AGENDA

Meeting Type:	B
Date:	02-11-1985

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 February '85

FEBRUARY 1 - FEBRUARY 2

1	Friday, 8 00 a.m	PLANNING COMMISSION/Planning Committee - Cameron-Brown Bldg., 1st Floor Conference Room

THE WEEK OF FEBRUARY 3 - FEBRUARY 9

4	Monday, 7 30 a.m.	CITY COUNCIL (Review of M/WBE Annual Report) - City Hall Annex, Training Center
5	Tuesday, 6 00 p.m.	CHARLOTTE PARKS ADVISORY COMMITTEE - City Hall Annex, Third Floor Conference Room
	Tuesday, 7 30 p.m.	PLANNING COMMISSION - Cameron-Brown Bldg., 1st Floor Conference Room

THE WEEK OF FEBRUARY 10 - FEBRUARY 16

11	Monday, 11 00 a.m	AUDITORIUM-COLISEUM-CONVENTION CENTER AUTHORITY - Convention Center, Conference Room
	Monday, 12 Noon	PLANNING COMMISSION (Work Session) - Cameron-Brown Bldg., 1st Floor Conference Room
	Monday, 5 00 p m.	COUNCIL/MANAGER DINNER (Coliseum Presentation) - Greenville Neighborhood Center, 1330 Spring Street Rooms 120-121
	Monday, 7 00 p m.	CITIZENS HEARING - Greenville Neighborhood Center, 1330 Spring Street
	Monday, 7 30 p.m	CITY COUNCIL MEETING - Greenville Neighborhood Center, 1330 Spring St.
12	Tuesday, 8·00 a m.	PRIVATE INDUSTRY COUNCIL - Chamber of Commerce, Action Room "A"
	Tuesday, 8 00 a.m	AIRPORT ADVISORY COMMITTEE - Charlotte/Douglas International Airport, Conference Room A
	Tuesday, 9 00 a.m.	HISTORIC DISTRICT COMMISSION - Edwin Towers, 1st Floor Conference Room
13	Wednesday, 7 00 p.m	YOUTH INVOLVEMENT COUNCIL - City Hall, Council Chamber
	Wednesday, 7 30 p.m	HISTORIC PROPERTIES COMMISSION - City Hall, 2nd Floor Conference Room
14	Thursday, 7 00 p.m.	PUBLIC MEETING ON PROPOSED COLISEUM - Smith Jr. High School, 1600 Tyvola Rd
16	Saturday, 10 00 a.m.	M/WBE QUARTERLY CONFERENCE & WORKSHOP - McDonald's Cafeteria, I-85 & Beatties Ford Road

(Continued on back)

THE WEEK OF FEBRUARY 17 - FEBRUARY 23

18	Monday, 6 00 p.m.	CITY COUNCIL MEETING (Zoning Hearings) - Education Center, Board Room
19	Tuesday, 12 Noon	INSURANCE & RISK MANAGEMENT AGENCY - County Office Bldg , Commissioner's Conference Room, 4th Floor
	Tuesday, 2 00 p.m.	HOUSING AUTHORITY - Administrative Offices, 1301 S Boulevard
20	Wednesday, 8 30 a.m.	CIVIL SERVICE BOARD - City Hall, 3rd Floor Conference Room
21	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) - Cameron-Brown Bldg., 1st Floor Conference Room
	Thursday, 7·30 p.m.	CHARLOTTE TREE COMMISSION - Park Operations Conference Room, 701 Tuckaseegee Road

FEBRUARY 24 - FEBRUARY 28

25	Monday, 12 Noon	COUNCIL/MANAGER LUNCHEON - City Hall Annex, Training Center
	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
26	Tuesday, 3:00 p.m	COMMUNITY FACILITIES COMMITTEE - Utility Dept , 5100 Brookshire Blvd.
	Tuesday, 4 30 p.m.	MUNICIPAL INFORMATION ADVISORY BOARD - Cameron-Brown Bldg., 3rd Floor Conference Room
27	Wednesday, 7 00 p.m	YOUTH INVOLVEMENT COUNCIL - City Hall, Council Chamber

Charlotte

CITY COUNCIL AGENDA
Monday, February 11, 1985

Greenville Neighborhood Center
1330 Spring Street

5:00 - 7:00 PM	-	Dinner, Room 120-121
		- Six Mile Creek
	-	- Workshop with Coliseum Architect
7:00 PM	-	Citizens Hearing
7:30 PM	-	City Council Meeting

ITEM NO

1. Invocation by the Reverend Warren McKissick of Greater Galilee Baptist Church.

2. Consider approval of minutes of the Zoning Meeting of December 17, 1984, Emergency Meeting of January 8, 1985, and the regular meeting of January 14, 1985.

PUBLIC HEARING

3. Conduct a public hearing followed by adoption of a bond order authorizing $2,000,000 Parks Bonds, a bond order authorizing $3,000,000 Land Acquisition Bonds, and a bond order authorizing $3,000,000 Street Improvement Bonds.

The following actions are legally required in conjunction with the City's authorization of Two-Thirds General Obligation Bonds:

(a) A public hearing on the question of issuing $2,000,000 Parks Bonds, $3,000,000 Land Acquisition Bonds, and $3,000,000 Street Improvement Bonds.

(b) Adoption of an order authorizing $2,000,000 Parks Bonds on second reading.

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

(c) Adoption of an order authorizing $3,000,000 Land Acquisition Bonds on second reading.

