AGENDA

Meeting Type:	B
Date:	11-25-1985

City of Charlotte, City Clerk's Office

Charlotte

CITY COUNCIL AGENDA
Monday, November 25, 1985

11 30 a.m.	-	Adams Mark Hotel - Luncheon and presentation of Livability Award by Philip Morris, Inc.
12 30 p.m.	-	Council discussion on (1) transit and (2) status of productivity improvement efforts
2·00 p.m.	-	Citizens Hearing
3·00 p.m.	-	City Council Meeting Council Chamber

ITEM NO.

1. Invocation by the Reverend Robert W. McSwain of Garr Memorial Church.

2. Consider approval of minutes of the Zoning meeting of September 16, regular meetings of September 23, October 14, 1985, and the Joint Hearing on the 2005 Plan on October 16, 1985.

PUBLIC HEARINGS

3. A. Conduct a public hearing on the voluntary annexation petition by Charter Properties, Inc. and the State of North Carolina, Department of Transportation, of property located along the northern margin of Billy Graham Parkway near the intersection of Disposal Plant Road.

B. Recommend adoption of an ordinance to extend the corporate limits to include the subject property along the Billy Graham Parkway.

On October 28, 1985, City Council received an executed petition from Charter Properties, Inc., and the State of North Carolina, Department of Transportation for annexation of property along the northern margin of Billy Graham Parkway near the intersection of Disposal Plant Road. The City Clerk certified its sufficiency, and a resolution was adopted fixing November 25 as the date for the public hearing.

council agenda

Mayor Harvey B Gantt Mayor Pro Tem Minette Conrad Trosch

Charlie S Dannelly
Laura Page Frech
Ann Hammond
Paul Francis Juneau
Ron Leeper
Sue Myrick
Pamella G Patterson
Herbert Spaugh, Jr
Richard Vinroot
Velva W Woollen

This petition covers approximately 7.3 acres and is contiguous on two sides to City-owned property. A map showing the location of the property is attached.

Attachment No. 1

C. Recommend approval of an agreement with Charter Properties, Inc. to dedicate City property for public right of way.

The City of Charlotte owns approximately 115 acres on the east side of Billy Graham Parkway running from Disposal Plant Road on the south to Wilmount Road on the north. The City also owns a tract south of Disposal Plant Road containing 2.014 acres as shown on the attached map. Charter Properties, Inc. purchased from several individual owners approximately 25 acres adjacent to the small tract belonging to the City. They have been negotiating right of way access with the City while undertaking a zonirg change on their property from R-9 MF to I-1 CD which was approved on November 18. Access to their property will be across the City-owned property in a 50 foot right of way adjacent to the Southern Railway right of way. Charter Properties has requested that the City dedicate a 50 foot public right of way and in exchange, Charter Properties will pay the appraised value of this right of way. The right of way contains 23,891 square feet for which Charter has agreed to pay $119,455.00 or $5.00 per square foot. In addition, Charter will construct at its expense a commercial street in accordance with City standards that will access their property as well as the City property.

The Engineering Department, Department of Transportation, Planning Staff and Legal Department have reviewed and recommend this agreement.

Attachment No. 2

4. A. Conduct a public hearing to consider a proposal by Johnson C. Smith University for the purchase of City owned land known as Tract II, Parcels 17, 18, and 19, located on North Summit Avenue, in Five Points Neighborhood Strategy Area.

B. Recommend approval of the sale of land, located on North Summit Avenue, to Johnson C. Smith University for $62,139.12.

The Redevelopment Plan for Five Points, as approved by City Council, provides for the disposal of acquired land for development by public or private parties. Urban Redevelopment Law requires that a public hearing be held by the City Council before any project property can be approved for private sale by negotiation to a non-profit corporation.

On July 25, 1985, Johnson C. Smith University made a proposal to the City to purchase Tract II, Parcels 17, 18, and 19 located on North Summit Avenue, at the appraised value of $62,139.12. The university will utilize the land for intramural athletic fields, university housing requirements and future development in accordance with the University's master plan when funds and resources become available.

Representatives from the University will be present at the City Council meeting to present the proposal and answer questions. The intended use as proposed by the University is in conformity with the approved redevelopment plan for the Five Points Neighborhood Strategy Area.

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

A map is attached.

Attachment No. 3

5. A. Conduct a public hearing to abandon a portion of Sourwood Street.

B. Recommend adoption of a resolution abandoning a portion of Sourwood Street.

Mr. William S. Lander, Jr. submitted a petition requesting the abandonment of a portion of Sourwood Street. The portion of Sourwood Street in question is a non-maintained, unpaved right of way 40 feet wide and approximately 503 feet long beginning 320 feet from its intersection with Amble Drive. The petitioner owns all abutting property and it is his intent to incorporate this right of way into adjoining tracts for future sale as a commercial property.

All City departments, private utility companies and the Sugaw Creek neighborhood were notified and are in concurrence with the abandonment.

No City funds are involved.

Attachment No. 4

6. A. Conduct a public hearing to abandon a portion of Rexford Road.

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

B.C I. Property Company and heirs of Angelia M. Harris estate submitted a petition requesting the abandonment of a portion of Rexford Road. The portion of Rexford Road in question is at the end of a City maintained paved right of way and is 100 feet wide and approximately 23 feet long. This portion of Rexford Road extends into the petitioner's property. The abandoned portion will be incorporated into the adjoining tracts and utilized for a fountain which is to be a landscape focal point in conjunction with two office buildings.

All City departments, private utility companies and the Barclay Downs/Parkdale neighborhoods were notified and are in concurrence with the abandonment.

No City funds are involved.

Attachment No. 5

7. A. Conduct a public hearing to abandon Schiff Street and an alleyway.

B. Recommend adoption of a resolution abandoning Schiff Street Street and an alleyway.

Simpson Electric Company, C. W. Allison III, Lance Incorporated, James A. Brown, Jr., Bruce J. Mathis, Monarch Printing Company and Sue M. Daughtridge submitted a petition to abandon Schiff Street and an alleyway. Schiff Street is an unopened, non-maintained right of way approximately 25 feet wide and approximately 250 feet long located between Monroe Road and Washburn Avenue. The alleyway in question is unopened, non-maintained right of way 10 feet wide and approximately 600 feet long located between Puhlman Avenue and Dunn Avenue. The petitioners own all abutting property and the intent is to incorporate these rights of way into the respective parcels.

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

No City funds are involved.

Attachment No. 6

POLICY

8. Adopt the 2005 Generalized Land Use Plan as a policy guide for future land use and zoning decisions.

The 2005 Plan has been under development since the fall of 1983 and was designed to update the 1995 Comprehensive Plan.

The adoption request culminates a process that has seen extensive citizen input and elected official scrutiny. The Planning Commission approved the request on October 1. A public hearing was held on October 16. Workshops with elected officials were held on November 6, 13 and 14. Attached are summary comments from those workshops.

Adoption of the plan will put in place a policy guide to direct elected officials' decisions. The plan calls for over $2 billion in capital needs over a 20 year period and calls for a study to determine which alternative revenue sources will be appropriated to finance the plan. Implementation of the plan will be coordinated through the Planning staff and will begin upon adoption of the plan.

A funding request for a consultant to assist with zoning ordinance revisions will be coming to the Council shortly.

The 2005 Generalized Land Plan has been previously distributed; a copy is available in the Council library.

Attachment No. 7

9. Consider a request from the Mecklenburg Board of County Commissioners to amend the Solid Waste Disposal Interlocal Agreement.

The County has requested an amendment to the 1984 Solid Waste Disposal Interlocal Agreement. Approval of this amendment would provide for the City to give the County the authority to:

- Acquire land by purchase for a solid waste collection or disposal facility such as transfer station, landfill or waste to energy facility;
- Utilize the City's power of eminent domain within the City to acquire land for a solid waste collection or disposal facility.
- Operate a solid waste facility inside the Charlotte City Limits.

These actions are necessary under State statute.

The County approved this amendment on September 3, 1985, and this request for Council consideration was received on November 4.

The County Manager will be present to make a presentation and answer Council's questions.

Attachment No. 8

10. Decision on Petition No. 85-54 by Meredith D. Stoever for a change in zoning from O-15 and B-1SCD to B-1SCD and B-1SCD Site Plan Amendment for a 9.6 acre site located at the southwest corner of Sharon Amity and Milton Road.

This petition failed to receive a majority of votes when considered at two previous meetings.

The Planning Commission recommends this petition be approved.

Attachment No. 9

11. Council deferred action on the following two items at its meeting on November 18, 1985.

A. Decision on Petition No. 85-67 by the Charlotte-Mecklenburg Planning Commission to change from R-9MF and B-1 to R-12MF a 44.12 acre site on York Road directly across from the York Road landfill site.

