possess special significance in terms of Charlotte-Mecklenburg. The Commission bases its judgment on the following considerations. (1) the three shotgun houses are the best-preserved examples in or near the center city of a type of house style which was once common in Charlotte; (2) the so-called "shotgun house" is an important component of Afro-American culture, both in Charlotte and throughout the southern United States, and (3) the so-called "shotgun house" is a building form which occupies an important place in the architectural history of Charlotte.

B. Defer action on consideration of an ordinance designating the property known as "Representative Shotgun House C", including the interior and exterior of the house, located at 810 East Ninth Street, as historic property.

Council is requested to defer action until the Afro-American Cultural Center (AACC) is able to determine that the location of a third shotgun house would not limit their ability for future expansion, and is able to assess the cost implications of preserving a third structure. The property where the structure is presently located is designated in the Council-approved Lane, Frenchman Plan for new housing development, and therefore the structure will have to be relocated or demolished.

C. Recommend adoption of a resolution authorizing the conveyance to the Historic Properties Commission of two structures located at 153 and 155 West Bland Street for relocation to the Afro-American Cultural Center site at 403 North Myers Street.

On December 3, 1985, the Historic Properties Commission's Emergency Properties Committee recommended that $6,000 be provided to assist in the relocation and preservation of two of three shotgun houses. The Committee's recommendation is contingent on the structures receiving historic designation. The Historic Properties Commission and the AACC will contract to have the two structures relocated to a site directly behind the AACC building at Seventh and Myers Streets. Relocation of the houses to this site is in conformance with the Lane, Frenchman Plan. Following relocation of the two structures on Bland Street, the AACC and HPC will assess the need and financial ability to relocate the third structure on Ninth Street.

N. C. Redevelopment Law does not permit the City to donate redevelopment property to the AACC, a non-profit organization, for less than its appraised value. However, the City may convey property to the Historic Properties Commission because it is a government agency. The FPC will have the structures relocated.

This action has been endorsed by representatives of the Afro-American Cultural Center and the Historic Properties Commission.

Attached is a letter from Dr. Dan Morrill of the Historic Properties Commission and a map of the proposed relocation site.

Attachment No. 3

6 Recommend request to adopt a policy under which retiring Police reserve officers who meet established criteria receive their service weapons upon retirement.

The Charlotte Police Reserves are a group of men and women who volunteer their time to the Police Department's law enforcement efforts. They are sworn law enforcement officers with the power to arrest and are certified by the North Carolina Criminal Justice Training and Standards Council after completion of 369 hours of required police training. Reserve officers must undergo the same rigid background investigation as regular police officers and must participate in their mandatory in-service training. Reserve officers are used in regular field patrol assignments and at special events such as Festival in the Park and the Carrousel Parade. Last year, police reserves worked 16,572 hours which is the equivalent of over $141,000 in donated time.

A number of police reserves remain in the program for a considerable length of time. Based on a request from a member of the Charlotte Police Reserves, the Police Department would like to adopt a policy under which reserve officers who meet established criteria when they leave the program receive their service revolvers upon retirement. The reserve officer would have to.

- be at least 50 years of age
- have completed 15 years of service with the reserve unit
- have performed at least 2400 hours of law enforcement service for the City as a police reserve
- be recommended by the Chief of Police after meeting appropriate criteria including the need for a permit

State law provides that retiring law enforcement officers shall be awarded their badges and at the discretion of the governing body can be awarded their service sidearms if they first obtain the permit required by law. The City Council has approved this policy. The department presently awards the service revolver to regular police officers who meet specific criteria at the time of their retirement.

The Police Department feels that awarding the service revolver to reserve officers who meet the appropriate criteria is a meaningful way to recognize the valuable contribution they have made to the City. Each request will be reviewed and recommended by the Police Chief. With Council approval, this will become departmental policy.

Funds to replace the service revolvers are included in the annual uniform and equipment budget for police reserves It is anticipated that in the next five years there will be no more than six or seven retirees, so the policy change would have no adverse impact upon this budget account.

The Police Attorney has reviewed the proposal and says that it is in accordance with North Carolina law.

7. Recommend amendments to Chapter 6 of the City Code, the Tryon Street Mall Vendors Ordinance, pertaining to the assignment of location of vendors, relationship of vendors with permits to special events on the Mall, and the annual permit fee.

After approximately ten months' experience with the Tryon Street Mall Vendors Ordinance, the Central Charlotte Association (CCA) and the Mall District Committee have requested several changes in the present ordinance to provide greater flexibility in assigning vendor site locations, and to encourage greater vendor participation The recommended changes are as follows

1. Remove the specific limitations and the size requirement of site locations. Vendor sites are now limited to two in each block on each side of the Mall.

2. Prior to the expiration of an annual permit, allow a vendor to reapply for the same site location, but retention of the site shall not exceed three years, after which time the site location shall be assigned in accordance with the standards described in the ordinance. CCA may recommend assignment of locations subject to approval by the City Manager or his designee.

3. Clarify the ordinance to make it clear that the issuance of a Mall vendor permit does not grant any rights or privileges at any special event sanctioned by City Council.

4. Delete the annual regulatory permit fee of $300. The amendment delegates the authority to the City Manager or his designee to set reasonable regulatory permit fees based upon administrative costs for reviewing applications, issuing permits and monitoring vendor activities on the Mall. The Mall District Committee may recommend a fee subject to the City Manager's approval The Committee has indicated its intent, with that authority, to recommend to the City Manager an annual regulatory permit fee of $150.

CCA and the Mall District Committee have approved the recommended changes and advise that SpringFest and Carolinas Carrousel feel comfortable with them. The vendors have had input into the requested changes but have not had an opportunity to approve the final changes prior to the Council agenda deadline. CCA plans to review the changes with the vendors the week of December 16.