(d) Adoption of an order authorizing $3,000,000 Street Improvement Bonds on second reading.

(e) Approval of a motion directing the City Clerk to publish each bond order on February 15 or as soon thereafter as can be arranged.

If the City Council takes the following actions, the bond orders will take effect thirty days following their February 15 publication.

POLICY AGENDA

4. A. Consider request for a proposed contract in the amount of $35,000 with the Neighborhood Reinvestment Corporation and Neighborhood Housing Services of Charlotte, Inc. for development of a second Neighborhood Housing Services Program in Charlotte.

The City has received a request from Neighborhood Reinvestment Corporation and Neighborhood Housing Services (NHS) of Charlotte, Inc. to expand the NHS program to an additional neighborhood. The neighborhood selected by NHS of Charlotte is Wilmore. This contract would be only for a development phase which would result in a detailed plan for the neighborhood; a second contract for capital projects and/or revolving funds would be forthcoming only after the development plan has been completed and the nature and extent of the City's commitment identified.

If Council wishes to fund this program, it can be accomplished in one of the following ways:

1. Wait until the budget process in June and evaluate the proposal against other uses for General Revenue Sharing.

2. Use dollars available from the unused balance of the McDowell Street widening project to fund the contract immediately and approve budget ordinance in item B.

Attached is a copy of information provided you earlier in a Council-Manager memorandum, as well as information about the source of funds.

Attachment No. 1

B. Consider adoption of a budget ordinance in the amount of $35,000 to fund a contract with the Neighborhood Reinvestment Corporation and Neighborhood Housing Services of Charlotte, Inc. for development of a second Neighborhood Housing Services Program in Charlotte.

If item A. is approved and Council wishes to fund this contract now rather than wait until the budget process, approval of this budget ordinance is necessary.

5. Consider a Resolution of the Committee on Drug and Alcohol Abuse in the Coliseum.

This item was deferred from the January 14, 1985 meeting.

In response to concerns raised by some members of Council about drug and alcohol abuse during certain Coliseum events, the City Manager directed the Police Chief to set up a task group to address the problems. The Committee on Drug and Alcohol Abuse in the Coliseum, established in the spring of 1984, included two members of City Council, a member of the Coliseum Authority, and a number of private citizens. Attached is a list of the Committee membership and the Committee's recommendations.

The Committee's recommendations were sent to the Coliseum Authority for their review and recommendations before Council was asked to consider the report. After reviewing the report, the Authority formally approved a "Coliseum Entry Policy" which prohibits entry to anyone carrying illegal substances or weapons and which outlined security procedures as discussed under number 1 below and in the attachment. However, the Authority did not adopt the Committee's recommendations, stating that they did not believe it was appropriate to do so at this time.

At its January 14, 1985 meeting, City Council deferred action on the recommendations and asked for the reasons the Authority had given for its action. At Council's request, the resolution is being presented to Council with a summary of continuing and recent changes in Coliseum policies and issues raised in responding to the Committee's recommendations.

City Council may choose to accept the resolution as information or may decide to take action on the report by voting for or against each of the recommendations.

1. That an extensive campaign be undertaken to inform the public of the applicable laws and City policies regarding alcohol and drug use in public areas.

The following entry policy is in effect at the Charlotte Coliseum.

> All alcoholic beverages, illegal drugs, glass or metal containers, knives, weapons, incendiary devices, packages and satchels are prohibited within the Coliseum. Persons discovered in possession of a prohibited item inside the Coliseum may be removed from the Coliseum.

Persons carrying a prohibited item will be denied admittance to the Coliseum. Prohibited items may be returned to the person's vehicle, checked in the Coliseum office on the ground floor before entering the turnstile, or thrown away.

To avoid delays in admission, patrons are urged to dispose of prohibited items before approaching the turnstile.

The second paragraph of this policy will be printed on the back of all tickets, with the exception of those for family-oriented shows.

2. That smoking be prohibited within the seating area of the Coliseum including the ground floor, and that such an ordinance be enacted and strictly enforced.

Although difficult to enforce, Coliseum policy currently prohibits smoking within the seating areas of the Coliseum. Smoking is permitted only within the outside walkways.

According to Coliseum officials eleven coliseums in other cities were called and only one (Memphis, Tenn.) had a 'no smoking ordinance', which they said was difficult to enforce.

The Coliseum reports that at the majority of shows the voluntary 'no smoking' policy works well. However, for certain types of shows, they report that they could not enforce such an ordinance as was confirmed by the one facility that has one.

If a 'no smoking' City Ordinance was passed, Charlotte Police officers would be required to enforce the ordinance.

3. That the Council should address the issue of sale and consumption of alcoholic beverages in public parks and public areas.

For only a limited number of events, such as wrestling matches, tractor and truck pulls, and rodeos, does the Coliseum sell beer. During these activities, the authority believes that by selling beer within the facility and under their authority, they are better able to control the potential for intoxication and attempts to enter with the substance.

Current City policy prohibits alcoholic sales and consumption on and in public facilities, unless a permit is issued for the sale or consumption in a specific public facility. A permit must be approved by City Council after review by the Parks and Recreation Department.

Examples of public areas and events that would be affected by changes in the policy regarding the sale and consumption of alcoholic beverages in public areas include: Spirit Square, SpringFest, Convention Center, Discovery Place, Park Center, Memorial Stadium, Airport Terminal concessions and neighborhood festivals and celebrations. Attached are letters from some of these organizations.