The Planning Commission deferred action on this matter as they needed more time to evaluate the petition.

A protest petition was filed and found sufficient to invoke the 3/4 rule requiring nine affirmative votes of the Mayor and Council, not excused from voting, in order to rezone the property.

B. Decision on Petition No. 85-68 by the Charlotte-Mecklenburg Planning Commission to change from B-2 to R-12MF a 2.83 acre site at the northwest and southwest corners of the intersection of Nations Ford Road and Glenrock Drive.

The Planning Commission deferred action on this matter as they needed more time to evaluate the petition.

A protest petition was filed and found sufficient to invoke the 3/4 rule requiring nine affirmative votes of the Mayor and Council, not excused from voting, in order to rezone the property.

Attachment No. 10

12. Decision on Petition SUP 85-3 by City of Charlotte for Major Special Use Permit for a Coliseum in a residential district in conjunction with a Minor Special Use Permit for high rise building in a residential district.

The Plannning Commission meets on November 21. Their recommendation and other pertinent information will be forwarded to City Council in the November 22 Council-Manager memorandum.

13. Consider approval of Planning and Public Works Committee recommendation to adopt Amendment No. 2 - Redevelopment Plan for Fourth Ward Redevelopment Area.

The Planning and Public Works Committee met on November 13, 1985, to review the proposed amendment to the Fourth Ward Redevelopment Plan. The Committee unanimously approved the Request for Council Action that had been proposed and which was supported by the Friends of Fourth Ward and recommended by the City Manager. The November 13 minutes and the request for council action are attached.

The Committee discussion centered around the five key issues identified in Attachment #2, Revised Fourth Ward Public Improvement Program, as follows:

On #1, installation of underground utilities, it was pointed out that underground utilities were provided in Fourth Ward by Duke Power at a time when they thought the area would become primarily commercial, but that the underground wiring is essential to maintain the continuity of this area and for the street lighting which is now used in this area. This underground wiring would be located in such a way that it would not be a problem for any future widening of Graham Street and is contingent upon the State providing $200,000 for resurfacing or other street improvements. This would be in addition to the approximately $406,000 for underground wiring.

There were no questions about item #2.

Item #3 provides $150,000 ($50,000 a year) to share the cost of brick sidewalk with developers of property west of Graham Street. One development has already occurred and the first appropriation to assist that developer to put in brick sidewalks would be in the current fiscal year. Funds are available out of the $78,000 currently appropriated for Fourth Ward. Approval of this agenda item will authorize the Mayor to execute an agreement to provide $50,000 out of funds currently appropriated to Fourth Ward to assist Oxford Development Corporation in constructing brick sidewalks around their project as requested by the Friends of Fourth Ward.

On item #4, the question raised was whether the $139,000 was adequate to complete sidewalks on the east side of Graham Street. The answer was yes. The next question was why was there mention of a joint effort with Friends of Fourth Ward or developers. The answer is that there is a need to complete the sidewalks on the east side of Graham Street since that was the original commitment in this area and becomes even more important as brick sidewalks are constructed across the street on the west side of Graham Street. The incentive to Friends of Fourth Ward and developers is the hope that some of this cost can be reduced by contributions, particularly in a couple of small areas where developers may construct brick sidewalks at their expense. If this does occur, it is the hope of Friends of Fourth Ward that any fund balances could be used for other priorities in this area.

Item #5, Council action on this request would end its commitment to Fourth Ward as a development area. Of course, additional projects might be proposed in this area that could be prioritized and considered by the Council against projects in any part of the community and not based on a commitment to Fourth Ward as a development area.

Attachment No. 11

14. Recommend approval of a change in the land development use from park to fire station for land known as Parcel No. 4, at 942 Baxter Street, in the Brooklyn Urban Renewal Area.

It is recommended that Council approve the change in development use of Parcel No. 4, 942 Baxter Street, in the Brooklyn Urban Renewal Area to provide for construction of a multi-bay facility for relocation of Fire Station No. 1 now located at 125 South Davidson Street.

Fire Station No. 1 is currently located in the City Hall Annex complex. These buildings are scheduled for demolition following the construction of the Charlotte-Mecklenburg Government Center. After an in-depth evaluation of available sites, it was determined that this City owned property at 942 Baxter Street would most suit the need in location and size for relocation of Fire Station No. 1. The fire station use is compatible with the present zoning, public land use and redevelopment plan for the Brooklyn area. The Planning Commission unanimously approved Mandatory Referral 85-3 for fire station use of the site.

This is primarily a passive park with part of a fitness trail through it and would continue to be maintained and used until needed and thereafter two parks would remain within close proximity; Pearl Street Park and the two acre neighbornood park across the street at 943 Baxter Street.

A map is attached which shows the fire station site as well as the two nearby parks. No funding is necessary as the parcel is owned by the City.

The Engineering Department, Fire Department, Planning Commission, Parks and Recreation, Community Development and Housing Authority concur in the request which has been reviewed by the Parks Advisory Committee.

Attachment No. 12

15. Consider recommendation of the Technical Coordinating Committee in directing the vote of Council representative to the Metropolitan Planning Organization (MPO) concerning the amendment of the Charlotte-Mecklenburg Thoroughfare Plan relating to the extensions of Park Road and Carmel Road as Minor Thoroughfares and Johnston Road as a Major Thoroughfare.

This action will direct the MPO representative how to vote (at the January 15 meeting of the MPO) concerning the proposed thoroughfare extensions. Resolution of these extensions will complete Council review of the Six-Mile Creek Basin Thoroughfare Plan Amendment proposed by the Technical Coordinating Committee (TCC). A vote in favor of the extensions and ultimate approval of the MPO will allow protection of right of way from further disruption by subdivision development in the area.

At the May, 1985 MPO meeting, the TCC presented a complete Thoroughfare Plan amendment package for the Six Mile Creek basin area in Southern Mecklenburg County. The proposal for a new thoroughfare system in this area was in response to increased subdivision activity and the announcements of major development proposals in the area.

The public hearing, held in June, 1985, surfaced the public concerns with regard to the proposed amendments. These concerns focused entirely on three specific roads· Park, Carmel and Johnston Roads. Each of these roads, which were proposed to be extended and to be designated as thoroughfares on the Thoroughfare Plan, are now major collector roads in existing neighborhoods.

Following the public opposition to Park, Carmel and Johnston Roads as designated thoroughfares, the TCC proposed additional evaluation of the three roads and the thoroughfare needs in that area. The review recommended a public meeting to be held with the area representatives to discuss their concerns and develop appropriate solutions.

The public meeting was held in August, 1985. Other work tasks completed by staff as part of the evaluation included:

- Verification of arterial spacing needs
- Examination of alternative alignments
- Estimation of traffic projections
- Development of cost estimates for bridges
- Evaluation of impacts to greenways
- Evaluation of land use impacts

At the September MPO meeting, the TCC presented a report on that reevaluation process. The report concluded with two separate recommendations; one from the TCC, and the other from Planning staff.

The TCC reaffirmed its earlier recommendation "that the future options for circulation in this area be kept open by amending the Thoroughfare Plan to include the designation of Park Road and Carmel Road as minor thoroughfares from N.C. 51 to U.S. 521, and Johnston Road as a major thoroughfare from N.C. 51 to a new interchange with the Outer Belt."

Basically, the situation is that the Technical Coordinating Committee feels that Carmel Road and Park Road will be needed thoroughfares in the future. Their analysis indicates that these two minor thoroughfares are essential to keep the future situation on U.S. 521, N.C. 51 and Johnston Road from becoming as bad as the situation on N.C. 51 is today. These thoroughfares will not only provide access between U.S. 521 and N.C. 51, but they will also allow more direct access to future development areas in southern Mecklenburg County from the neighborhoods along these routes, thereby further relieving U.S. 521, N.C. 51 and Johnston Road. If these extensions are not included on the Thoroughfare Plan today, the option of constructing them in the 21st century will be lost.

The Planning staff agreed with the designation of Johnston Road as proposed by the TCC but opposed the designation of Park and Carmel Roads as minor thoroughfares primarily because of the impact it would have on the existing neighborhoods.

The Planning staff feels that the characteristics of Park Road Extension will never lend itself to a thoroughfare function, which is to move traffic. Park Road Extension was constructed as a residential collector street as evidenced by the shallow 25 foot setback of the 60 homes fronting along it and the many curves in the road. To extend Park Road to U.S. 521 would be a major impact to this residential area This option should not be left open as it is a cloud over the future of the homeowners along Park Road as well as the neighborhood as a whole. Planning staff is strongly opposed to the designation of Park Road as a thoroughfare and its extension to U.S. 521.

