# AGENDA

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|---|---|
| Meeting Type: | B |
| Date: | 09-23-1985 |

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 September '85

## THE WEEK OF SEPTEMBER 1 - SEPTEMBER 7

| | | |
|---|---|---|
| 2 | Monday | LABOR DAY All City offices closed. |
| 3 | Tuesday, 7 30 p m | PLANNING COMMISSION - Cameron-Brown Bldg , 1st Floor Conference Room |
| 4 | Wednesday, 9 00 a m | CIVIL SERVICE BOARD (Hearing) - City Hall, Council Chamber |

## THE WEEK OF SEPTEMBER 8 - SEPTEMBER 14

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| 9 | Monday, 5 00 p m | COUNCIL/MANAGER DINNER (District 6) - Alexander Graham Junior High School, 1800 Runnymede Road |
| | Monday, 7 00 p m | CITIZENS HEARING (Distict 6) - Alexander Graham Junior High School, 1800 Runnymede Road |
| | Monday, 7 30 p m | CITY COUNCIL MEETING (District 6) - Alexander Graham Junior High School, 1800 Runnymede Road |
| | Monday, 7 30 p.m | 2005 PLAN COMMUNITY MEETING/North - North Mecklenburg High School, 11201 Old Statesville Road |
| | Monday, 7 30 p m. | 2005 PLAN COMMUNITY MEETING/NorthEast - Cone Center, McKnight Auditorium, UNC-Charlotte |
| 10 | Tuesday, 8 00 a m | AIRPORT ADVISORY COMMITTEE - Charlotte/Douglas International Airport, Airport Manager's Office |
| | Tuesday, 9 00 a m | HISTORIC DISTRICT COMMISSION - Edwin Towers, Conference Room |
| | Tuesday, 7 30 p m | 2005 PLAN COMMUNITY MEETING/Central - First Baptist Church, Fellowship Hall, 301 S. Davidson |
| | Tuesday, 7 30 p.m | 2005 PLAN COMMUNITY MEETING/NorthWest - Coulwood Middle School Cafeteria, 1901 Kentberry Drive |
| 11 | 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 |
| | Wednesday, 7 30 p m. | 2005 PLAN COMMUNITY MEETING/East - Albemarle Road Junior High School, Multipurpose Room, 6900 Democracy Drive |
| | Wednesday, 7 30 p.m. | 2005 PLAN COMMUNITY MEETING/SouthWest - Olympic High School, Auditorium, 4301 Sandy Porter Road |
| 10 | Thursday, 9 00 a m | HISTORIC DISTRICT COMMISSION - Edwin Towers, Conference Room |
| | Thursday, 7 30 p.m. | 2005 PLAN COMMUNITY MEETING/South - Church of Jesus Christ of Latter Day Saints, Cultural Hall, 5815 Carmel Road |

(Continued on Back)

## THE WEEK OF SEPTEMBER 15 - SEPTEMBER 21

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|---|---|---|
| 16 | Monday, 4 30 p m | CITY COUNCIL/PLANNING COMMISSION (Consultant Presentation of Elizabeth Neighborhood Special Study) - Education Center, Rooms 237-239 |
| | Monday, 6 00 p m | CITY COUNCIL MEETING (Zoning Hearings) - Education Center, Board Room |
| 17 | Tuesday, 2 00 p m | HOUSING AUTHORITY - Administrative Offices, 1301 South Boulevard |
| | Tuesday, 6 00 p.m | PARKS ADVISORY COMMITTEE - City Hall, 3rd Floor Conference Room |
| 17-22 | Tuesday-Friday | FESTIVAL IN THE PARK - Freedom Park (Tuesday - Friday 6 - 10 30 p m., Saturday 2 - 10 30 p m, and Sunday 2 - 6 p m ) |
| 18 | Wednesday, 7 00 a.m | PLANNING COMMISSION/2005 Plan Advisory Task Force - Cameron-Brown Bldg , 1st Floor Conference Room |
| | Wednesday, 7 45 a m | PRIVATE INDUSTRY COUNCIL - Chamber of Commerce, 129 W. Trade Street |
| 19 | Thursday, 8 00 p m | 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, 701 Tuckaseegee Road |
| 20 | Friday, 7 00 a.m. | PLANNING COMMISSION/2005 Plan Advisory Task Force - Cameron-Brown Bldg , 1st Floor Conference Room |