4. That a Youth Advisory Committee become more involved in making recommendations concerning solutions to the drug and alcohol abuse problems in Charlotte's public facilities and public areas.

Although no specific action on this issue is recommended, City Council may wish to ask the newly created Charlotte-Mecklenburg Youth Involvement Council to conduct educational programs for community youth on the dangers of alcohol and drug abuse.

5. That parents be notified when their dependent and school age children are involved in drug and alcohol related incidents at the Coliseum and other public facilities.

By charter, the Coliseum Board has the authority to set operating policies at the Coliseum. City Council may wish to ask the Authority to review this recommendation and take appropriate action.

Attachment No. 2

6. Consider report from the Finance/Long Range Funding Committee for Alternate Revenue Sources.

The Council gave the Finance/Long Range Funding Committee the charge to review means of diversifying the City's revenue base, to receive input from interested parties on the impact of diversifying the revenue base, and make recommendations to the City Council. The Committee met on Thursday, January 31, 1985, and heard a report from Finance Director, Doug Carter. Mr. Carter explained that diversifying revenues was important as a means of protecting the City's AAA credit rating and because numerous revenues provided the City more protection from economic ups and downs. He also identified several potential new or expanded revenues, legislation required to implement them, and the estimated amount of money they would produce. This report is attached. Some of the major revenues were:

Local Option Sales Taxes	$ 7.3 million (per ½%)
Occupancy Taxes	$ .6 million (per 1% additional)
Utility Franchise Taxes	$ 2.0 million (per ½%)

Vehicle License Tax	$ 1.2 million (per additional $5.00 charge)
Business Privilege Tax	(Has not been determined)
Local Option Payroll Tax	$36.0 million (per 1% flat rate)
Supplemental State Income Tax	$21.0 million (per 1% of State taxable income)
Admissions Taxes	$ 1.0 million (4% of admissions)
Local Gas Tax	$ 5.0 million (per 1¢ tax)

All of these would require General Assembly enabling legislation.

The Committee then heard from a number of citizens who opposed one or all of the proposed taxes. These included representatives from the Chamber of Commerce, Carolina Motor Club, Convention & Visitors Bureau and Charlotte Hotel & Motel Association.

The Committee then decided to divide these revenue sources into Users Fees and General Taxes and rank each in order of preference. Under Users Fees the Local Option Gas Tax was first followed by (or as an alternative) an increase in the State Gas Tax and enabling legislation to allow Charlotte to charge up to the cost of a state license (currently $20 a year) for the local Vehicle License Tax (currently $5.00). The Committee ranked Admission Fees and a share in the State ABC taxes very low. The latter was low due to declining sales. The Committee also requested additional information about the impact of raising the Occupancy Tax.

The Committee expressed interest in finding out more about Governor Martin's plans and the importance of working with the Governor and General Assembly before recommending Council support any State-wide effort to approve an increase in the Local Sales Tax, a local supplemental State Income Tax and State Revenue Sharing if tied to a specific revenue source, such as Utility Franchise Taxes. Because of the legal problems with rebating property taxes to Charlotte residents the Committee ranked the Local Payroll Tax very low and while doubtful of favorable action by the General Assembly, requested more information on increasing the Utility Franchise Tax and a State contribution for tax exempt property.

Finally, the Committee reaffirmed the recommendation that all revenues be based on point of collection rather than population.

Present were: Committee members Danrelly, Woollen, and Frech.

Committee members Spaugh and Juneau have also stated their support for these recommendations.

Attachment No. 3

7. Consider request from the Mayor that City Council authorize the Planning and Transportation staffs to investigate the feasibility of Light Rail Transit Service along the Southern Railway Corridor.

Attached is a memorandum from Mayor Harvey Gantt to members of City Council recommending that Council authorize the Planning and Transportation staffs to develop a feasibility report which addresses utilization of the Southern Railway Corridor for Light Rail Transit Service. The study will review limits of routing, location of stations, potential for feeder bus support to the route, preliminary capital and operating expenses and existing and potential land uses.

Attachment No. 4

8. Nominations to Boards and Committees.

A. Nominations for appointment to Insurance Advisory Committee.

The term of Glenda L. Thompson, who serves in the Insurance Underwriter category, expires March 1, 1985. Ms. Thompson was appointed in January, 1983 to fill an unexpired term, and is eligible for reappointment. Records indicate compliance with the attendance policy.

Attachment No. 5

9. Appointments to Boards and Committees.

A. Zoning Board of Adjustment

The following nominations were made on January 14 for the alternate position being vacated by John Pendleton.

1. Michael Stenhouse, nominated by Councilmember Woollen.
2. Humphrey Cummings, nominated by Councilmember Hammond.
3. Mary Barker, nominated by Councilmember Myrick.

Voting on January 28 resulted in no candidate receiving a majority and the appointment was deferred.

B. Specialized Transportation Advisory Committee

The following nominations were made on January 28 for an unexpired term ending September 30, 1985.

Pub act. 2 yrs college level / 9 yrs - planning admin w Co. contact Telephone counseling

1. Rick Dancy, nominated by Councilmember Patterson.
2. Scott Avey, nominated by Councilmember Myrick.

Attachment No. 6

BUSINESS

10. Consider request by Jonathan Wallas for the City to pay additional retirement contributions (approximately $9,000) for five firefighters.

This item was deferred from the January 28, 1985 Council meeting.