The physical extension of Carmel Road to U.S. 521 will require acquisition of only one home. If Carmel Road should be improved to a standard thoroughfare design, which would include additional right of way, wider lanes, and straightened alignment, an additional 15 homes would be taken. However, the CDOT feels the road can safely function as presently constructed. North of the Outer Belt, Carmel Road has been constructed as a thoroughfare, and no homes front on it because of landscaping and reverse frontage. The Planning staff, however, feels the designation of this road as a thoroughfare, along with the impact of the Outer Belt, will attenuate the livability of this area. Coupled with the cost of constructing the necessary bridge and its possible impact on the McAlpine Greenway, the Planning staff is strongly opposed to the designation of Carmel Road as a thoroughfare and its extension to U.S. 521.

Attachment No. 13

16. Consider recommendation from the Housing Authority to approve an agreement for housing funded at the $1.95 million level to build a 50-unit housing project.

In response to City Council's May 9, 1983 action to build a 50-unit low income housing project in each of the next five years, $1.95 million was included in the FY86 housing account budget for an additional 50-unit housing complex. This request is based on current construction and land acquisition cost estimates.

The Housing Authority requests and recommends the approval of an Agreement for Housing between the City and the Housing Authority to build a 50-unit housing project at a cost not to exceed $1,950,000. The proposed contract agreement, the same as previously approved by Council, requires the following.

The City of Charlotte shall -

a. reimburse the Authority for all actual cost incurred in the acquisition of the land and in the planning, design, construction and inspection of the housing units in an aggregate amount not to exceed $1,950,000;
b. make an initial reimbursement to the Authority, in an amount not to exceed $250,000, to cover the acquisition of the land and related planning, surveys and soil test costs upon request after the execution date of the contract and all other reimbursements after January 31, 1986;
c. provide reasonable cooperation and assistance to the Authority and its representatives in connection with the design, construction and inspection of the housing units;
d. approve a tenant admissions and rent subsidy policy; and
e. provide rent subsidies as may be necessary following occupancy of the units by City displacees

The Housing Authority shall -

a. notify the City of the land and location it plans to purchase for the housing project not less than 30 days before entering into a binding contract to acquire such land consistent with the City's Housing Assistance Plan (HAP);
b. cause 50 housing units to be designed and constructed under contract with the Authority;
c. own, operate, manage and rent the units for the benefit of eligible low-income families;
d. develop a tenant admissions and rent subsidy policy and submit to the City for approval;
e. have the right to terminate the Agreement if the Authority is unable to acquire land, notwithstanding its best efforts to do so; and
f. have the right to terminate the Agreement if, within 30 days after notifying the City that all bids for construction of the project exceed the grant amount of $1,950,000, the City has not agreed to amend the contract to increase the grant amount sufficient to cover the estimated cost and reasonable contingency.

Funds for this housing project in the amount of $1,950,000 have been budgeted in the CIP/GRS housing account.

Budget and Evaluation Department, Community Development Department and the City Attorney's office have reviewed this request.

17. Recommend denial of a request to install a traffic signal at the intersection of Museum Plaza and Randolph Road.

The Mint Museum Executive Committee, in a letter of October 7, 1985, to the Mayor and members of City Council, requested a traffic signal at the intersection of Museum Plaza and Randolph Road citing as reasons

- High volume and speed of traffic on Randolph Road.
- Delay for motorists exiting the Museum.
- Use of Museum Plaza by numerous school buses.
- Need for accessibility to the Museum.
- Inability of pedestrians to cross Randolph Road.

The Mint Museum docents and the Friends of the Mint have petitioned the city for the traffic signal.

The recommendation that a traffic signal not be installed is based on the Department of Transportation evaluation that

1. A signal would not meet current engineering standards which consider traffic volume, delay, accident history and pedestrian usage.

2. Insufficient room is available to install a left-turn only lane on Randolph, which is necessary to avoid creating an accident problem. If a signal is installed, it would be best to have a left turn in order to avoid traffic congestion and rear-end accidents. However, there is insufficient width because of the Briar Creek bridge and reconstructing the bridge would cost approximately $300,000 - $400,000.

3. The school system indicates that school buses will not have a problem exiting the Museum.

4. The driveway to the medical park across from Museum Plaza would have to be redesigned and relocated.

5. Conditions at neighboring intersections with similar traffic characteristics do not indicate any problem which would require a traffic signal.

A more indepth analysis of the need for a signal is attached.

An alternative to signalization is to provide temporary traffic control. Temporary traffic control can be provided through the use of off-duty police officers if large crowds are anticipated for special events. The officer can help to control traffic, as well as facilitate pedestrian crossings. The cost of off-duty officers for special occasions, paid for by the Mint Museum, would be minimal.

Attachment No. 14

18. Consider recommendation of the Operations Committee in amending Chapter 15 of the City Code.

Action on the Litter Ordinance was deferred at the October 28 Council meeting and referred to the Operations Committee. The Committee will meet on November 19 and its recommendations will be sent to Council in the November 22 Council-Manager memorandum.

BUSINESS

19. Recommend adoption of a resolution which (1) rescinds prior action taken by City Council in December, 1983 approving a $380,000 loan from First Union National Bank to R. Malloy McKeithen and B. Bernard Burns, Jr. (Uptown Redevelopment Area No. 2 - Charlotte Uptown Development Corporation); and (2) approves a new loan of $400,000 to White Forbes Group, Inc., R. Malloy McKeithen and B. Bernard Burns, Jr. for rehabilitation of a building at 123 East Trade Street.

In December, 1983, the Charlotte Uptown Development Corporation and the City Council approved a loan application for the renovation of 123 East Trade Street. The planned renovation consists of a restaurant and retail space on the first floor and office space on the second and third floors. A loan package for $380,000 was submitted by R. Malloy McKeithen and B. Bernard Burns and was approved by First Union National Bank and City Council. Today's request is a resubmission with an additional business entity, White Forbes Group, Inc., and replaces the $380,000 loan which was approved by City Council.

White Forbes Group, Inc., R. Malloy McKeithan and B. Bernard Burns have obtained a loan commitment from North Carolina National Bank to make a separate loan to the City of Charlotte for $400,000. The City of Charlotte will have no liability to pay the redevelopment loan under this program except to the extent of amounts realized from the City's loan to the redeveloper.

A map of the location is attached.

Attachment No. 15

20. Recommend approval of a contract between the City of Charlotte and Laventhol & Horwath, Inc., for $107,625 in Title II-A Job Training Partnership Act (JTPA) funds to provide classroom training in account clerk occupational skills for 25 economically disadvantaged residents of Mecklenburg County.

After assessing the demand in the private sector for persons trained in account clerk occupational skills, the Private Industry Council, in July, 1985, approved the recommendation that classroom training in account clerk be implemented in fiscal year 1986. Subsequently, a public notice of Request For Proposal (RFP) for this training was issued. Several training institutions and firms were also invited to respond indicating interest in providing this training for the Charlotte-Mecklenburg service delivery area.

The private firm of Laventhol & Horwath, Inc., of Charlotte was the only respondent to the RFP. A proposal for providing this training under a performance-based contract was submitted for funding. Upon proper review and assessment, the Private Industry Council approved

the contract negotiated for Laventhal & Horwath, Inc., to be the service provider for the account clerk classroom training. Twenty five economically disadvantaged residents of Mecklenburg County will be served through a 13-week training program scheduled to begin in February 1986.

This contract is to provide recruitment, assessment, selection, enrollment, counseling, support services, occupational training, employability skills training, job development and placement, and follow-up services. In order to successfully complete the course, participants must complete 75% of the program's course requirements.

Upon project completion, a minimum of 20 participants shall be placed into training-related employment with an average hourly wage rate of at least $4.00 per hour. In addition to the above services, a follow-up will be conducted at 30-day, 180-day, and one year intervals for those participants who are placed on jobs. The purpose of the follow-up is to measure job retention and salary increases of participants.

This is a performance-based contract with payments made at scheduled intervals throughout the program. In addition, the contract includes costs for needs-based payments to participants who qualify and who meet the attendance requirements for payment. Such payments are based on assessment of the participant's needs, based on economically disadvantaged guidelines, with a maximum payment of $7.00 per day, or $35.00 per week.

Funds for this project are provided through Title II-A of the Job Training Partnership Act (JTPA) as allocated by the North Carolina Division of Employment and Training. This program is part of the JTPA annual jobs training plan for FY86. The contract will be monitored by Budget and Evaluation.

This contract has been reviewed and approved by the Private Industry Council, the Budget and Evaluation Department, and the City Attorney.

21 Recommend approval of an agreement and related documents covering the leasing of equipment totaling approximately $16,132,000 with First Union National Bank

During the development of the annual operating budgets for the four prior fiscal years, cost analyses of lease/purchase alternatives were made and compared to the direct cash purchase of rolling stock, traffic signal devices, and other pieces of capital equipment. Each analysis reflected favorable cost advantages for lease-purchase financing. These advantages are due to a number of factors, one of which is the City's favorable credit rating which results in a substantially lower interest cost to the City.