8. Reconsider City Council's previous vote on the instructions Council gave to its representative to the Metropolitan Planning Organization (MPO) as to how to vote on the question of the Carmel, Johnston and Park Road designations.

At its meeting on December 16, 1985, Council voted to look again at the previous instructions Council gave to its MPO delegate as to how to vote on the question of the Carmel, Johnston and Park Road designations.

Attached is the agenda item as it appeared in the November 25 agenda, and the executive summary of the July 1, 1985 Council Transportation Committee minutes that accompanied that agenda item.

Also attached is additional information which Council has requested. Excerpts from the November 25 Council minutes relating to this matter are being prepared and will be forwarded to Council by the City Clerk.

Attachment No. 4

BUSINESS

9. Recommend approval of annexation agreement with the Town of Weddington concerning areas which are not subject to annexation by the City and the Town.

On December 16, 1985, the Council approved settlement terms for litigation in which the City challenged the Town's annexation of the Hearthstone subdivision. One aspect of that settlement requires the City and Town to enter into this agreement. Actual approval of the agreement was deferred from Council's earlier consideration to allow the Town to complete the annexation of a single lot within Mecklenburg County so that local legislation authorizing annexation agreements would apply to the Town.

The annexation agreement provides that the City will not annex any portion of Hearthstone for 25 years and will not annex any portion of Union County for ten years. The Town agrees not to annex any portion of Hearthstone for 30 years, nor any portion of Mecklenburg County for ten years. Property owners within Hearthstone may petition either municipality for a voluntary annexation, and the municipality receiving the petition may request the other municipality to permit such an annexation. However, such permission may be withheld for any reason or for no reason. The mere failure to act upon the request will block such an annexation

10. Recommend approval of an amendment to the Charlotte-Mecklenburg job training consortium agreement to authorize the continued operation of the Charlotte-Mecklenburg Service Delivery area under the Job Training Partnership Act (JTPA).

In June 1983, the City and County entered into an agreement to establish the Charlotte-Mecklenburg Job Training Consortium Under this agreement, the City of Charlotte and Mecklenburg County was established as a joint Service Delivery Area (SDA) under the Job Training Partnership Act (JTPA).

Under the Job Training Partnership Act, the City and County receive federal funds to be used in a variety of job training and placement programs for economically disadvantaged citizens.

The Mayor is authorized to enter into JTPA agreements and to select the Charlotte-Mecklenburg Private Industry Council which is responsible for initiating policy, planning and oversight for the program. The program is administered by the City Employment and Training Department.

Every year the Governor may redesignate service delivery areas for JTPA. Since Charlotte-Mecklenburg functions successfully as a service delivery area, it qualifies for continued participation in the program.

Council is asked to approve an amendment to the Charlotte-Mecklenburg Job Training Consortium agreement which will extend the program for another two year period to begin July 1, 1986.

This agreement has been reviewed and approved by the City Attorney.

Attached is a synopsis of the Job Training Partnership Program which was distributed in a Council/Manager memo on July 17, 1985.

Attachment No. 5

11. A. Recommend adoption of a budget ordinance which will authorize lending $50,000 to the 54-inch feeder water main project until the bonds authorized for the project are sold.

Pending the sale of bonds which have already been approved, we need to advance $50,000, in addition to the $1,500,000 already sold, for engineering services for the construction phase of the 54-inch water main from northwest to southeast Charlotte.

Funds will be borrowed from the unappropriated balance of the Water and Sewer Operating Fund and returned to that fund when the 1985 water bonds are sold.

B. Recommend approval of an amendment to the contract between City of Charlotte and Henningson, Durham & Richardson, Inc. for professional engineering services for the construction phase of a 54-inch feeder water main from northwest Charlotte to southeast Charlotte not to exceed $1,018,800.

On April 22, 1985, Council approved a contract with Henningson, Durham and Richardson (HDR) to design the 54-inch water main that will run from large mains at Vanizer and Tuckaseegee Road to a 24-inch main in Sharon Amity Road at Providence Road. On November 5, 1985 voters approved $18,000,000 bonds for the construction of this main.

The contract with HDR provided for all design and construction phase services. The contract stated that after the route and number of construction contracts were determined, the City would then negotiate an amendment to establish the total cost for the construction phase services.

Charlotte-Mecklenburg Utility Department staff has completed negotiations with the engineers for the construction phase and have agreed on a price not to exceed $1,018,800. Services to be provided in this construction phase include resident engineering services, review of shop drawings, verification of monthly contractors payment requests, preparation of change orders, resolution of field condition problems encountered by contractor, review of lab reports on materials and equipment, prepare record drawings, observations of work in progress and report results of observations to owner, final inspection, and other duties typically associated with construction phase services.

This amendment to the engineering agreement is not to exceed $1,018,800 for the basic construction management services outlined plus additional miscellaneous services as requested by the Utility Department. Funding for this work is provided by 1984 bonds plus an additional $50,000 transferred to this account in the previous action.

The Utility Director recommends that this contract amendment be awarded to Henningson, Durham and Richardson, Inc. so that construction can begin on this feeder main on a schedule that will facilitate completion by May 1987.

12. A. Conduct a hearing on the requested withdrawal of low bid for plumbing contract at the airport by Electricon, Inc. due to bidder error

B. Recommend approval of request by Electricon, Inc. to withdraw low bid.

C. Recommend award of plumbing contract to next low bidder, Beta Construction Company, in the amount of $624,508.

Bids relating to construction at the airport are listed in the bid section of the agenda. These include general, mechanical and electrical contracts for Concourse A and the terminal building expansion.

The item related to the plumbing contract must be handled separately, however, because the low bidder, Electricon, Inc., requested their bid in the amount of $512,000 be withdrawn because they neglected to include the sprinkler system subcontractor price in their bid. State law requires a hearing be held and a decision made on a requested withdrawal of a low bid. Electricon's request was submitted within 72 hours as required by State law and their backup data confirms the mistake.