In March 1958, five individuals were hired by the City as firefighters and assigned to the Charlotte Airport. Apparently there was some question when these men were hired whether the Airport was going to be a regular fire station. This was resolved in January 1960 and they joined the Firemens' Retirement System. Initially, they were put under the Local Governmental Employees' Retirement System rather than the Charlotte Firemens' Retirement System. From March 1958 until January 1960, the City made retirement contributions on their behalf to the Local Governmental System, which were matched by the five employees. In January 1960, they were placed under the Charlotte Firemens' Retirement System. At that time, the contributions each had made to the Local Governmental System were refunded to them. In accordance with State policy, the contributions made on their behalf by the City were retained by the State.

Mr. Jonathan Wallas, attorney for the five firefighters, requested that the City pay an amount equal to what the City would have contributed on their behalf had they been members of the Firemens' Retirement System during the period March 1958 to January 1960, plus interest. Mr. Wallas' December 19, 1984 letter is attached as information.

Since the City had already made its contributions once and it may set a precedent this request was administratively denied but we agreed to request the State to transfer the City's original cost from the Local Government System to the Firemens' Retirement System. This request was denied.

Mr. Wallas is now asking Council to approve this contribution. If the Council approves this it would then require approval by the General Assembly.

Attachment No. 7

11. Consider designation of filing fees for Office of Mayor and City Council for the 1985 Municipal Elections.

The Mecklenburg County Board of Elections has requested that the City Council designate the filing fees for office of Mayor and City Council. General Statute 163-291.2 provides that the filing fees shall be fixed by the governing board in an amount not less than $5.00 nor more than one percent of the annual salary of the office. The filing fees in 1981 and 1983 were $110.00 for office of Mayor; $57.00 for City Council.

The filing period will begin at 12·00 noon on Friday, August 2 and end at 12:00 noon Friday, August 23, 1985. The municipal primary will be held on Tuesday, September 24, second primary on October 15, and the municipal election will be on Tuesday, November 5, 1985.

12. Recommend adoption of a budget ordinance in the amount of $75,000 transferring funds from the McDowell Street Improvements Project and appropriating those funds for Memorial Stadium Parking Improvements.

In April, 1983, Grier-Fripp Associates completed a master plan for Memorial Stadium which included overall improvements to be made on the stadium. The improvements were prioritized according to potential benefits in maintaining use of the stadium. The first phase required closing the street between the stadium and Central Piedmont Community College (CPCC) which resulted in the loss of a number of parking spaces along this street. This parking was used for stadium events and by CPCC students. To replace these spaces, Dr. Richard Hagemeyer, President of CPCC, asked for additional parking spaces in the stadium area.

The neighborhood is aware of this and concerns.

Dr. Hagemeyer has now asked that we move ahead with the addition of new parking spaces on the ballfield at Seventh Street and Independence Boulevard. This action would result in 93 new spaces at an estimated cost of $75,000. The ballfield involved in this project: (1) is less than regulation size; (2) is not used for official game play and only ocasionally for practice sessions; and (3) has been used for overflow parking in the past, but this is predicated on the weather due to poor drainage. These new spaces would be used by CPCC students and patrons at Memorial Stadium and Park Center.

Approval of this request would help relieve the problems created when parking sometimes spills over into the Elizabeth neighborhood. The project would require approximately nine months to complete, including design, bidding and construction, at an estimated cost of $75,000. The cost includes some grading, drainage modifications, removal of existing baseball structures and paving

A map of the site is attached.

Funds are available from the McDowell Street widening project.

Attachment No. 8

13. Consider revision of right of way encroachment contract between the City and McDevitt and Street Company, contractor for development of the First Citizens Bank Building, at Fourth and Tryon Streets.

On October 8, 1984, City Council approved a temporary encroachment agreement allowing McDevitt and Street to: 1) utilize the entire sidewalk and approximately three feet of the roadway along West Fourth Street; and 2) place a 10-foot by 14-foot foundation for a tower crane on the Tryon Street sidewalk. Two lanes of traffic would remain on Fourth Street (except that one lane may be used for unloading materials during non-peak hours) and most of the Tryon Street sidewalk and fixtures would be in place during construction of the building.

McDevitt and Street has now determined it would be extremely difficult to build the office tower within the confines of the First Citizens property and the previously approved encroachments. Staff worked at length with the contractor to determine a plan which would allow construction of the building and avoid further disruption to the public. However, the contractor indicates any method of construction without additional public land would represent a significant cost to the developer.

McDevitt and Street was asked to develop alternate plans, including use of a nearby surface parking lot. This option failed because of existing commitments. The contractor says the following two options are the only feasible alternatives which would afford the space necessary to construct the office tower.

1. Closing the entire Tryon Street sidewalk adjacent the site would require removal of all sidewalk fixtures and temporary relocation of a key bus stop and shelter. The bus shelter would be temporarily installed just north of the First Citizens property. Pedestrian traffic would be diverted to the other side of Tryon Street. The contractor would erect a fence one foot behind the curb to confine construction activity. Delivery trucks would enter the fenced area at the north end of the site and exit at Fourth Street.

2. Closing one lane of West Fourth Street at all times would severely congest traffic during the morning and evening peak hours. Although one narrow lane would remain, a majority of the Fourth Street traffic would have to be detoured, resulting in significant delays. The contractor would erect a fence around this area; delivery trucks would enter at Tryon Street, stage and unload materials, and exit on Fourth Street westbound.