On August 9, 1982, the Council approved a master lease agreement with First Union National Bank covering the lease-purchase of equipment for fiscal 1983. Subsequent agreements with First Union have been approved, the latest of which was on July 8, 1985 when Council approved an agreement for acquisition of equipment during fiscal 1985-86.

City Council is requested to approve a lease agreement with First Union National Bank for $10,132,000 for the 1986-87 fiscal year covering the acquisition of police cars, certain pieces of motorized equipment, specific computer systems, traffic signal controllers, office furniture, fire alarm communication system and various other pieces of equipment. Also, Council is requested to approve a lease agreement for 1987-88 fiscal year for $6,000,000 covering the acquisition of police cars, certain pieces of motorized equipment, computer equipment and various other pieces or equipment.

Due to pending tax law changes that would negatively affect lease-purchase transactions for local governments after December 31, 1985 and considering current favorable conditions in the financial markets, this two-year proposal offers a significant cost/benefit for the City and it is therefore recommended for approval.

Lease-purchase appropriations will be included in fiscal year 1987 and 1988 budgets for General Fund and Water & Sewer Fund.

22. Recommend adoption of a resolution requesting approval from the State of North Carolina for a bond issue for $1,214,000 for rehabilitation of buildings located at 402 and 412 West Trade Street by West Trade Street Associates as developer - Uptown Redevelopment Area No. 2 - Charlotte Uptown Development Corporation (CUDC).

The North Carolina Department of Commerce must approve all tax exempt rehabilitation bonds issued by the City. The Department of Commerce's deadline for accepting applications for a bond issue was November 15, 1985, however, the Department of Commerce has agreed to consider additional applications for allocation of funds if approved by the governing body.

The Charlotte Uptown Development Corporation has requested that the City Council adopt a resolution requesting approval from the State of North Carolina for allocation of a bond issue for $1,214,000 to West Trade Street Associates for the rehabilitation of 402-412 West Trade Street in Uptown Redevelopment Area No. 2. The rehabilitated buildings will be used as office space.

This request would normally take place after Council has approved a loan to a developer; however, in this instance, Council is being requested to approve the request for bond allocation prior to the approval of the entire loan package to West Trade Street Associates so that bond funds can be reserved for this project. Council will be requested to approve the loan package to West Trade Street Associates at its December meeting.

The City will have no financial liability as a result of the issuance of these bonds.

23. Recommend approval of a letter pledging the City's support to assist Spirit Square with completion of their renovations.

Included in the City's 1986-90 Capital Improvement Program (CIP) is a project to complete renovations to Spirit Square. The City's share of the estimated $5.4 million project is $2.7 million to be appropriated over four years, ($675,000 each year), beginning in July, 1986.

Because this project is funded with General Revenue Sharing (GRS), City Council conditionally approved it at the budget workshop in June, but indicated they wished to discuss the project again as part of the decision making on replacing GRS. Meanwhile Spirit Square has received approval from the Arts and Science Council to begin a fundraising campaign in Spring, 1986 and has been exploring grant possibilities, specifically with the National Endowment for the Arts.

Until about two weeks ago, the Budget and Evaluation Office believed that the Council discussion on Spirit Square could be postponed until after the City Council retreat and after further review of the service reductions, and possibly until the CIP workshops in April, 1986. However, Spirit Square has requested that their application for challenge grant funding include a letter of commitment from City Council that the City will participate in funding the renovations project on a matching basis. The application has to be submitted by the second week of December.

The challenge grant application and City letter begin a series of steps that Spirit Square has planned to raise the $5.4 million. Also included is a public fund campaign of $1 million approved by the Arts and Science Council, solicitation from foundations of $1 million as well as federal and state grant support.

If Council approves this request, Spirit Square would have the City's commitment to match Spirit Square's fundraising efforts up to $2.7 million. This is regardless of GRS availability. Spirit Square renovation would remain a project in the CIP and would be funded by GRS, capital reserve, bonds or other revenues used to replace GRS.

Attachment No. 16

24. Appointment to Sister Cities Committee.

The following nominations were made on October 28, 1985 for the unexpired term of Rita Allred. The term will expire on April 5, 1986.

a) Norman A. Mitchell, nominated By Councilmember Leeper.
b) Maurice D. Ewing, nominated by Councilmember Woollen.

Attachment No. 17

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The City Attorney advises that agenda items no. 25 through 47 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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AGREEMENTS

25. In the FY-86 budget, City Council funded various transportation projects. Because of the current workload of the Engineering Department, it is necessary to contract for the design of the following projects so they will be completed in a timely manner.

A. Recommend approval of an agreement for engineering services with Williams, Russell, and Johnson for the design of Hebron Street Extension.

B. Recommend approval of an agreement with Carmel Investment Group-Hebron to expedite design and construction of Hebron Street Extension in exchange for donation of right of way and easements.

City Council is asked to approve an agreement for engineering services with Williams, Russell and Johnson for Hebron Street extension for $138,852. The scope of services includes roadway design, traffic control plans, coordination of surveys and geotechnical investigations, landscape designs, etc.

The proposed alignment for Hebron Street Extension requires acquisition of right-of-way from one tract of land controlled by Carmel Investment Group-Hebron. No other properties would be directly affected.

Council is also asked to approve an agreement with Carmel Investment Group-Hebron in which the City would commit to expediting the design and construction of Hebron Street extension. The developer would in turn donate sufficient right of way and easements for construction of the project. No funds are involved with this agreement.

Funds for the engineering services agreement are available in the Hebron Street Extension Account (Allotment #288.00, Fund #2010).

These contracts have been reviewed and approved by appropriate City staff including the City Attorney. The Council-approved consultant selection procedure was used to select the engineering firm.

C. Recommend approval of an engineering services agreement with PRC Consoer Townsend for $418,000 for the design of Delta Road Extension.

Delta Road Extension will be designed in two phases (Phase I from Idlewild Road/Idlewild Road North Intersection to the Campbell Creek crossing, and Phase II from Campbell Creek to Independence Boulevard, including the major culvert or bridge at Campbell Creek).

The fee for the Delta Road extension is $418,000. The scope of services includes roadway design, traffic control plans, coordination of surveys and geotechnical investigations, landscape designs, etc.

Funds are available in the Delta Road Extension Account (Allotment #283.00, Fund #2010).

The contracts have been reviewed and approved by appropriate City staff including the City Attorney. The Council-approved Consultant Selection Procedure was used to select the engineering firm.

CONTRACTS

26. Recommend approval of a contract for architectural services for the design of a swimming pool at Marion Diehl Center with the firm of Snoddy & McCulloch Associates, Inc. for $69,908.

Funding for a swimming pool at Marion Diehl Center was approved in the FY 86 CIP budget. The firm of Snoddy & McCulloch Associates was the original designer of the Center, and based on their experience and familiarity with that project, their firm was chosen to design the swimming pool addition.

The contract for architectural services is for $69,908 and will include the design of the pool, pool building, related site work, and additional parking facilities. The architect will be paid on a lump sum basis. Construction will begin in the current fiscal year.

Funds for this work are available in the Marion Diehl Center Pool Account (Allotment #339.00, Fund #2010). Construction funding is $1.1 million dollars.

Parks and Recreation and the City Attorney's office have reviewed the proposed contract, and concur in the recommendation for approval.

27. Recommend approval of a one-year contract with Van Pool Services, Incorporated to administer a third party vanpool program for $34,800.

The Charlotte Department of Transportation (CDOT) entered into the first contract with Van Pool Services, Inc. (VPSI) in November, 1983 in order to broaden the scope of transportation services available to commuters.

VPSI is a private third party van provider. By using a third party provider, the City can provide a complete vanpool program, but is not liable financially or legally. VPSI purchases the vans and maintains insurance coverage on the vehicles. A full time staff person is assigned by VPSI (project manager). This person works with the CDOT rideshare & information program in promotion of the vanpool program. Additionally, the program manager handles local administration of the program, including acquisition of vans, fleet administration, vehicle repairs/ maintenance, coordination of potential vanpool groups, driver selection and training, and fare computation.

Participating commuters are not legally or financially liable. Financial obligation of riders is limited to paying monthly fares, with no obligation beyond the 30 days.

Currently, there are five vans operating under the third party program: two vans from Mooresville; one from Gastonia; one from Concord/Kannapolis; one from Denver. Three additional vans are scheduled to begin service January, 1986. These vans will come in from Conover, Rock Hill and Gastonia.

The five vans now in service travel a total of 320 miles each day. Seventy-five people are in the vanpools.