## THE WEEK OF SEPTEMBER 22 - SEPTEMBER 28

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| 23 | 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, 7 30 p m | SPECIALIZED TRANSPORTATION ADVISORY COMMITTEE - Metrolina Independent Living Center, Doctor's Bldg., 1012 S Kings Drive |
| 24 | 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 |
| 25 | Wednesday, 7 00 a m | PLANNING COMMISSION/2005 Plan Advisory Task Force - Cameron-Brown Bldg , 1st Floor Conference Room |
| | Wednesday, 7 00 p.m | YOUTH INVOLVEMENT COUNCIL - City Hall, Council Chamber |
| 26 | Thursday, 1 00 p.m | CIVIL SERVICE BOARD - City Hall, Council Chamber |
| | Thursday, 3 00 p m. | CIVIL SERVICE BOARD (Hearing) - City Hall, Council Chamber |
| 27 | Friday, 7 00 a m | PLANNING COMMISSION/2005 Plan Advisory Task Force - Cameron-Brown Bldg , 1st Floor Conference Room |

## SEPTEMBER 29 - SEPTEMBER 30

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|---|---|---|
| 30 | Monday, 7 00 a m | PLANNING COMMISSION/2005 Plan Advisory Task Force - Cameron-Brown Bldg , 1st Floor Conference Room |

# Charlotte

CITY COUNCIL AGENDA
Monday, September 23, 1985

| | | |
|---|---|---|
| 12:00 | - | Council-Manager Luncheon<br>Airport presentations:<br>- Airport master plan/financing<br>- Ground transportation study |
| 2:00 p.m. | - | Citizens hearing<br>Parade Permit Committee review<br>Historic District Commission review |
| 3:00 p.m. | - | City Council Meeting<br>Council Chamber |

ITEM NO.

1. Invocation by Dr. Michael Simmons of Midwood Baptist Church.

2. Consider approval of minutes of the special meeting of August 6, 1985.

PUBLIC HEARINGS

3. Conduct a public hearing on an application by the Charlotte City Council to dedicate Park Center as Grady Cole Memorial Center by placing a plaque on the Center and changing the name on the building roof and marquee to read "Grady Cole Memorial Center."

Grady Cole was the morning man for WBT radio in the 1930's, 40's and 50's. He was the most popular radio personality in the region and brought favorable public attention to Charlotte for his community service. Among his many accomplishments Grady Cole was awarded a Presidential citation for helping flood victims in Kentucky and helped persuade then-Governor Cherry to appropriate $100 million to improve rural roads. The renaming of Park Center to Grady Cole Memorial Center is requested because Grady Cole was Charlotte's boxing commissioner when many prominent boxing matches were fought at Park Center. He also was master of ceremonies at many events held at Park Center.

# 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

Both the Parks and Recreation and the General Services Departments have reviewed this request. Neither department had any objections.

The cost is estimated to be $3,300 and can be covered by funds in the Parks and Recreation Department budget.

Since the Public Monuments Committee, which reviewed these requests, has been abolished, the process of the Public Monuments Ordinance is being used to review this request. That ordinance, a copy of which is attached, calls for a public hearing to be held, followed by consideration of the name change in 30 days. Therefore, an action for renaming Park Center will be back on your agenda for consideration in 30 days.

Attachment No. 1

POLICY

4. Consider a pilot program to test a voluntary citizen recycling campaign.

As a result of a request from the County Commissioners to City Council, City staff developed a proposal for a six-month program to recycle newspapers and yard trash. The County's objective is to determine citizens' attitudes and participation rates in a voluntary program to recycle these two materials.