The Engineering Department and Department of Transportation have worked with McDevitt and Street concerning the terms of the agreement. While we do not recommend either option, Option 1 would have the least impact on traffic. Key points of the agreement would be:

The contractor is responsible for the maintenance and safety of their facilities in the street right of way and will hold the City harmless for any claims or damages associated with this encroachment.

The contractor will repair or replace any part of the street, sidewalk, or other public facilities which may be damaged or removed as a result of the encroachment and/or construction.

The contractor shall be entitled to maintain the encroachments until April 11, 1986 (a period of 14 months); for each day the encroachments remain or the street, sidewalk and other public facilities are not restored, the contractor will pay the City $500 liquidated damages.

There are no City funds involved with this request.

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The City Attorney advises that Agenda Items No. 14 through 28 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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ITEM NO.

LEASE

14. Recommend approval of a three year lease agreement between the City of Charlotte and NCNB National Bank of North Carolina as Trustee for 1624 square feet of office space located at 423 North Tryon Street and authorize the Mayor to execute it on behalf of the City.

The Uptown Transit Information Center (UTIC) is the primary outlet for the sale of transit passes to the general public. It is also the only location where bus riders can obtain a photo identification to qualify for reduced fare. This applies to students, elderly and handicapped riders. The Information Center also displays transit schedules and route maps. The Uptown Information Center was originally located at 111 West Trade Street. When the building was scheduled for demolition, the office was relocated to 500 South Tryon Street. Since it is no longer possible to secure a continued lease at the South Tryon Street address, we are proposing to move to 423 North Tryon Street, opposite Hall House, where a longer term lease is available.

The term of this proposed lease is from February 1, 1985, through January 31, 1988, for a total rental amount of $30,060.00. The first year's rate is $775.00 monthly; second year is $835.00 monthly; and the third year is $895.00 monthly. The City now pays $700.00 monthly. The City will do some renovating of the office space to make it suitable for the UTIC office; it is estimated that the renovation will cost less than $10,000.00.

Funds to remodel, operate, and lease the UTIC are funded through the Transportation Fund and are included in the annual budget for the Department of Transportation - Public Transportation Fund.

PERSONNEL ACTIONS

15. Recommend adoption of a Resolution amending the Pay Plan to add the classification of Community Development Analyst, Pay Range 24 ($25,985 - 33,165 annually).

A recent study by the Personnel Department of a position in the Community Development Department has identified the need to establish a new classification of Community Development Analyst to better describe the duties of the position and more adequately compensate the employee for the work performed.

This position is involved in conducting administrative analyses and productivity studies, resolving audit findings, and monitoring departmental contracts. The position operates with great independence in conducting studies of departmental operations. In addition, the work of this department is significantly affected by overlapping Federal, State, and local regulations which contributes to the high level of complexity and scope in this position.

The FY85 cost of implementing this change is approximately $600, which can be accommodated within the current departmental budget allocation.

ORDINANCES

16. Recommend adoption of Ordinance repealing Chapter 16 of the City Code and replacing it with a new Chapter 16 entitled "Sewerage and Water".

Chapter 16 of the City Code has been revised to eliminate archaic wording and to establish a consistent format for each Article of the chapter which reflects the requirements of the Division of Environmental Management with respect to industrial waste pretreatment and monitoring. The adoption of the industrial waste article is required before State approval of the City's industrial waste program can be obtained.

The Utility Director recommends approval, and the Legal Department concurs.

17. A. Recommend adoption of a Budget Ordinance to appropriate $1,365,115.00 from Surplus Bond Funds and Account Balances to Account 632.01 (Irwin Creek Wastewater Treatment Plant Additions and Alterations).

B. Recommend adoption of a Budget Ordinance to appropriate $386,555.00 from Surplus Bond Funds and Account Balances to Account 632.11 (Sugar Creek Wastewater Treatment Plant Additions and Alterations).

These two budget ordinances are necessary to transfer funds for additions and alterations to the Irwin Creek and Sugar Creek Wastewater Treatment plants.

Both projects are in accordance with the amended Charlotte-Metro 201 Facility Plan and with EPA/State permit requirements which necessitate upgrading of treatment capabilities in order to achieve consistent levels of wastewater treatment and to provide higher levels of odor control. Bids for the projects are listed later in the agenda.

The Irwin Creek project as designed is estimated to cost $5,085,642 which will exceed the currently allocated funds by $1,365,115. Sugar Creek is estimated to cost $3,593,029 and exceeds currently allocated funds by $386,555. The additional funds are available from various bond fund account balances for completed projects.

The costs for these projects are higher than were originally estimated when developed in the 201 Plan. This was due in part to the time between when the original plan was done and in part to the nature of the proposed work involving a great deal of retrofitting to existing facilities. Grants have been awarded for maximum levels of funding available under both State and EPA grant programs. Bond funds which were dedicated to this project, State and Federal grants, and the requested appropriations make up the total funding needs for the projects.

The Utility Director recommends approval of these budget ordinances.

RESOLUTIONS

18. Recommend adoption of a Resolution setting February 25, 1985 at 3:00 PM in the City Council Chamber as the date for a joint public hearing to be held by the Council and the Charlotte-Mecklenburg Historic Properties Commission to amend an ordinance designating the "Old Little Rock A.M.E. Zion Church" as historic properties and to designate only the exterior of the structure and the land as historic property.