The program and contract have been reviewed by the Legal and Transportation Departments.

The FY 86 budget for the Charlotte Department of Transportation includes funds for operating the program.

28. Recommend approval of a contract with Mecklenburg County for the Charlotte Fire Department to provide first responder services within the City.

This is a renewal and update of a contract we have had with Mecklenburg County since 1978 under which the Fire Department provides first responder service to medical emergencies within the city. In FY85, the Fire Department responded to 14,522 first responder calls.

Mecklenburg County pays the direct costs associated with the program. These include EMT supplies, fuel and maintenance based on mileage to EMS calls, and the salaries of a Dispatcher I, a Dispatcher II, and an Auto Mechanic II. In FY85, these costs were estimated at $138,838.

The contract was cleared as to form by the City Attorney's Office. It has also been cleared by MEDIC, the City Manager's Office, the County Manager's Office, the Fire Department, and the Mecklenburg County Medical Advisory Council (MEMAC).

DUKE POWER CONTRACT

29. Recommend approval of an 18 month contract between the City and Duke Power Company for services of a "loaned" employee to serve as Development Coordinator for the City of Charlotte.

Robert E. Hinson, Jr., an employee with Duke Power Company, will be "loaned" to the City for 18 months to serve as Development Coordinator. This contract formalizes the agreement with Duke Power and establishes such requirements as compensation, benefits and scope of services of the employee.

The October 30, 1985 Council-Manager memorandum on this position is attached.

Attachment No. 18

CONTRACT AMENDMENT

30. Recommend approval of a second amendment to contract for sale of land to Don N. Baker, in Third Ward Neighborhood Strategy Area, 1132 Greenleaf Avenue.

On November 14, 1985, Council approved the sale of property at 1132 Greenleaf Avenue to Don N. Baker for $4,000. This parcel has 12,846 square feet and is for development of a single family residential structure. On December 7, 1984, Mr. Baker requested an amendment to the sales contract for additional time to provide evidence of equity capital and mortgage financing for the construction of the project. City Council approved his request by extending

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the delivery date of the deed from December 31, 1984 to June 30, 1985 or on such earlier date as the parties may mutually agree.

Cameron Brown Mortgage Company, servicing agent for the City's uptown residential loan program, is processing Mr. Baker's loan application. Due to circumstances beyond Mr. Baker's control, the loan application was not initiated until September 17, 1985, and being the first application in the new program, it is likely that the loan approval could take as long as 6-8 weeks. Consequently, by letter dated October 9, 1985, Mr. Baker requested a second amendment to the contract and requested additional time for his loan application to be processed and approved. This requirement must be satisfied prior to the conveyance of the deed.

It is recommended that Council approve the second amendment to contract for sale of land to Don N. Baker, which will extend the delivery date of the deed from June 30, 1985, to December 31, 1985 or on such earlier date as the parties may mutually agree.

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

BID LIST

31. 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. Aluminum Sheets — Department of Transportation

Recommendation: By Director of Transportation and Purchasing Director that the low bid, Vulcan Signs & Stampings, Inc., Foley, Alabama, in the amount of $75,578.80, be accepted for award of contract on a unit price basis.

Project Description: This proposed purchase is for 1,544 sheets of aluminum to be used to fabricate street signs.

Source of Funding: General Fund - Department of Transportation (Operations Division).

B. Management Information System — Department of Transportation

Recommendation: By Transportation Director and Purchasing Director that the bid of Vista Systems, Inc., Princeton, N. J., with option of a Sperry Model 5000/40 central processing unit, in the amount of $111,665.00, be accepted for award of contract on a unit price basis.

Project Description: This management information system, to be used by Charlotte Transit System, will replace the existing manual method of financial management, transportation, planning and scheduling, personnel, word processing. The Sperry option provides capacity for expansion and incluces additional memory and a faster processor.

Source of Funding: Public Transportation Capital Improvement Fund - (Computer Purchases - 80% Federal, 10% State, and 10% 1975 Transit Facility Bonds).

C. Mobile Digital Terminals Police Department

Recommendation: By Police Chief and Purchasing Director that the lowest responsible bid, Motorola C & E, Inc., Charlotte, N. C., in the amount of $86,055.00, be accepted for award of contract on a unit price basis.

Project Description: This is the first year of a three-year project to improve productivity of police officers through the use of mobile digital terminals. The project will be evaluated by the Police Department and Budget and Evaluation during each stage.

Source of Funding: General Fund - Police Department (Property Control Division).

D. Sheffield Park Drainage Improvements Parks & Recreation

Recommendation: By the City Engineer that the low bid of $141,119.35, as submitted by Jones Fence & Grading, Inc., be accepted for award on a unit price basis.

Project Description: This work was approved by City Council as part of the improvements to existing parks in the FY 84-85 CIP budget. This project will include the construction of a box culvert and channel improvements to the existing creek tributary that flows through the park property.

Source of Funding: General Capital Improvement Fund - Improvements to Existing Parks.

E. Charlotte Coliseum
Earthwork I

Engineering

Recommendation: By the City Engineer that the low bid of $1,386,005.25, as submitted by McWhirter Grading Company, be accepted for award on a lump sum basis.

Project Description: This contract will provide the rough grading of the building and staging area for the Coliseum.

Source of Funding: General Capital Improvement Fund (Charlotte Coliseum - 1984 Coliseum Bonds).

RESOLUTION

32. Recommend adoption of resolutions withdrawing Optimist Park and Peoples Park from use as parks and authorize their use for Parkwood Avenue Extension and low and moderate income housing.

This action will withdraw Optimist Park and Peoples Park from use as parks and authorize their future use for the Parkwood Avenue extension, the construction of low and moderate income housing, and other uses consistent with the Council approved Optimist Park Special Project Plan and the community development program for this area.

In 1948 the City acquired the land constituting Optimist Park, bounded by North Brevard, East 20th, and North Caldwell Streets, by deed from Optimist Park, Inc. Peoples Park, located at 1117 North Caldwell Street, was acquired by deed in 1972 from Duncan Memorial United Methodist Church. In recent years, Optimist Park has been used for a softball field and neighborhood recreation area; Peoples Park has been a passive park with benches and landscaping.

The Optimist Park Special Project Plan, adopted in July 1983, recommends elimination of Peoples Park and Optimist Park and relocation of their facilities to Cordelia Park which is within the expanded Mecklenburg County greenway system along Little Sugar Creek.

As shown on the attached map, the proposed extension of Parkwood Avenue severs the park property and will connect Brevard Street to Parkwood Avenue. The remainder of the property not used for the road improvements can be used for low-and moderate-income housing consistent with the proposed development program for Optimist Park. Habitat for Humanity of Charlotte has indicated a very strong interest in acquiring this property to expand their housing program in this neighborhood.

In addition to maps, the November 6, 1985 Council-Manager memorandum on this subject is also attached.

No funding is required.

The Parks Advisory Committee has been informed of this proposal. The Parks & Recreation Department, Engineering Department, Real Estate Division and Legal Department recommend this action.

Attachment No. 19

33. Recommend adoption of a resolution authorizing: 1) the temporary closing of certain streets for the St. Patrick's Day Parade and celebration; 2) the sale, distribution and consumption of beer and wine at certain locations; and 3) the charging of reasonable fees to cover costs associated with the event.

As part of its contracts to promote the Tryon Street Mall, the Central Charlotte Association is responsible for St. Patrick's Day activities. Events are co-sponsored by the Central Charlotte Association and SpringFest, Inc. In accordance with City Code Section 15-3, in order to sell, distribute or consume beer on a public street, the street must be closed by Council under special permit. Also, in order to allow private licensing of vendors, the street must be closed.

The Central Charlotte Association and SpringFest, Inc. have requested the temporary closing of Tryon Street from First Street to Seventh Street; First, Second, Third, Fourth, Trade, Fifth, Sixth, and Seventh Streets where they cross Tryon Street; and the 100 blocks of East and West Trade and North and South Tryon for the St. Patrick's Day Parade and Celebration on March 15, 1986. The parade route on Tryon is requested to be closed from 11.00 a.m. until 1:30 p.m. The blocks of East and West Trade and North and South Tryon are requested to be closed from 10·00 am to 6:00 p.m. for the staging of the other activities. The Department of Transportation has approved closing these streets.

The Central Charlotte Association and SpringFest, Inc. are requesting a permit to sell, distribute and allow beer to be consumed in the 100 blocks of East and West Trade Street and North and South Tryon Street. It is estimated that 50-57 kegs of beer will be sold.

Beer will be sold only during the hours of 11:30 a.m. until 4·30 p.m. All sales will be closely supervised according to ABC regulations and no one under the lawful age will be served. The president of SpringFest will supervise the enforcement of control measures. The Parks and Recreation Department recommends approval of the beer permit.