It is recommended that Electricon, Inc. be allowed to withdraw their bid. It is further recommended that the plumbing contract be awarded to the next low bidder, Beta Construction Company.

13. Nominations for Appointment to Boards and Commissions.

1. Charlotte Housing Authority - The Authority builds, maintains and operates low-rental housing for persons of low income.

   One position for a five-year term. Walter Tucker will complete his first full term on December 17. He was originally appointed in 1977 for an unexpired term. Attendance records through the third quarter of this year indicate he has attended seven of the nine meetings held.

2. Charlotte-Mecklenburg Advisory Energy Commission - The Commission serves as a designated body to study community energy problems and develop an annual Energy Management Plan for Charlotte and Mecklenburg County for Council's and the County Commission's approval, and supports its implementation.

   Three positions for two-year terms. The by-laws of the Commission provide that appointment to the various categories shall alternate between the City and County. The City Council will make appointments to the following categories

   a) Consumer Advocate - Margaret M. Miller has served two full terms, making her ineligible for reappointment.

   b) Petroleum Industry - Mark P. Johnson, Jr. is completing his first term. Attendance records indicate he has attended none of the six meetings held Mr. Johnson has requested that he not be reappointed.

   c) Engineering/Technical Profession - J William Shelnut is completing his first full term, and is eligible for reappointment. He has attended all of the six meetings held

3 Community Resources Board - The Board, among other duties, oversees the work of the Charlotte-Mecklenburg Information and Peferral Service.

One position for a three-year term. Earl Yarborough is completing his first full term and is eligible for reappointment. Atterdance records indicate that he has attended nine of the thirteen meetings held during the year.

4. Safety Action Committee - The Committee administers a reward fund that can be used to attract information on criminal activities leading to the arrest, indictment and conviction of criminals.

One position for a two-year term. J Wesley Carrothers is completing his first full term and is eligible for reappointment. Attendance records through the third quarter of this year indicate he has attended seven of eight meetings held.

5. Uptown Development Corporation - This is a non-profit corporation organized to contract with the City to conduct (a) ecoromic and land use planning of the Municipal Service District ard designated sub-areas within the District, (b) develop and issue publications and information on the District of value to property owners, residents, developers, and investors, (c) stimulate private investment within the District for commercial, residential and other development, (d) coordinate private and public sector actions relevant to the District, and (e) produce and implement promotional and developmental activities within the District.

City Council representative (City Council/County Commission category). Councilmember Pam Patterson's second term expires December 31, 1985 Terms are not limited in this class. Appointment is for a one-year term.

Attachment No. 6

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The City Attorney advises that agenda items no. 14 through 31 may be considered in one motion. However, any member of Council may request that an item be divided and voted on separately.

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PERSONNEL ACTIONS

14. Recommend approval to grant an additional one-time payment in retirement benefits to the firemen who were retired as of June 30, 1985, or to the heirs of eligible retired firemen who have deceased since June 30, 1985.

The Board of Trustees of the Charlotte Firemen's Retirement System requests authority to dispense $135,000 to the firemen who were retired as of June 30, 1985, or to the estate of eligible retirees who are deceased. This payment is to be considered a one-time payment and not a regular increase in the monthly benefits

Funding is provided through an accrued, one-year surplus, which totaled $628,700 as of June 30, 1985 as reflected in the actuarial study done by Mercer-Meidinger, Inc.

Funding will be distributed on a formula basis that will incorporate base salary, length of service, and other factors.

RESOLUTION

15 Recommend adoption of a resolution approving a Municipal Agreement with the North Carolina Department of Transportation concerning Tyvola Road Extension.

In November, 1984, Charlotte voters approved a project to extend Tyvola Road from I-77 to the Billy Graham Parkway. The road will be constructed with five lanes initially with provisions for a future sixth lane. An interchange will be constructed at the Billy Graham Parkway. The road will provide access to the proposed York Road Park and new Coliseum and will serve as a thoroughfare in this rapidly growing area of the City. A municipal agreement with the State is required since the thoroughfare will traverse existing State-maintained roads and some realignment of Wilmount Road and Yorkmont Road, both State-maintained, will be required.

The municipal agreement indicates that Tyvola Road Extension will be funded entirely by the City. Upon completion of the project, portions of the road between I-77 and Nations Ford Road and between the relocated Wilmount Road through and including the interchange at Billy Graham Parkway will become the maintenance responsibility of the North Carolina Department of Transportation The State is allowing use of land currently under their ownership for the proposed improvements. Traffic signal equipment is to be provided by the City. Upon adoption of the resolution, the resolution and municipal agreement will be signed by the Mayor and transmitted to the State Board of Transportation for approval at their January 10 meeting.

No funds are required for adoption of the resolution. The extension of Tyvola Road will be funded through 1984 Transportation bond funds and other sources

The resolution and municipal agreement have been reviewed by staff of the Charlotte-Mecklenburg Utility Department, Charlotte Department of Transportation, Engineering Department and the City Attorney's Office.

BIDS

16. 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

Bids A - E are for construction equipment (3 new pieces and 10 replacement pieces) which will be used for a variety of jobs and projects. The equipment to be replaced is in poor condition and maintenance costs will continue to be high.

The source of funding for these purchases has been established in the amount of $280,000 in the City's lease/purchase agreement with First Union National Bank and $90,000 in capital outlay appropriations for the Airport Department.

A) 5 - Air Compressors Utility Dept.

Recommendation: By Utility Director and Purchasing Director that the low bid, Contractor's Service and Rental, Charlotte, N. C., in the amount of $44,975.00, be accepted for award of contract on a unit price basis.

B) 1 - Self-Propelled Rider Type 3-Wheel Sweeper Airport

Recommendation By Airport Manager and Purchasing Director that the lowest responsive bidder, Tennant Company, Norcross, Georgia, in the amount of $32,630.12, be accepted for award of contract on a unit price basis.