19. Recommend adoption of a Resolution of the City Council of the City of Charlotte calling for two Public Hearings, one on February 25, 1985 at 3:00 PM and one on March 18, 1985 at 6:00 PM, to receive citizens' comments and views on the proposed Marketplace project for which the City of Charlotte proposes to apply for an Urban Development Action Grant not to exceed $3.0 million.

AGREEMENTS

20. Recommend approval of secondary agreement between the Town of Huntersville and City of Charlotte setting forth terms of the sewer agreement.

On October 25, 1984, the Town of Huntersville transferred its sewer system to the City of Charlotte. According to the transfer agreement, a secondary agreement was to be prepared defining the billing and collection procedures to be used by the Town of Huntersville and identifying the payment to be submitted to the Town by Charlotte for this billing and collection service. This has been accomplished.

In addition to specifying billing, collection and reporting procedures, the secondary agreement addresses the payment of the Town of Huntersville's outstanding bills, industrial waste charges, deposits to be collected on behalf of Charlotte and service requests. All charges for sewer service will be billed and collected for us by Huntersville except Industrial Waste Charges. Since that charge is based on strength of waste measurements which we conduct, it was more practical to retain the responsibility for those charges. The approval of this agreement completes the transfer process and provides the proper accounting procedures required by City Code and state law.

This agreement is the final agreement to come before Council related to the utility transfers in any of the small towns.

The Utility Director recommends approval of the agreement.

HOUSING LOANS

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

A. Recommend approval of loans totaling $233,700 for permanent financing to purchase property in the Third Ward Area under the Third Ward Loan Program.

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

Borrower	Property Address	Loan Amount	Appraised Value
Sherry A. Suttles	244-9 Cedar Street	$68,350	$71,950
Berle R. Walker, III & Berle R. Walker II	#6 Gateway Square	$58,350	$61,463
Paul A. Ingles	#9, Gateway Square	$58,100	$61,178
James C. Jackson & Nina S. Jackson	219-D Irwin Avenue	$48,900	$51,500

B. Recommend approval of a loan totaling $28,450 for permanent financing to purchase property in the Plaza-Midwood Redevelopment Area under the Plaza-Midwood Loan Program.

The Plaza-Midwood Loan Agreement between the City and First Union National Bank in the amount of $3,000,000 was entered into on August 30, 1983 and amended December 11, 1984. The interest rate on loans under the program is 9-7/8%.

Borrower	Property Address	Loan Amount	Appraised Value
Detres A. Gale Unit #11	1530 Hawthorne Lane	$28,450	$31,000

MINT MUSEUM REQUEST

22. Recommend approval of a change in the Mint Museum Trustee payments to the City for the Mint Museum fund to allow the Trustees to donate up to $200,000 in additional capital campaign funds for equipment furnishings.

Agreements between the Mint Museum and the City have set the Mint expansion project at $7,400,000 with $3,500,000 coming from bond money and $3,900,000 coming from private donations. As the private donations are received by the Mint Museum Trustees, they are immediately turned in to the City.

Of the total project amount, $350,000 was earmarked for furnishings and equipment. This allocation was subsequently reduced to pay for unforeseen contingencies such as asbestos removal and additional drainage systems.

Certain furnishings and equipment need to be ordered now in order to be on hand and installed by the Museum opening date of November 10, 1985.

The requested action will allow the Mint to delay paying the City $200,000 in pledge payments in order for this amount to be used to make the necessary purchases. The only effect this will have is that the City will receive these funds at the end of the project rather than now. In addition, the project will actually be increased by this amount since the purchases will become the property of the City.

The Budget and Evaluation and Finance Departments concur in this request.

BID LIST

23. 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. FY-85 Curb Improvements — Engineering

Recommendation: By the City Engineer that the low bid of $98,347.00, as submitted by Lee Skidmore, Inc., be accepted for award on a unit price basis.

Project Description: This contract is prepared annually by the Engineering Department to replace deteriorated curb and gutter and to install handicap ramps at various locations.

Source of Funding: Powell Bill Fund (Curb Repair and Replacement).

B. Additions and Alterations
Irwin Creek Wastewater Treatment Plant
Contract One - General Construction
— Charlotte-Mecklenburg Utility Department

Recommendation: Director, Charlotte-Mecklenburg Utility Department recommends that the low bid by Dickerson Utility, Incorporated of Monroe, North Carolina in the amount of $3,864,340.00 be accepted for award of contract on a lump sum basis.

Project Description: This project consists of general construction of additions and alterations which will upgrade treatment capabilities and provide a higher level of odor control.

Source of Funding: Water and Sewer Capital Improvement Fund (Irwin Creek Wastewater Treatment Plant Upgrading).

C. Additions and Alterations
Irwin Creek Wastewater Treatment Plant
Contract Four - Electrical Construction
— Charlotte-Mecklenburg Utility Department

Recommendation: Director, Charlotte-Mecklenburg Utility Department recommends that the low bid by Ind-Com Electric Company of Charlotte, North Carolina in the amount of $206,129.00 be accepted for award of contract on a lump sum basis.

February 11, 1985

To: All Councilmembers

Pam

From: Pam Patterson

Re. Rick Dancy
Nominee for Specialized Transportation Advisory Committee

He is the Director of the Nevins Center and has been in that position since 1979.

Nevins Center is a sheltered workshop for mentally and physically handicapped adults.

Mr. Dancy has a day-to-day working relationship with specialized transportation.

He has been instrumental in getting funding from a variety of sources for two group homes and there are plans for seven more.