In addition, SpringFest requests Council's approval to levy reasonable fees for participating sidewalk vendors in connection with the parade and celebration.

Approval of the parade and the arrangements for the parade will be handled through the standard parade permit process by the Parade Permit Committee. The SpringFest organization and Central Charlotte Association submitted an application for a parade permit on September 8, 1985.

BREACH OF CONTRACT

34. Recommend authorizing the City Manager or his designee to act for the City of Charlotte in a manner as provided in the contract with Two M Construction Company, M & M Engineering Company T/A, awarded May 14, 1984 to insure completion of the project.

Council awarded a contract on May 14, 1984 to Two M Construction Company, M & M Engineering Company T/A, for the construction of the raw water supply project, 54-inch raw water bypass and transmission main at W. M. Franklin Water Plant. The contractor has completed approximately 70% of the work; most materials necessary to complete the project are on-site.

None of the contractor's personnel have been on-site since November 1, 1985. On November 12, 1985 a vice-president with the contractor verbally told the Charlotte-Mecklenburg Utility Department's construction engineer that the contractor would not return to complete the work.

Approval of this request would allow the City Manager to act for the City under the construction contract including termination of contract for breach by the contractor. This action is recommended by the Utility Department and the City Attorney.

EXCHANGE IN LIEU OF STREET IMRPOVEMENTS

35. During land development, street improvements are routinely required along City maintained streets. In some instances, the existing right of way widths are not compatible with future traffic needs, and street improvements may need to be removed when a City widening project is undertaken. The City Code provides for the donation of additional right of way and other planning benefits in lieu of required roadway improvements where the existing street right of wav is insufficient to accommodate future needs. The Code requires that the value of the right of way donated equal or exceed the value of the improvements waived.

Maps of the locations described in A, B, and C are attached.

A. Recommend granting an exception to the Church of the Nazarene for certain street improvements at 6031 Tuckaseegee Road and accepting additional right of way in exchange.

The Church of the Nazarene requests an exception for certain street improvements required by the City Code in connection with development at 6031 Tuckaseegee Road - 421 linear feet of curb and gutter, sidewalk and associated storm drainage. In lieu of constructing the 421 feet of sidewalk (estimated value, $4,175), the church proposes to dedicate a 20 foot width of additional right of way along Tuckaseegee Road, with an estimated value of $5,510.00.

It is recommended City Council accept the donation of approximately 0.19 acres of right of way in lieu of 421 feet of five foot sidewalk along Tuckaseegee Road. The Church will construct the curb, gutter and associated storm drainage.

The Engineering Department has determined the proposed right of way conforms to the Comprehensive Street Classification System.

B. Recommend granting an exception to Waters Incorporated for certain street improvements along Newell-Hickory Grove Road and accepting additional right of way in exchange.

Waters Incorporated requests an exception for certain street improvements required in connection with development of Newell Hickory Square in the 7500 block of Newell-Hickory Grove Road. The street improvements are 500 linear feet of curb/gutter and sidewalk having an estimated value of $12,500. In lieu of these improvements, Waters Incorporated has agreed to dedicate a 20 foot width of additional right of way along Newell-Hickory Grove Road, with an estimated value of $13,273.

It is recommended City Council accept the donation of approximately 0.25 acres of right-of-way in lieu of 500 feet of curb/gutter and sidewalk along Newell-Hickory Grove Road.

The Engineering Department has determined this exchange is compatible with the future widening of Newell-Hickory Grove-Delta Road Extension.

C. Recommend granting an exception to Park West Homes for certain street improvements along Newell-Hickory Grove Road and accepting additional right of way and a cash deposit in exchange.

Park West Homes requests an exception for certain street improvements required in connection with development of Windsor Grove Condominiums in the 7000 block of Newell-Hickory Grove Road. The street improvements are 720 linear feet of curb/gutter and sidewalk, having an estimated value of $18,000. In lieu of these improvements, Park West Homes has agreed to dedicate 17½ feet of additional right of way along 190 feet of frontage on Newell-Hickory Grove

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Road with an estimated value of $2,450.00. Although the value of the right of way to be acquired by the City does not equal the value of the street improvements waived, the City Attorney has advised the intent of the ordinance can be met by Park West donating the cash difference ($15,550.00) toward the future widening of Newell-Hickory Grove Road. Park West has agreed to deposit this cash difference.

It is recommended City Council accept the donation of approximately 0.08 acres of right of way and $15,550.00 cash in lieu of 720 feet of curb/gutter and sidewalk along Newell-Hickory Grove Road.

The Engineering Department has determined this exchange is compatible with the future widening of the Newell-Hickory Grove-Delta Road Extension. The Legal Department has approved of the exchange.

Attachment No. 20

HOUSING CODE ENFORCEMENT

36. Recommend adoption of an ordinance to demolish and remove the dwelling at 1316 N. Caldwell Street declared unfit for human habitation using the in rem remedy and authorize the City Manager to approve contract for such work.

Date of inspection: June 4, 1985
Owner(s) notified of hearing: August 7, 1985
Hearing held· August 27, 1985
Owner(s) ordered to demolish dwelling by· October 26, 1985
Estimated value of dwelling: 0
Estimated repair (which exceeds 65 percent of estimated value). $20,000.

The owner appealed the demolition of 1316 N. Caldwell Street to the Housing Appeals Board on October 1, 1985. The decision of the Board granted the property owner a 30 day extension of time to prepare and submit plans to the Community Development Department for rehabilitation of the property. The owner has not submitted the proposal and has been notified that the action has been placed on the November 25, 1985 agenda.

Repairs include: repairing foundation walls; replacing rotted roof sheathing; replacing roof shingles; replacing rotted flooring on front porch; replacing rotted ceiling on front porch; replacing defective hot water heater; replacing rotted facia board; replacing rotted soffit board; installing screens on windows; installing screen doors; replacing missing light fixtures; replacing rotted bathroom floors; installing kitchen sink; repairing defective plumbing; replacing defective heating system; painting exterior; painting interior; replacing broken window glass, removing under-growth from yards. The 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.

HOUSING LOAN

37. Recommend approval of loans for permanent financing to purchase property in the Third Ward area under the Third Ward loan program.

Borrower	Property Address	Loan Amount	Appraised Value
Henry Gyamfi	230-3 S. Cedar St.	$60,300	$67,000
Phillip A. Hevner	300-6 S. Cedar St.	$33,550	$41,950
Michael E. Carscaddon	306-4 S. Cedar St.	$39,700	$41,800

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

MUNICIPAL AGREEMENT

38. Recommend adoption of a resolution approving a municipal agreement with the North Carolina Department of Transportation for improvements on Arrowood Road.

Arrowood Road has been shown as part of the Charlotte-Mecklenburg Thoroughfare Plan since 1960. The North Carolina Department of Transportation (NCDOT) is presently widening and improving Arrowood Road from I-77 to York Road to a four lane roadway with median.

Under the terms of the agreement, the City will install traffic signals at the intersections of York Road, Arrowpoint Boulevard and I-77 southbound exit Road. The initial expense for signal equipment will be borne by the Charlotte Department of Transportation Operating Budget NCDOT will reimburse the City the estimated cost for the signalization equipment ($64,930). The City also agrees to adjust water and sewer structures as needed to facilitate roadway construction. These adjustments will be funded through the Charlotte-Mecklenburg Utility Department operating budget.

The Engineering Department, Department of Transportation, and Charlotte-Mecklenburg Utility Department have all approved the agreement.

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ENCROACHMENT AGREEMENT

39. Recommend adoption of a resolution authorizing the Mayor to execute two encroachment agreements with Seaboard System Railroad, Inc. and approve a one time fee of $200.00 for administrative costs for each agreement for a total of $400.00.

Seaboard System Railroad, Inc. has requested the City execute an encroachment agreement for the placement of an 8" sanitary sewer and 12" water main across the railroad right of way on Sardis Road North Extension near McAlpine Creek.

By adopting the resolution authorizing the Mayor to execute the agreements, the City is permitted to install the sanitary sewer and the water main across the right of way. A one time fee of $400.00 is required to cover administrative costs.

Funds are provided by the real estate developer.

Charlotte-Mecklenburg Utility Department, Insurance Risk & Management Agency, Engineering/Real Estate Division and the Legal Department concur in this request.

CHRISTMAS HOLIDAY

40. Consider granting Tuesday, December 24, 1985 as an extra Christmas holiday for all City employees.

Traditionally, City Council has granted an additional employee holiday at Christmas. If Council chooses to do this, we propose that the extra day be on Tuesday, December 24.

This request is being made at this time because there is not another regular Council meeting until December 30.