C) 2 - Small Wheeled Tractor W/Backhoe/Loader Parks & Recreation

Recommendation: By Park and Recreation Director and Purchasing Director that the low bid, N. C. Equipment Company, Charlotte, N. C., in the amount of $45,830.00, be accepted for award of contract on a unit price basis.

ITEM NO.

D) 4 - Large Wheeled Tractors W/Backhoe/Loader — Operations, St. Maint., Airport & Utility Depts.

Recommendation: By Operations Director, Utility Director, Airport Manager and Purchasing Director that the low bid, N. C. Equipment Company, Charlotte, N. C., in the amount of $151,660.00, be accepted for award of contract on a unit price basis.

E) 1 - Rubber Tired, Articulated Front-End Loader — Operations Dept., St. Maintenance

Recommendation: By Operation Director and Purchasing Director that the low bid, Case Power & Equipment, Charlotte, N. C., in the amount of $42,591.00, be accepted for award of contract on a unit price basis.

The majority of the vehicles in bids F - K will be replacement units. Vehicles to be replaced are in poor condition and maintenance costs will continue to be high if they remain in service.

The source of funding in the amount of $1,128,000 has been established for these items in the City's lease/purchase agreement with First Union National Bank. Appropriations for the debt service on this agreement have been allotted to the departments receiving the equipment.

F) 65 - 4-Door Sedan Police Specials — Police Dept.

Recommendation By Police Chief and Purchasing Director that the low bid, Young Ford, Inc., Charlotte, N. C., in the amount of $677,396.85, be accepted for award of contract on a unit price basis.

Project Description: These vehicles are needed to replace approximately one-third of the Police Department's marked fleet that are nearing the end of their useful life.

G) 2 - 4-Door Sedan Police Specials (Color: White Top with Red Body) — Fire Dept.

Recommendation: By Fire Chief and Purchasing Director that the lowest responsive bidder, Young Ford, Inc., Charlotte, N.C., in the amount of $20,832.98, be accepted for award of contract on a unit price basis.

H) 32 - Automobiles, 4-Door Sedan, Ford Tempo, Chevrolet Cavalier, Plymouth Reliant, Section 3.A. — Police, DOT, Utility Depts. and Transit Division

Recommendation By Police Chief, Transportation Director, Utility Director and Purchasing Director that the low bid, Young Ford, Inc., Charlotte, N. C., in the amount of $234,711.04, be accepted for award of contract on a unit price basis

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I) 2 - Automobiles, 4-Door Sedan, Ford LTD, Chevrolet Celebrity, Ford Taurus — Employment & Training & Neighborhood Ctrs.

Recommendation By Employment & Training Director, Neighborhood Centers Director and Purchasing Director that the lowest responsive bidder, LaPoirte Chevrolet Co., Charlotte, N. C., in the amount of $17,995.84, be accepted for award of contract on a unit price basis.

J) 2 - 6-Cylinder, 4-Door, 6-Passenger Station Wagons, LTD, Celebrity — Utility Dept.

Recommendation: By Utility Director and Purchasing Director that the lowest responsive bidder, LaPointe Chevrolet Company, Charlotte, N. C., in the amount of $17,730.78, be accepted for award of contract on a unit price basis.

K) 1 - 4-Door Station Wagon, Chevrolet Cavalier, Plymouth Reliant — General Services, Central Sers. Div.

Recommendation: By General Services Director and Purchasing Director that the lowest responsive bidder, LaPointe Chevrolet Company, Charlotte, N. C., in the amount of $7,479.79, be accepted for award of contract or a unit price basis.

L) Gas Chromatograph/Quadrupole Mass Spectrometer System — Police Dept., Crime Lab.

Recommendation: By Chief of Police and Purchasing Director that the low bid, hewlett-Packard Company, Greensboro, N. C., in the amount of $94,384.00, be accepted for award of contract

Project Description: This equipment is used in analytical chemistry and has an exceptional ability to purify and identify organic chemical compounds. Application will be made to drug cases, poison cases and criminalistics evidence.

Source of Funding: General Fund - Police Department Crime Lab - Lease/Purchase.

M) Water Distribution Project 24-inch Water Main along N.C. 51 and Pleasant Hill Drive from Alexander Road To Old Monroe Road — Charlotte-Mecklenburg Utility Dept.

Recommendation: Director, Charlotte-Mecklenburg Utility Department recommends that the low bid by Hobby Construction Company, Incorporated, Newberry, South Carolina in the amount of $428,022.85 be accepted for award of contract on a unit price basis.

Project Description. Construction of this project will complete a major loop and reinforce the water supply in the N.C. 51 - Old Monroe Road area.

It is the recommendation of the Utility Department and the City Attorney's Office that the bid submitted by Hobby Construction Company, Incorporated be accepted with mathematical correction made based on the unit prices entered. The proposal was checked mathematically and Hobby was determined to be the low bidder on the basis of the checked, verified and corrected total all according to the bid specifications as outlined in the Instruction To Bidders, Page IB 3, Paragraph 8 - Awarding of Contract.

Source of Funding Water and Sewer Capital Improvement Fund (N.C. 51 Water Main).

Bids N - P, total $8,665,772 and deal with construction at the Airport. Piedmont and American Airlines requested that the City expedite construction of Concourse "A" so that their operational requirements could be met as soon as possible. American is operating on Piedmont gates through a temporary arrangement. Piedmont's ability to accommodate American is of limited duration because of their own expansion plans.

This is the second of a series of contracts anticipated for this project. The first, awarded by Council in September, was for site preparation, foundations, and steel work.

Council has previously appropriated the proceeds of the 1985 Airport revenue bonds totalling $109 million to provide funding for this project. Debt service on these bonds is covered by Airport facility rentals and concession fees.