PP·sm

Pam

Good work - great representation of "citizens"

I wondered whether she even wanted
to get involved -- perhaps because
she truly believes "her folks"
out there won't understand
it will hurt them I hope
I was wrong

Project Description: This project consists of electrical work generally comprising construction of modifications to existing on site electric service wiring, new electric distribution systems to new wastewater treatment equipment, plumbing equipment, heating and ventilating equipment and new area lighting.

Source of Funding: Water and Sewer Capital Improvement Fund (Irwin Creek Wastewater Treatment Plant Upgrading).

D. Additions and Alterations
Sugar Creek Wastewater Treatment Plant
Contract One - General Construction

Charlotte-Mecklenburg Utility Department

Recommendation: Director, Charlotte-Mecklenburg Utility Department recommends that the low bid by Christopher Construction Company of Columbus, Ohio in the amount of $2,648,000.00 be accepted for award of contract on a lump sum basis.

Project Description: This project consists of general construction of additions and alterations which will upgrade treatment capabilities and provide a higher level of odor control.

Source of Funding: Water and Sewer Capital Improvement Fund (Sugar Creek Wastewater Treatment Plant Upgrading).

E. Additions And Alterations
Sugar Creek Wastewater Treatment Plant
Contract Four - Electrical Construction

Charlotte-Mecklenburg Utility Department

Recommendation Director, Charlotte-Mecklenburg Utility Department recommends that the low bid by Howell Electric, Incorporated of Pineville, North Carolina in the amount of $248,000.00 be accepted for award of contract on a lump sum basis.

Project Description: This project consists of electrical work generally comprising construction of modifications to existing on site electric service wiring, new electric distribution systems to new wastewater treatment equipment, plumbing equipment, heating and ventilating equipment and new area lighting.

Source of Funding: Water and Sewer Capital Improvement Fund (Sugar Creek Wastewater Treatment Plant Upgrading).

BID REJECTIONS

24. A. Additions and Alterations
Irwin Creek Wastewater Treatment Plant
Contract Two - Plumbing
Contract Three - Heating & Ventilation

Charlotte-Mecklenburg Utility Department

Recommendation: Director, Charlotte-Mecklenburg Utility Department recommends that bids be rejected for Contract Two - Plumbing and Contract Three - Heating & Ventilating and that the projects be readvertised because of insufficient bids for competitive contract award.

B. Additions And Alterations
Sugar Creek Wastewater Treatment Plant
Contract Two - Plumbing
Contract Three - Heating & Ventilation

Charlotte-Mecklenburg Utility Department

Recommendation: Director, Charlotte-Mecklenburg Utility Department recommends that bids be rejected for Contract Two - Plumbing and Contract Three - Heating & Ventilating and that the projects be readvertised because of insufficient bids for competitive contract award.

TAX REFUND

25. Recommend the adoption of a Resolution authorizing the refund of certain taxes in the total amount of $9,611.29 which were assessed through clerical error or illegal levy against 20 tax accounts.

UTILITY CONTRACTS

26. 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.

Applicants 1 - 4 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.

ITEM NO.

Applicant 5 is a 5-year refundable contract. Applicant 6 is a 15-year refundable contract. The applicants are to deposit 10% of the estimated cost. The remaining 90% will be deposited prior to construction. There is no cost to the City and no funds are needed.

1. John Crosland Company, to construct 650 linear feet of 8-inch water main, 363 linear feet of 6-inch water main and 1,300 linear feet of 2-inch water main, to serve Norcroft, Section 2 Subdivision, located north of W. T. Harris Boulevard and east of Cheshire Road, outside the Charlotte City Limits. Estimated Cost - $28,000.00. Water Contract No. 84-069.

2. John Crosland Company, to construct 1,702 linear feet of 8-inch sanitary sewer main to serve Norcroft, Section 2 Subdivision, located east of Rockwell Church Road, west of Mallard Creek Road and south of Henderson Cox Road, outside the Charlotte City Limits. Estimated Cost - $51,060.00 Sanitary Sewer Job No. 621-84-175.

3. Roberts Development & Construction, Inc., to construct 1,290 linear feet of 8-inch sanitary sewer main to serve Hunters Creek Subdivision, located south of Lawyers Road, east of Split Oak Drive and west of McAlpine Creek, outside the Charlotte City Limits. Estimated Cost - $38,850.00. Sanitary Sewer Job No. 621-84-173.

4. Harrington/Dowd, to construct 1,340 linear feet of 8-inch water main, 620 linear feet of 6-inch water main and 985 linear feet of 2-inch water main to serve Bellemeade Subdivision, located south of Alexander Road and east of Providence Road, outside the Charlotte City Limits. Estimated Cost - $42,000.00. Water Contract No. 66-408.

5. Community Psychiatric Centers, to construct 900 linear feet of 24-inch water main to serve CPC Psychiatric Centers, located west of Park Road and east of Highway 521, outside the Charlotte City Limits. Estimated Cost - $43,000.00 Water Contract No. 66-405.

6. Province Development, Ltd., to construct 2,550 linear feet of 8-inch water main to serve Provincetowne, Phase III, located south of Providence Road West and west of Highway 16, outside the Charlotte City Limits. Estimated Cost - $44,000.00. Water Contract No. 66-406.

Utility and Planning Directors recommend approval.