SET PUBLIC HEARINGS

41. A. Recommend adoption of a resolution of intent to abandon two alleyways in the block bounded by North Church Street, West Seventh Street, North Tryon Street and West Eighth Street and set a public hearing for December 30, 1985 at 3:00 p.m. in the City Council Chambers.

B. Recommend adoption of a resolution of intent to abandon a portion of Highview Road and set a public hearing for December 30, 1985 at 3.00 p.m. in the City Council Chambers.

SPEED LIMITS

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

In accordance with Council's approved 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:

Allison Avenue (Sharonwood Acres)
Little Hope Road (Clawson Village)
Gorham Drive and Hardison Road (Pellyn Woods)
Malvern Road (Myers Park)

B. Recommend adoption of an ordinance lowering the speed limit on Meadowood Lane from 35 miles per hour to 25 miles per hour.

The Charlotte Department of Transportation has completed an engineering study and determined that Meadowood Lane is appropriate for a 25 mile per hour speed limit. Meadowood Lane is a narrow, winding road where a number of accidents have occurred because of speeding. Consequently, the Department of Transportation is initiating this request due to the accident problem.

This speed limit change is not part of the Neighborhood 25 mph Speed Limit Program. All property owners on the street have been notified of the pending speed limit reduction. No residents expressed opposition to the proposal.

TAX REFUND

43. Recommend adoption of a resolution authorizing the refund of certain taxes in the total amount of $1,016.00 which were assessed through clerical error or illegal levy against one tax account.

SPECIAL OFFICER PERMITS

44. Recommend approval of applications for special officer permits for use by the Airport Department to Hilton Jeffery Hill and Kenneth Isaac Spann.

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SETTLEMENT

45. Recommend settlement of condemnation action against Romeo Alexander, et al. for a total sum of $15,000.00.

On June 25, 1984, City Council passed a resolution approving and ordering the institution of condemnation proceedings in the Five Points Neighborhood Strategy Area with respect to Block No. 22, Parcel No. 16, owned by Romeo Alexander and wife, Frances G. Alexander, located at 612 Sparrow Street for $6,055.00. A house is located on the property and has been rented as a boarding house in the past. It is part of the parcel which Johnson C. Smith University has proposed to purchase from the City.

The defendants take the position that the property is worth substantially more than the deposit into Court because of the rental income which was and could be derived from the property. Defendants contend that they have appraisals of the property in excess of $18,000.00 and that the value of the property may be as high as $25,000.00. They have agreed, however, to settle this matter for the total sum of $15,000.00. Settlement at this point would avoid further expenses to both the City and the property owners and would preclude a trial in Superior Court. It is recommended that the matter be settled as indicated above.

Funding is available through Community Development Block Grant funds.

The Community Development Department and the Legal Department concur in this recommendation.

PROPERTY TRANSACTIONS

46. Recommend adoption of the following right of way transactions.

A. Acquistion of 3,698 square feet of right of way plus temporary construction easement and utility pole easement, from Allied Food Corporation, at 5200 Albemarle Road, for $40,000.00, for Intersection Improvements-Sharon Amity Road at Albemarle Road. (Option)

CONDEMNATIONS

B. Recommend adoption of a resolution of condemnation for 2,327 square feet plus construction easement, from Vicorp Restaurants, Inc., Lessee: Creative Culinary Concepts, Inc. at 3101 North Sharon Amity Road, for $34,700.00, for Intersection Improvements-Sharon Amity Road at Albemarle Road.

C. Recommend adoption of a resolution of condemnation for 2,772 square feet plus construction easement, from Robert T. Cashion & wife, Louise Cashion and all other parties of record, at 3113 North Sharon Amity Road, for $21,000.00, for Intersection Improvements-Sharon Amity Road at Albemarle Road.

UTILITY CONTRACTS

47. Recommend approval of contracts between the City of Charlotte and the applicants listed below:

Item 8 is a 15-year reimbursable contract. Item 9 is a 5-year reimbursable (letter of credit) contract. The applicants are to deposit 10% of the estimated cost. The remaining 90% will be deposited prior to construction. Item 10 is a non-reimbursable contract to be constructed by the City. There is no cost to the City and no funds are needed from the City. The Utility and Planning Directors recommend approval.

All the remainder of the items 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.

These are extension contracts for new subdivision development in accordance with the Water/Sewer Extension Policy. They concern construction by the following applicants·

1. Park West Homes, to construct 1,505 linear feet of 8-inch sanitary sewer mains to serve Willow Wood Lane And Whiston Court, located east of Newell-Hickory Grove Road, south of Robinson Church Road and west of Market Street, outside the Charlotte City Limits. Estimated Cost - $52,675.00 Sanitary Sewer Job No. 621-85-099.

2. Carmel Land Company, to construct 1,201 linear feet of 8-inch sanitary sewer main to serve Kimmerly Glen Lane, located west of Newell-Hickory Grove Road, east of North Sharon Amity Road, and north of Hickory Grove Road, outside the Charlotte City Limits. Estimated Cost - $42,035.00. Sanitary Sewer Job No. 621-85-101.

3. Hobart Smith Construction Company to construct 2,205 linear feet of 8-inch sanitary sewer main to serve Breckenridge Section II Subdivision, located north of David Kenney Farm Road, south of Sam Furr Road and east of Hager Ferry Road, outside the Charlotte City Limits. Estimated Cost - $66,150.00 Sanitary Sewer Job No. 621-85-115.

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4. NCNB, College Town Properties Partnership, Pizzagalli Investment Company, K. Martin Waters III Et. Al, and Home Federal Savings & Loan Association, to construct 890 linear feet of 8-inch sanitary sewer main to serve College Town Properties, located east of I-85, west of U.S. Highway 29 and south of W. T. Harris Boulevard, outside the Charlotte City Limits. Estimated Cost - $35,600.00. Sanitary Sewer Job No. 621-85-083.

5. Faison Arrowood Properties, to construct 6,535 linear feet of 8-inch sanitary sewer main to serve Forestpark Subdivision, located east of I-77, south of Arrowood Road and north of Sugar Creek, inside the Charlotte City Limits. Estimated Cost - $196,050.00. Sanitary Sewer Job No. 621-85-121.

6. Folmar & Associates, to construct 1,067 linear feet of 8-inch sanitary sewer main to serve Crossroads Shopping Center, located west of Mallard Creek Road, outside the Charlotte City Limits. Estimated Cost - $48,015.00. Sanitary Sewer Job No. 621-85-133.

7. Harrington/Dowd Company, to construct 4,260 linear feet of 8-inch sanitary sewer main to serve Berkeley Subdivision, located north of Providence Road West, west of Providence Road and south of Four Mile Creek, inside the Charlotte City Limits. Estimated Cost - $127,800.00. Sanitary Sewer Job No. 621-85-126.

8. William Trotter Company, to construct 716 linear feet of 10-inch sanitary sewer main to serve Elm Lane West, located north of Endhaven Lane, west of Elm Lane West and south of Four Mile Creek, outside the Charlotte City Limits. Estimated Cost - 90,000.00. Sanitary Sewer Job No. 621-84-143. Contract No. 85-011.

9. The Regatta Group, to construct 10,000 linear feet of sanitary sewer main to serve N.C. Highway 73, located north of Westmoreland Road, east and south of N.C. Highway 73 and west of I-77, outside the Charlotte City Limits. Estimated Cost - $542,000.00. Sanitary Sewer Job No. 621-85-161. Contract No. 85-012.

10. Town Of Matthews, to construct 2,250 linear feet of 8-inch water main to serve Ames Street And Main Street, located west of St. Johns Street and north of Weddington/Matthews Road, inside the corporate limits of Matthews. Estimated Cost - $60,000.00. Water Contract No. 66-419.

11. Carmel Investment Corporation, to construct 5,230 linear feet of 8-inch water main to serve Kimmerly Glen Lane, located north of Hickory Grove Road west of Newell-Hickory Grove Road and east of North Sharon Amity Road, outside the Charlotte City Limits. Estimated Cost - $94,000.00. Water Contract No. 85-052.

12. NCNB As Trustee NCNB Corporation And Designated Subsidiaries Retirement Plan And Trust, to construct 9,684 linear feet of 12-inch water main to serve Huntersville Business Park, Phase II, located west of I-77 and south of Gilead Road, outside the Charlotte City Limits. Estimated Cost - $290,000.00. Water Contract No. 85-030.

13. The Walsh Corporation, to construct 1,797 linear feet of 8-inch water main and 110 linear feet of 6-inch water main to serve The Wilora Lake Apartments, located north of Albemarle Road and east of Sharon Amity Road, inside the Charlotte City Limits. Estimated Cost - $34,000.00. Water Contract No. 85-039.