Bid O for $2,753,152.40 is also related to the Airport and is for air field improvements Funds for these improvements are provided by Airport revenue bonds and a grant from the Federal Aviation Agency.

A chart showing Council-approved Airport revenue bond projects is attached, along with maps of the specific projects in these bid items.

Attachment No. 7

N) Shell Package General Contract for Concourse "A" and the terminal building expansion — Airport

Recommendation. The Airport Manager recommends that the low bid by F. N. Thompson, Inc. in the amount of $5,037,200.00 be accepted for award of the contract on a lump sum basis.

Only two bids were received on November 12, 1985. As required by North Carolina law, these bids were returned unopened and the contract re-advertised. Bids were received again on November 26, 1985 and again, only two bids were received. State law, however, permits the City to open bids after re-advertisement.

Source of Funding 1985 Airport Revenue Bond Construction Fund - (Phase II Terminal Expansion/Concourse "A" Construction - 1985 Airport Revenue Bonds).

O) Shell Package Mechanical Contract for Concourse "A" and the terminal building expansion — Airport

Recommendation: The Airport Manager recommends that the low bid by Mechanical Industries, Inc. in the amount of $2,122,242.00 be accepted for award of the contract on a lump sum basis.

Source of Funding: 1985 Airport Revenue Bond Construction Fund - (Phase II Terminal Expansion/Concourse "A" Construction - 1985 Airport Revenue Bonds).

P) Shell Package Electrical Contract for Concourse "A" and the terminal building expansion — Airport

Recommendation The Airport Manager recommends that the low bid by Howell Electric in the amount of $881,822.00 be accepted for award of the contract on a lump sum basis.

Source of Funding 1985 Airport Revenue Bond Construction Fund - (Phase II Terminal Expansion/Concourse "A" Construction - 1985 Airport Revenue Bonds).

Q) Runway 36R Approach Clearing, Ramp "A" Expansion and Ramp "D" Connector Taxiway, and Ramp "D" Expansion — Airport

Recommendation: The Airport Manager recommends that the low bid by Blythe Industries, Inc. in the amount of $2,753,152.40 be accepted for award of the contract on a unit price basis

Project Description This project was divided into three schedules of work in order to encourage M/WBE participation. Blythe Industries was low bidder on each part.

An MBE goal of 15% was established for this work After careful and thorough study of all bid documentation, and concurrence from the City Attorney's Office, it is felt that the low bidder, Blythe Industries, Inc., was responsive to the M/WBE requirements in that the minimum requirements were met at the time of bid However, Blythe indicated $83,550.39 or 3.03% of total contracts to be subcontracted to MBE's. Subsequent discussions with Blythe were successful in increasing MBE participation to $359,925.34 or 13.07% of the total amount bid and WBE participation to $85,387.70 or 3.11% of the total amount bid.

Schedule I - Runway 36R approach clearing will clear approximately 40 acres of trees and obstruction to accommodate new approach zone requirements. Schedule II - Ramp "A" expansion and Ramp "D" connector taxiway - will alleviate congestion and facilitate ground movements on both the east and west side of the terminal apron. Schedule III - Ramp "D" expansion will provide additional aircraft parking positions and alleviate ramp congestion during peak periods.

Source of Funding Airport Capital Improvement Fund (Federal FY85 Airport Improvement Projects - Airport Improvement Program Grant and Airport Revenue Bonds)

BID REJECTION

17. Park Center - Roof Replacement Parks & Recreation Dept.

Recommendation: By the General Services Director that all bids be rejected.

A survey of bidders showed that the built-up roof proposed for the upper level of Park Center limited the number of bidders and substantially increased the amount of the bids received. The General Services Director recommends the project be redesigned to utilize a less expensive roof system and re-bid.

CHANGE ORDER

18 Recommend approval of Change Order No. 1, Dickerson Utility, Inc. for the additions and alterations to Irwin Creek Wastewater Treatment Plant for an increase of $74,930.47.

Contract - Additions and alterations to Irwin Creek Wastewater Treatment Plant
Contractor - Dickerson Utility, Inc.
Award Date - February 11, 1985
Contract to Date - $3,864,340.00
Change Order #1 - $74,930.47
New Contract Amount - $3,939,270.47

During the recent additions and alterations at the Irwin Creek Treatment Plant, the consulting engineer, Gannett, Fleming, Corddry and Carpenter, Inc., and the Utility Department staff determined that several alterations of the plans and specifications should be made to provide a more workable finished product. The changes will increase the contract amount by $74,930.47 for a revised contract price of $3,939,270 47.

ITEM NO.

The changes include removal of unsuitable material below the subgrade of the access road to the Dewatering Building as well as below the subgrade of the building, and providing four-inch PVC drain tile at the access road to the Dewatering Building.

The time provided for completion of the contract will also be increased 30 calendar days.

This change order is recommended by the Utility Director. Adequate funds for the additional expense are available in project contingency.

CITY CODE AMENDMENT

19. A. Recommend adoption of an ordinance amending Chapter 14 of the City Code to prohibit vehicles from parking on a median.

This code amendment will clarify that it is illegal to park vehicles on City medians.

B. Recommend adoption of an ordinance amending Chapter 15 of the City Code "Offense and Miscellaneous Provisions".

The Code provision making it an offense to urinate or defecate in a public place was inadvertently dropped from the recent City Code revision. This will correct that error.

20. Recommend adoption of an ordinance to amend Chapter 10 of the City Code to allow the Operations Director to set fees for the collection of dead animals from veterinarians.