PROPERTY TRANSACTIONS

27. Recommend approval of the following right of way acquisitions.

A. Acquisition of 623.82 linear feet, at 522 Lynderhill Lane, from the Town of Matthews, N.C., for $1.00, for the Sanitary Sewer to serve Sardis Grove Lane. (Right of Way Agreement)

B. Acquisition of 76.62 linear feet, at 400 Trafalgar Place, from the Town of Matthews, N.C., for $1.00, for the Sanitary Sewer to serve Sardis Grove Lane. (Right of Way Agreement)

C. Acquisition of 83.45 linear feet, at 425 Trafalgar Place, from the Town of Matthews, N.C., for $1.00, for the Sanitary Sewer to serve Sardis Grove Lane. (Right of Way Agreement)

D. Acquisition of 244.78 linear feet, at 558 Stratfordshire Drive, from the Town of Matthews, N.C., for $1.00, for the Sanitary Sewer to serve Sardis Grove Lane. (Right of Way Agreement)

E. Acquisition of 166.30 linear feet, at 539 Stratfordshire Drive, from the Town of Matthews, N.C., for $1.00, for the Sanitary Sewer to serve Sardis Grove Lane. (Right of Way Agreement)

F. Acquisition of 250.00 square feet, at 23.44 acres west side of Park Road at Sharon Road, from Chambers Ridge Venture, Co., for $1.00, for the Water Meter Right of Way for the Gates at Quail Hollow Road. (Easement)

G. Acquisition of 87.34 linear feet, at 528 Stratfordshire Drive, from the Town of Matthews, N.C., for $1.00, for the Sanitary Sewer Right of Way to serve Sardis Grove Lane. (Right of Way Agreement)

H. Acquisition of 150.89 linear feet, at 529 Stratfordshire Drive, from the Town of Matthews, for $1.00, for Sanitary Sewer Right of Way to serve Sardis Grove Lane. (Right of Way Agreement)

I. Acquisition of 262.14 linear feet, at 9651 Sardis Road, from the Town of Matthews, for $1.00, for Sanitary Sewer Right of Way to serve Sardis Grove Lane. (Right of Way Agreement)

J. Acquisition of 236.40 linear feet, at 9749 Sardis Road, from the Town of Matthews, for $1.00, for Sanitary Sewer Right of Way to serve Sardis Grove Lane. (Right of Way Agreement)

K. Acquisition of 200.72 linear feet, at 540 Lynderhill Lane, from the Town of Matthews, for $1.00, for Sanitary Sewer Right of Way to serve Sardis Grove Lane. (Right of Way Agreement)

ITEM NO.

L. Acquisition of 408.21 linear feet plus severance: manhole and construction easement, at 97.72 acres N/W corner I-77 and Mount Holly Huntersville Road, from NCNB National Bank of North Carolina, as Trustee of NCNB Corporation, for $700.00, for Sanitary Sewer to serve Mount Holly Huntersville Road (Huntersville Prison Unit). (Easement)

M. Acquisition of 68.47 linear feet, at 8500 Block of N. C. Hwy. 49 North (University Boulevard), from Town Center Associates, Inc., for $1.00, for Sanitary Sewer Relocation-Harris Boulevard at N. C. Hwy. 49. (Easement)

ZONING

28. In meeting January 21, 1985, City Council deferred decisions on three zoning petitions. Protest petitions had been filed against all three petitions, and were sufficient to invoke the three-fourths rule. The reasons for the deferral was that several councilmembers were absent from the January 21 meeting.

1. Decision on Petition No. 84-86 by Paragon Group for a change in zoning from R-15 to R-15MF(CD) for a 44± acre site along the west side of Old Providence Road, at its intersection with Providence Road.

A protest petition has been filed and found sufficient to invoke the three-fourths rule requiring affirmative votes of three-fourths of the Mayor and Councilmembers, not excused from voting, in order to rezone the property.

The Planning Commission recommends that the petition be denied.

Attachment No. 9A

2. Decision on Petition No. 84-87 by Valenstein Development Corporation for a change in zoning from R-6 to R-6MF(CD) for a 3.11 acre site along the unopened section of South Winthrop Avenue, between East Tremont Avenue and McDonald Avenue.

A protest petition has been filed and found sufficient to invoke the three-fourths rule requiring affirmative votes of three-fourths of the Mayor and Councilmembers, not excused from voting, in order to rezone the property.

The Planning Commission recommends that the petition be denied.

Attachment No. 9B

3. Decision on Petition No. 84-89 by Larry Beal for a change in zoning from B-2 and R-6MF to I-2 for a .84 acre site at the northwest corner of Rozzelles Ferry Road and Coronet Way.

A protest petition has been filed and found sufficient to invoke the three-fourths rule requiring affirmative votes of three-fourths of the Mayor and Councilmembers, not excused from voting, in order to rezone the property.

The Planning Commission recommends that the petition be denied.

Attachment No. 9C

- PENDING MATTERS -

In meeting on Monday, February 25, 1985, City Council will make nominations for appointment to one position on the Charlotte Sister Cities Committee. Gwen D. Rogers, whose term expires April 5, 1986, has resigned Appointment will be to fill her unexpired term

- SCHEDULE OF MEETINGS -
February 11 - 15, 1985

Monday, February 11	DINNER - Six Mile Creek Workshop with Coliseum Architect	5 00 p m
	CITIZENS' HEARING	7 00 p m
	CITY COUNCIL MEETING Greenville Neighborhood Center 1330 Spring Street	7 30 p m
Thursday, February 14	PUBLIC MEETING ON PROPOSED COLISEUM Smith Junior High School 1600 Tyvola Road	7 00 p m