In selecting the test areas, the County asked that as much consideration as possible be given to including recognized neighborhoods and seeking a cross section of Charlotte's population. Additionally, since collection vehicles will have to use the Harrisburg landfill where the "metro mulch" operation is housed, we were limited to neighborhoods which are already served or easily could be served by that landfill. The test areas meet these criteria and are desirable from an operational standpoint since they consist of 12 existing routes supervised by one person.

The two areas selected contain approximately 19,500 people (7,300 residences and businesses). The neighborhoods are: (1) Dilworth, Myers Park, Cherry and Eastover; and (2) Commonwealth/Morningside, Chantilly, Eastway-Sheffield Park, Kilbourne Acres and Amity Gardens.

While the test will furnish data on citizens' attitudes and participation rates in these two areas, it should be noted that the results achieved in these two areas will not necessarily be representative of the results which would be achieved in a city-wide program. In addition, the cost figures for the test program may not provide a sound basis for projecting costs for a city-wide program.

The total cost for the program proposed by us (Level II) is expected to be $78,000; the County will reimburse us for actual costs. In addition, the County anticipates expenses which will bring the cost of the pilot program to $94,030. The County expects to receive revenues in the amount of $25,800 from the sale of recyclables.

Key elements of the proposal are:

- Every Wednesday (except in holiday weeks) residents in the test areas may place yard trash (leaves, limbs, grass clippings, etc.) and bundled newspapers at the curb for collection. City crews will deliver yard trash to the Harrisburg landfill for processing; they will deliver newspapers to designated storage areas located in each collection route. After these deliveries, County personnel will be responsible for the recyclables.

- Test area residents will continue to receive regular weekly curbside collection to ensure that curbside collection as stated in the City Code is provided to every resident. This is consistent with the practices used in the roll-out container test program.

- Refuse collection employees on these routes will receive additional compensation to perform this new task.

- Our Public Service and Information Department, in cooperation with the County's public relation's firm, will direct the promotional efforts.

- Residents will be surveyed to determine attitudes about recycling.

We have recommended that the test not begin until February 1986. Since a minimum of eight weeks is needed to equip vehicles and prepare and distribute information to residents, the earliest we could start is December. However, with the disruptions in collection schedules due to holidays in December and January, we believe residents may not react favorably to recycling. In addition, PS&I has recommended that, since test area residents will receive much of their instructions/information by mail, the heavy holiday mail season should be avoided.

The County Commissioners reviewed the proposal on September 3 and reacted favorably to the City's proposal as described in the attached proposal. Since they requested your comments before giving final approval, you are being asked to consider it now.

Attachment No. 2

5. Recommend adoption of an updated street closing policy which includes a requirement of payment for use of public rights of way for private development exceeding 30 days.

At its meeting of February 11, 1985, City Council directed the City Manager to review the policy for approval of temporary street closings; specifically, to include a process for leasing portions of street right of way closed in conjunction with development of adjacent private property. Street closings are currently regulated by a policy approved by City Council February 7, 1977. This policy provides for staff approval of temporary closings up to 90 days and requires City Council approval for closings exceeding 90 days. During the holiday shopping season, any closing in the central business district must be approved by City Council.

Historically, contractors have been afforded free use of sidewalks and traffic lanes adjacent building sites at some inconvenience to the general public. Although a contractor has no inherent right to use part of the public right of way for construction activity, full development of a site sometimes makes it desirable to use the right of way for storage and staging of materials, particularly in the central business district. Because there are often other alternatives available to the contractor, such as utilizing adjacent private property or different construction techniques which allow handling of building materials within the project site, it is felt requiring payment for use of the public's facilities will encourage contractors to more seriously evaluate all options available to them and minimize their impact on public rights of way.

The key additions to the existing street closing policy are:

- Staff approval of temporary street closings up to one year.

- Payment for use of the public right of way based on a 12% annual return on the value of the land. The value of the land shall be assumed to be equal to the tax value of the adjacent private property, escalated 8% per year from the year of last tax evaluation.

- Liquidated damages for each day an encroachment remains beyond the expiration of the approved period. As in other contracts, the amount will be determined on a case by case basis.