On October 14, 1985, City Council approved charging veterinarians a fee to recover some of the costs of collecting dead animals. Based on veterinarians' usage of the service as indicated by the number of trips, it was determined that 20% of the annual costs be recovered. The Finance Department conducted a rate study. Based on revised FY 86 costs and recovering 20%, a rate of $9.00 per trip is proposed. In order to notify veterinarians of the fee and to establish billing procedures, a February 1, 1986 implementation date is planned. The projected revenue for the remainder of FY 86 is, therefore, $3,048; on an annual basis it is $7,317

The Code amendment which Council is asked to adopt will allow the Operations Director to review and set rates annually based on the Finance Department's audit and rate study of the service.

Veterinarians practicing in Charlotte have been contacted several times concerning this proposal, most recently to notify them when the fee will be discussed by Council and of the proposed implementation date.

21. Recommend approval of the second amendment to the loan agreement (Third Ward) for the Third Ward Redevelopment Area.

On December 14, 1981, the City entered into a loan agreement with North Carolina National Bank for $15,000,000 for the Third Ward redevelopment area. On December 19, 1983, City Council approved the first amendment to the loan agreement and extended the deadline for advancing funds under the loan program to June 30, 1986 for commitments issued on or before December 31, 1985. To date, 85 loans totaling $5,199,900 have been made under the loan agreement.

This second amendment to the Third Ward loan agreement will extend the date that commitments can be issued by the City under the loan program until December 31, 1986. The date for advancing funds under the loan program will be extended until June 30, 1987

No City funds are required to implement this amendment which has been agreed to by the City and the Bank

HOUSING CODE ENFORCEMENT

22. A. Recommend adoption of an ordinance to demolish and remove the dwelling at 1708 Umstead Street declared unfit for human habitation using the in rem remedy and authorize the City Manager to approve a contract for the work.

Date of inspection: February 7, 1985
Owner(s) notified of hearing March 13, 1985
Hearing held March 27, 1985
Owner(s) ordered to demolish dwelling by May 14, 1985
Estimated value of dwelling. $8,780
Estimated repair (which exceeds 65 percent of estimated value) $10,000

Repairs include replacing rotted flooring, rotted sills, rotted door frame and rotted ceiling boards; installing hot water heater, bathtub, commode, lavatory, kitchen sink, and front and rear doors, replacing roofing and rotted boxing, installing interior doors and screen doors front and rear; replacing broken window glass; installing heating equipment, painting interior and exterior of dwelling. This structure is open and unoccupied and is a health and fire hazard to adjoining property owners.

Funds for this action are available and a lien will be placed against the property to recover the demolition cost

B. Recommend adoption of an ordinance to renovate the dwelling at 2443-B Julia Avenue declared unfit for human habitation using the in rem remedy and authorize the City Manager to approve a contract for the work.

Date of inspection: July 23, 1985
Owner(s) notified of hearing July 24, 1985
Hearing held: August 2, 1985
Owner(s) ordered to repair dwelling by September 5, 1985
Estimated value of dwelling $26,305
Estimated repair (which is less than 65 percent of estimated value) $1,456

The dwelling is occupied and the owners have not corrected the unfit conditions.

The repairs include missing glass in rear door; front louver screen door wire torn and pulled out, replacing all missing and torn window screens, painting interior walls and ceilings.

Funds for this action are available and a lien will be placed against the property for costs incurred.

RENTAL REHABILITATION LOAN

23. Recommend approval of a loan agreement with Key Realty of Charlotte, Inc. for $35,000 under the Rental Rehabilitation Program.

Key Realty of Charlotte requests a loan of $35,000 for rehabilitation of seven residential units at 3410 Tennessee Avenue. Home Federal Savings and Loan Association has issued a written commitment for a new first mortgage of $220,000 which will include a matching $35,000 for rehab and $185,000 to retire existing indebtedness. The City will hold a second mortgage of $35,000 due in 15 years. The appraiser's after-rehab value is estimated at $350,000 which will exceed both liens by $95,000. Although rehab funds are to be used for seven substandard units, there are another 12 currently standard units on the site Security for both public and private loans will consist of liens against the entire property.

The loan application has been reviewed by Community Development staff and the City loan officer, and all criteria for qualifying for financial assistance have been met by the applicant in accordance with the requirements outlined in the Rental Rehab Program

SPEED LIMITS

24. Recommend adoption of an ordinance lowering the speed limit on five neighborhood streets from 35 miles per hour to 25 miles per hour.

On May 14, 1984, City Council approved a policy to permit a lowered speed limit on residential streets. The policy requires that the residents submit a petition signed by 75 percent of the residents or property owners on the street and that an engineering evaluation be conducted by the Department of Transportation to determine if the lowered speed limit is appropriate.

In accordance with that policy, five streets in four neighborhoods have had petitions validated and are determined by the engineering study to be appropriate for a 25 mile per hour speed limit. The streets are

Crestmont Drive (Windsor Park)
Flintridge Drive and Lockmont Drive (Idlewild East)
Old Bell Road (Sardis Hills)
Park Road (Dilworth - between East Boulevard and E. Park Avenue)

TAX REFUND

25 Recommend adoption of resolutions authorizing the refund of certain taxes in the total amount of $26,037.03 which were assessed through clerical error or illegal levy against 36 tax accounts.

SPECIAL OFFICER PERMITS

26. Recommend approval of applications for Special Officer Permits for use on the premises of Charlotte Parks and Recreation Department to James Thomas Anthony and Henry Lee Joyce.

Section 7.61 of the City Charter authorizes the City Council, in its discretion, to appoint special officers when it becomes necessary to police and guard certain designated public or private premises

ITEM NO.

SALE OF LAND

27. Recommend approval of the sale of lard by Southern Video Corporation to Louis H. Asbury, III, in West Morehead Neighborhood Strategy Area known as Block 27, Parcel No. 1, located at 1016 South Church Street.