14. Waters Construction Company, to construct 1,855 linear feet of 8-inch water main and 1,385 linear feet of 2-inch water main to serve Mallory Manor Subdivision, located south of N.C. Highway 51, west of Elizabeth Lane and east of Reverdy Lane, outside the Charlotte City Limits. Estimated Cost - $48,000.00. Water Contract No. 85-055.

- SCHEDULE OF MEETINGS -
November 25 - December 13, 1985

Monday, November 25	LUNCHEON - Liveability Award Presentation	11·30 a. m.
	DISCUSSION - Transit and Productivity Adams Mark Hotel	12:30 p. m.
	CITIZENS HEARING / PRESENTATION and REVIEW of ADVISORY ENERGY COMMISSION	2 00 p. m.
	CITY COUNCIL MEETING Council Chamber, City Hall	3:00 p. m.
Tuesday, November 26	INFORMAL COFFEE - Council Members/Department Heads Training Center, City Hall Annex	8 00 a. m.
	WORKSHOP - Economic Development Study Training Center, City Hall Annex	4 00 p. m.
Thursday, November 28	THANKSGIVING DAY All City Government Offices Closed	
Monday, December 2	SWEARING-IN CEREMONY / ORGANIZATIONAL MEETING Performance Place, Spirit Square	7 30 p. m.
Saturday, December 7 through Wednesday, December 11	ANNUAL MEETING - NATIONAL LEAGUE OF CITIES Seattle, Washington	

Charlotte

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

Meetings in November '85

NOVEMBER 1 - NOVEMBER 2

1	Friday, 3 30 p.m	CHARLOTTE PARKS ADVISORY COMMITTEE - Park Center, 1900 Park Drive

THE WEEK OF NOVEMBER 3 - NOVEMBER 9

5	Tuesday	ELECTION DAY Polls open 6 30 a.m until 7 30 p.m.
6	Wednesday, 4·00 p m	CITY COUNCIL/2005 Plan Workshop - City Hall Annex, Training Center
	Wednesdav, 6 00 p m.	PLANNING COMMISSION/Implementation Committee - Cameron-Brown Bldg , 1st Floor Conference Room
	Wednesday, 7 30 p m	PLANNING COMMISSION - Cameron-Brown Bldg , 1st Floor Conference Room
7	Thursday, 4 00 p m	MAJOR SPECIAL USE PERMIT HEARING(New Coliseum) - City Hall, Council Chamber
	Thursday, 5 30 p m.	ADVISORY BOARD FOR CITIZENS WITH DISABILITIES/Public Information Task Force - St Mark's Center, 601 N Graham Street

THE WEEK OF NOVEMBER 10 - NOVEMBER 16

10	Sunday, 1 00 p m.	MINT MUSEUM PUBLIC DEDICATION - Mint Museum, 2730 Randolph Road
11	Monday	VETERANS DAY City Holiday. All City Offices Closed No City Council Meeting.
11-12		NORTH CAROLINA LEAGUE OF MUNICIPALITIES - Raleigh, N C
12	Tuesday, 9 00 a m	HISTORIC DISTRICT COMMISSION - Edwin Towers, 1st Floor Conference Room
	Tuesday, 12 Noon	PLANNING COMMISSION (Work Session) - Cameron-Brown Bldg , 1st Floor Conference Room
13	Wednesday, 8 30 a.m	CIVIL SERVICE BOARD - City Hall, 3rd Floor Conference Room
	Wednesday, 10 00 a m	CIVIL SERVICE BOARD/Hearing - City Hall, Council Chamber
	Wednesday, 4 00 p m	CITY COUNCIL/2005 Plan Workshop - City Hall Annex, Training Center
	Wednesday, 7 30 p m	HISTORIC PROPERTIES COMMISSION - City Hall, 2nd Floor Conference Room
14	Thursday, 12 Noon	GROUNDBREAKING CEREMONIES FOR CITY-COUNTY GOVERNMENT CENTER - Lot bounded by 3rd , 4th , Alexander and Davidson Streets
	Thursday, 2-5 p.m	AIRPORT MASTER PLAN ADVISORY COMMITTEE OPEN HOUSE - N.C Air National Guard, Morris Field Drive
	Thursday, 4 00 p m	CITY COUNCIL/2005 PLan Workshop - City Hall Annex, Training Center
	Thursday, 5 30 p m	AIRPORT MASTER PLAN ADVISORY COMMITTEE OPEN HOUSE (Dinner Meeting) - Charlotte/Douglas International Airport, Conference Room
	Thursday, 8 00 p m	AIRPORT MASTER PLAN ADVISORY COMMITTEE OPEN HOUSE PUBLIC MEETING - N C Air National Guard, Morris Field Drive

(Continued on back)

THE WEEK OF NOVEMBER 17 - NOVEMBER 23

18	Monday, 1 00 p m.	MAJOR SPECIAL USE PERMIT HEARING - Education Center, Board 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
19	Tuesday, 8 00 a.m	AIRPORT ADVISORY COMMITTEE - Charlotte/Douglas International Airport, Conference Room A, Terminal Bldg ,
	Tuesday, 11 00 a.m.	AUDITORIUM-COLISEUM-CONVENTION CENTER AUTHORITY - Convention Center, Conference Room
	Tuesday, 2 00 p m.	HOUSING AUTHORITY - Frazier Avenue Community Center, 201 Frazier Avenue
20	Wednesday, 9 00 a m.	CIVIL SERBICE BOARD/Hearing - City Hall, Council Chamber
	Wednesday, 2 00 p.m.	TECHNICAL COORDINATING COMMITTEE - City Hall Annex, Dept. of Transportation Conference Room
	Wednesday, 4 30 p m.	COMMUNITY RELATIONS COMMITTEE - Covenant Presbyterian Church
	Wednesday, 7 00 p m.	METROPOLITAN PLANNING ORGANIZATION - City Hall Annex, Dept of Transportation Conference Room
21	Thursday, 8 00 a m.	CLEAN CITY COMMITTEE - Cameron-Brown Bldg , 5th Floor Conference Room
	Thursday, 2 00 p m.	MINOR SPECIAL USE PERMIT HEARING - Cameron-Brown Bldg., 1st Floor Conference Room
	Thursday, 4 00 p m	PLANNING COMMISSION (Deferred Rezoning) - Cameron-Brown Bldg., 1st Floor Conference Room
	Thursday, 7·30 p.m.	TREE COMMISSION - Park Operations, 701 Tuckaseegee Road

THE WEEK OF NOVEMBER 24 - NOVEMBER 30

25	Monday, 12 Noon	COUNCIL/MANAGER LUNCHEON - City Hall. Council Chamber
	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.
28	Thursday	THANKSGIVING. City Holiday All City Government Offices Closed

THE BODIES BELOW WILL NOT MEET IN NOVEMBER:

Specialized Transportation Advisory Board
Insurance & Risk Management Agency
Municipal Information Advisory Board

Addendum to November 25, 1985 Council Agenda

ITEM NO.

1. Recommend entering into an agreement with Mecklenburg County for the sale of Block 18, Parcel 4 in the Greenville Urban Renewal Area for $50,000.

Mecklenburg County, in conjunction with United Community Services, has proposed to develop a 50,000 sq. ft. community services facility on approximately 5.1 acres of land near the intersection of Graham Street and Statesville Avenue. On October 28, 1985, Council amended the Redevelopment Plan for the Greenville Urban Renewal Area to permit the proposed facility. On November 18, 1985, Council approved the rezoning petition. The petition rezoned 5.1 acres of land from R-9MF to I-1(CD) to permit the proposed service facility and deferred action on the remaining ± 15 acres until staff can prepare a more detailed development plan.

The amendment to the Redevelopment Plan for the Greenville Urban Renewal Area and Rezoning Petition 85-79 were approved by the Charlotte-Mecklenburg Planning Commission on October 14, 1985 and October 21, 1985 respectively.

A letter from County Manager Gerald Fox and a map of the site are attached.

Attachment

2. Consider a decision on Rezoning Petition 85-77 to change from B-2 to I-1 (CD) a 4.8 acre site at the northeast corner of N. McDowell Street and E. Seventh Street to permit a distribution facility for Federal Express.

On August 12, 1985, Council amended the First Ward Redevelopment Plan and authorized staff to initiate private negotiations with Federal Express to purchase the 4.8 acre parcel at Seventh and McDowell. On October 21, 1985, a public hearing was held to consider the rezoning petition. The following day the Planning Commission deferred the matter for 30 days. Following the Planning Commission's 30 day deferral, the Council also deferred action on the petition at its November 18, 1985 meeting.

On November 21, 1985, the Planning Commission voted to recommend that the petition be denied. Their recommendation is attached.

Also attached is a letter dated November 21, 1985 to Mayor and Council from Mr. James C. Boatner of the Federal Express Corporation.

Attachment