- A daily penalty for a contractor/developer utilizing right of way for private development who violates any terms or conditions of the agreement.

- The right of the City to remove the encroachment upon expiration of the agreement and recover all expenses for such removal and repairs necessary from the contractor.

- Requirement of a bond or letter of credit to secure potential liquidated damages and other associated costs.

The revised street closing policy would be effective immediately upon adoption. Projects currently under construction will not be affected.

Lease payments and liquidated damages would be credited to the General Fund.

All involved City departments have approved the street closing policy. In addition, the Associated General Contractors, Charlotte Homebuilders Association, CUDC, CCA, and several developers have had an opportunity to review the policy (see attached letter and policy) and to date, we have received no formal comments. They have also been informed this will be on the September 23 Council agenda.

Attachment No. 3

6. Recommend adoption of a resolution creating a Citizens Advisory Committee for Cable Television Refranchising and charging this committee to assess the community needs and make recommendations to City Council on the services and features for a new cable television franchise.

The City of Charlotte's franchise with Cablevision of Charlotte expires in January 1988. Under the Cable Communications Act of 1984 the refranchising process must begin 30 months prior to the expiration date of the existing franchise. The Cable Communications Act also specifies a four step refranchising process:

- Community needs assessment.
- Financial and technical review of the present operator.
- Review of the operator's proposal for refranchising.
- Administrative hearing if operator's proposal is rejected.

The first two steps of this process are important because they set forth the needs of the community for cable television and assess the present operator's financial and technical abilities to meet these needs. By comparing the results of these two phases we can develop a set of financially viable features for the City to request in the operator's refranchising proposal.

The Citizen's Advisory Committee on Cable Television Refranchising would be charged with: (1) reflecting the community attitude on cable television through the community needs assessment phase of refranchising; (2) providing citizen's input into the review of the existing franchise; and (3) making recommendations to City Council, at the end of the community needs assessment phase, on services and features to be requested in a new cable television franchise.

This advisory committee would have 12 members. Each Councilmember would appoint one member and the Mayor would appoint the chairperson. Staff for this committee will be provided by the Cable Television Task Force including the Manager's Office, Budget and Evaluation, Public Service and Information, City Attorney's Office and General Services. The term of this advisory committee would end at the close of the needs assessment phase in March 1986.

The alternative to this approach is for the City Council or a committee of City Council to participate fully in the public awareness and input process. This alternative would commit Councilmembers to numerous meetings, while the proposed advisory committee allows Councilmembers to attend when their time allows.

Attachment No. 4

BUSINESS

7. Recommend approval of a three-year contract with Winston Network, Inc. for transit advertising concession.

The City of Charlotte has contracted for placement of advertising in and on Charlotte Transit vehicles since purchase of the system from Charlotte City Coach Lines. On October 1, 1974, the City entered into an agreement with Winston Network, Inc. The contract was rebid in 1978 and 1984. Requests for bids were sent to nine firms in 1984 and eight firms in 1985. Firms were selected from the Transit Advertising Association of the American Public Transit Association.

In 1984 we received one bid from Winston Network and one decline from C. Donald Williams. This year we received only one response, a bid from Winston Network.

Winston Network has held the contract since the City purchased the system in 1974. We have not experienced any difficulties with their service.

The current contract guarantees a minimum of $635 per operating vehicle. The proposed contract has the following minimum guarantees:

| Contract Year | Minimum Guarantee per Operating Vehicle |
|---|---|
| 1 | $700.00 |
| 2 | 715.00 |
| 3 | 735.00 |
| 4 * | 750.00 |
| 5 * | 750.00 |

*Contract years 4 and 5 subject to mutual agreement to renew.

The contract and bid response have been reviewed by staff from the Legal and Transportation Departments.

8. Nominations for Appointment to Taxicab Review Board.

One position for a three-year term. On August 12 Council appointed Robert L. Grubb to this position. We have been advised that Mr. Grubb died on August 23.