On October 8 1984, the City Council approved the sale of Block 27, Parcel No. 1 to Southern Video Corporation for the proposed development of its corporate retail sales, maintenance shops, studio and related office facilities. Mr. Louis H. Asbury, III, President of the corporation and sole shareholder, requested by letter dated November 13, 1985, that the City approve the sale of this property to his name as an individual, from that of the corporation's name, Southern Video Corporation

It is recommended that Council approve the request of Mr. Asbury to reflect the sale of this property, in name only, to Mr. Louis H. Asbury, III, in lieu of the original name indicated in the sales contract as Southern Video Corporation. Pursuant to the contract of sale between the City and Southern Video Corporation, prior to the completion of the improvements, the property cannot be sold without the prior written approval of the City. This action will not affect the intended use of this property.

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

UTILITY CONTRACTS

28. 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. They concern construction by the following applicants:

1. Faison Associates, to construct 3,775 linear feet of 8-inch water main and 2,140 linear feet of 6-inch water main to serve Forestpark Subdivision, Phase I, located east of I-77, south of Arrowood Road and north of Sugar Creek, inside the Charlotte City Limits. Estimated Cost - $96,000.00. Water Contract No. 85-056.

2. Browning Properties, Inc., to construct 855 linear feet of 6-inch water main and 1,868 linear feet of 2-inch water main to serve Alexander Glen Subdivision, located north of N.C. 49 and east of W. T. Harris Boulevard, outside the Charlotte City Limits. Estimated Cost - 33,000.00. Water Contract No. 85-035.

3 Cottonwood Associates, to construct 842 linear feet of 8-inch water main, 1,342 linear feet of 6-inch water main and 1,750 linear feet of 2-inch water main to serve Cottonwood Subdivision, located east of Rea Road, north of N.C. Highway 51 and south of McAndrew Drive, outside the Charlotte City Limits. Estimated Cost - $53,000.00. Water Contract No. 85-067.

4. Cottonwood Associates, to construct 3,216 linear feet of 8-inch sanitary sewer main to serve Cottonwood Subdivision, located north of N.C. Highway 51, east of Rea Road and south of McAndrew Drive, outside the Charlotte City Limits. Estimated Cost - $96,480.00. Sanitary Sewer Job No. 621-85-110.

5. Waters Construction Company, to construct 906 linear feet of 8-inch sanitary sewer main to serve Huntingtowne Farms South, located north of Gleneagles Road, west of Park Road and south of Seth Thomas Road, inside the Charlotte City Limits. Estimated Cost - $31,710.00. Sanitary Sewer Job No. 621-85-169.

6. Mulvaney Builders & Associates, to construct 3,439 linear feet of 10-inch sanitary sewer main and 477 linear feet of 8-inch sanitary sewer trunk to serve property east of Park Road, south of Sharon Road West and west of McMullen Creek, outside the Charlotte City Limits. Estimated Cost - $137,060.00. Sanitary Sewer Job No. 621-85-130.

7. Mallard Creek Limited Partnership, to construct 3,152 linear feet of 8-inch sanitary sewer main to serve Alexander Glen Subdivision, located south of Mallard Creek Church Road, east of U.S. Highway 29, and west of Mary Alexander Road, outside the Charlotte City Limits. Estimated Cost - $110,320.00. Sanitary Sewer Job No. 621-85-084.

The applicants are to construct the entire systems 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.

Utility and Planning Directors recommend approval for all items except item 6, which does not require Planning approval.

PROPERTY TRANSACTIONS

29 Recommend approval of the following property transactions

1. Acquisition of 2,082 square feet plus temporary construction easement, at South Caldwell Street, from Charlotte National Partnership, for $52,000.00, for the Caldwell Street Culvert (Right of Way Agreement)

2 Acquisition of 15,791 square feet, at 321 Sharview Circle, from Frank Videtto, for $52,000.00, for the Tyvola Road Extension Project. (Option)

3. Acquisition of 2,962 square feet plus temporary construction easement, at 6301 Nations Ford Road, from Luther P. Starnes and wife, Annie M. Starnes, for $14,000.00, for the Tyvola Road Extension Project. (Option)

CONDEMNATIONS

4. Recommend adoption of a resolution of condemnation, at 3120 North Sharon Amity Road, from Ben J. Massell, Jr., for 68 square feet plus construction easement, for $1,000.00, for intersection improvements - Sharon Amity at Albemarle Road.

5. Recommend adoption of a resolution of condemnation, at 3709 Sharon Amity Road, from Sam Koskinas & wife, Ira Koskinas and all other parties of record, for $19,200.00, for Sharon Amity/Central Avenue Intersection Improvements

SALE OF PROPERTY

30. Recommend approval of sale of City property located at 6516 Shoreline Drive.

On May 13, 1985 City Council approved a listing agreement with Merrill Lynch Realty to market residentially-improved parcels of real estate acquired by the City through Airport Noise Litigation. An offer to purchase one of these parcels was recently received by Merrill Lynch Realty

Property Address:	6516 Shoreline Drive
Tax Code:	055-362-14 & 15
Buyer's Name:	Mr. & Mrs. Ike C. Thornton
Offer	$68,572.00

W. E. Underwood, the City's private attorney, and the Airport Manager concur in this recommendation.

EXECUTIVE SESSION

31. Recommend that the City Council hold an executive session immediately upon the conclusion of this meeting for the purpose of reviewing certain matters with the City Attorney's office in conjunction with a lawsuit entitled "Equal Employment Opportunity Commission v. City of Charlotte", pursuant to G.S. § 143-318.11(a) (4).

- PENDING MATTERS -

In meeting on Monday, January 13, 1986, City Council will make nominations for appointment to the Sister Cities Committee to fill one vacancies caused by the resignation of Eva Walker The term will expire April 5, 1986

- SCHEDULE OF MEETINGS -
December 30, 1985 - January 10, 1986

Monday, December 30	Council/Manager Luncheon Training Center	12 00 Noon
	Citizens Hearing	2 00 p m
	Council Meeting Council Chamber	3 00 p. m.
Wednesday, January 1	New Years Holiday All City Offices Closed	

Addendum
December 30, 1985 Agenda

Recommend approval of an agreement between the City, Carley Capital Group, and Chemical Bank establishing rights of Chemical Bank to complete the Marketplace Project in the event of a default by Carley.

The construction loan for the parking facility portion of the Marketplace Project is being made by Chemical Bank. The parking facility itself will be purchased by the City on a turnkey basis with funds obtained from Revenue Bonds purchased by NCNB and First Union National Bank. As a condition to making the construction loan, Chemical Bank requires that it be assured of its rights to come in and complete the Marketplace Project in the event of a default by Carley. The resulting agreement which City Council is being asked to approve has been negotiated and approved by the City's Finance Director and the City Attorney's office.

Charlotte

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

Meetings in December '85

THE WEEK OF DECEMBER 1 - DECEMBER 7

2	Monday, 7 30 p m	OATH OF OFFICE CEREMONIES FOR MAYOR AND CITY COUNCIL - Spirit Square, Performance Place
3	Tuesday, 7 30 p m	PUBLIC MEETING ON DELTA ROAD EXTENSION - New Hope Baptist Church, 7841 Idlewild Road
	Tuesday, 7 30 p.m.	PLANNING COMMISSION - Cameron-Brown Bldg , 1st Floor Conference Room
4	Wednesday, 10 00 a m.	STORMWATER MANAGEMENT ADVISORY COMMITTEE - Cameron-Brown Bldg , 1st Floor Conference Room
	Wednesday, 7 30 p m	PUBLIC MEETING ON IDLEWILD ROAD - McClintock Junior High School, 2101 Rama Road
	Wednesday, 6 00 p m	PARKS ADVISORY COMMITTEE - Parks & Recreation Dept , Administrative Office, 310 N Kings Drive
5	Thursday, 3 30 p m	ADVISORY BOARD FOR CITIZENS WITH DISABILITIES - Metrolina Independent Living Center, Doctors Building, 1012 S Kings Dr., Suite G-2
6	Friday, 5 30 p m.	UPTOWN ANNUAL TREE LIGHTING CEREMONY - Square (Trade & Tryon Sts.)
7-11	Sat. - Wed.	NATIONAL LEAGUE OF CITIES - Seattle, Washington

THE WEEK OF DECEMBER 8 - DECEMBER 14

10	Tuesday, 9 00 a m.	HISTORIC DISTRICT COMMISSION - Edwin Towers, 201 W. Tenth Street
11	Wednesday, 8 30 a m	CIVIL SERVICE BOARD - City Hall, 3rd Floor Conference Room
	Wednesday, 7 30 p.m.	HISTORIC PROPERTIES COMMISSION - City Hall, 2nd Floor Conference Room
13	Friday, 11 30 a m.	CITY HALL TREE DECORATING CEREMONY - City Hall, 600 E Trade St., Lobby

THE WEEK OF DECEMBER 15 - DECEMBER 21

16	Monday, 4 00 p m	PLANNING COMMISSION (Work Session) - Cameron-Brown Bldg , 1st Floor Conference Room
	Monday, 5 00 p m	COUNCIL/MANAGER DINNER - Education Center, Rooms 237-239
	Monday, 6 00 p m.	CITY COUNCIL MEETING (Zoning Hearings) - Education Center, Board Room
	Monday, 7 30 p.m.	SPECIALIZED TRANSPORTATION ADVISORY COMMITTEE - City Hall, 3rd Floor Conference Room
17	Tuesday, 12 Noon	INSURANCE & RISK MANAGEMENT AGENCY - County Office Bldg , 4th Floor, Commissioners' Conference Room
	Tuesday, 1 00 p m	HOUSING AUTHORITY - Administrative Offices, 1301 South Boulevard
	Tuesday, 3 00 p m.	CITIZENS ADVISORY COUNCIL FOR HAZARDOUS CHEMICALS - City Hall Annex, Fire Dept , 3rd Floor Conference Room
	Tuesday, 4 30 p.m	MUNICIPAL INFORMATION ADVISORY BOARD - Cameron-Brown Bldg., 3rd Floor Conference Room

(Continued on Back)

THE WEEK OF DECEMBER 15 - DECMEBER 21 (Continued)

18	Wednesday, 10 30 a m.	AUDITORIUM-COLISEUM-CONVENTION CENTER AUTHORITY - Convention Center, Conference Room
19	Thursday, 8 00 a.m.	CLEAN CITY COMMITTEE - Cameron-Brown Bldg , 5th Floor Conference Room
	Thursday, 1 00 p m.	PLANNING COMMISSION/Minor Special Use Permit Board - Cameron-Brown Bldg., 1st Floor Conference Room
	Thursday, 4 00 p m.	CITIZENS CABLE TELEVISION ADVISORY COMMITTEE - Central Piedmont Community College, Administration Bldg , Board Room
	Thursday, 4 00 p.m.	PLANNING COMMISSION (Deferred Rezoning) - Cameron-Brown Bldg , 1st Floor Conference Room
	Thursday, 7 30 p.m.	CHARLOTTE TREE COMMISSION - Park Operations, 701 Tuckaseegee Road

THE WEEK OF DECEMBER 22 - DECEMBER 28

24	Tuesday	CHRISTMAS EVE City Holiday. All City government offices closed
25	Wednesday	CHRISTMAS DAY City Holiday. All City government offices closed.

DECEMBER 29 - DECEMBER 31

30	Monday, 2 00 p m	CITIZENS HEARING - City Hall, Council Chamber
	Monday, 3 00 p.m.	CITY COUNCIL MEETING - City Hall, Council Chamber

These organizations will <u>not</u> meet during December:

Community Facilities Committee
Community Relations Committee
Private Industry Council
Airport Advisory Committee
Advisory Energy Commission