Attachment No. 5

9. Appointment to Sister Cities Committee.

The following nominations were made on September 9, for the unexpired term of Barbara Smith. The term will expire on April 5, 1986.

a) Lyn Renwick, nominated by Councilmember Juneau.
b) Edwina Bringle, nominated by Councilmember Frech.

Attachment No. 6

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The City Attorney advises that agenda items no. 10 through 22 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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BUDGET ORDINANCES

10. Recommend adoption of a budget ordinance appropriating funds for capital projects under companion grants from the Urban Mass Transportation Administration.

Annually, the Urban Mass Transportation Administration (UMTA) allocates funding. On January 14, 1985, City Council approved three grant applications for transit capital assistance. UMTA has now released the awarded grants totaling $3,900,960. Grants for State matching funds have been approved and will be executed by the State within the next few weeks.

Under the grants approved by UMTA, the following equipment will be purchased: 20 new 40 ft. coaches; 10 replacement coaches with radios, fareboxes, and spare components to outfit the 20 new coaches; and three replacement service vehicles. Administrative and contingency costs are also included.

Approval of this budget ordinance will establish the mechanism for receipt and expenditure of these funds.

Total cost of these capital projects is $4,876,200. The UMTA grants will provide $3,900,960 (80%), the North Carolina Department of Transportation (NCDOT) $487,620 (10%), and the City's share of $487,620 (10%) will come from the Transportation Capital Improvement Fund balance.

11. A. Recommend adoption of a resolution accepting Federal Aviation Administration grant in the amount of $2,391,000.

B. Recommend adoption of a budget ordinance appropriating $3,188,000 to provide funding for Airport improvement projects.

We have received a Federal Aviation Administration (FAA) grant in the amount of $2,391,000 for the following airport projects which have previously been approved by Council:

1. Land Acquisition and Approach Clearing for Runway 36R - This project provides land acquisition and obstruction removal to accommodate new approach zone requirements for Runway 36R. FAA has recently completed installation of an instrument landing system for Runway 36R, which requires precision approach clearances. The project budget is $440,000.

2. Construct Expansion to Concourse A Ramp - This project provides additional aircraft parking ramp and access for Concourse A which is under construction. The project budget is $1,775,000.

3. Construct Expansion to Concourse D Ramp and Connector Taxiway - This project will alleviate congestion and facilitate ground movements on the east side of the terminal apron. Addition of this connector taxiway will provide an alternative access to gate positions on the east side for the commuter airlines as well as Delta, United, and Piedmont. The project budget is $973,000.

These projects total $3,188,000; the City's share of the project costs, $797,000, will be debt serviced through landing fees and guaranteed by long-term leases with the airlines. This action: (1) accepts the FAA grant of $2,391,000, and (2) appropriates $3,188,000 in federal and city funds for the above-mentioned projects.

CHANGE ORDERS

12. Recommend approval of two change orders in the general contract with Laxton Construction Company for additional work on the Charlotte-Mecklenburg Government Center parking structure increasing the contract amount by $157,544.

Contract: Government Center parking deck
Laxton Construction Company
Award Date: May, 1985
Contract to Date: $5,004,200
Change Order No. 1: $109,746
Change Order No. 2: $47,798
New Contract Amount: $5,161,744

In May, 1985 construction contracts were awarded for the construction of a parking deck to serve the proposed Charlotte-Mecklenburg Government Center. As excavation progressed, a large quantity of soil below the proposed subgrade of the building was found to be unsuitable. The unsuitable soil was undetected by the subsurface investigation conducted during design of the project. The removal and replacement of this soil with structurally sound backfill was necessary in order to provide a solid foundation for the building. The cost of this work is $109,746.

As part of the project, the existing storm drainage culvert under the site of the proposed parking deck was rerouted and replaced. At the time this work was being done the culvert under Caldwell Street was found to be in poor condition and in need of replacement. This replacement can be done much more efficiently as an extension of work currently underway rather than as a separate construction project. The cost of this work is $47,798.

Funds for the additional soil removal are currently available in the project budget (Fund #2010, Account #274.00). Funds for the

culvert construction are available in the Capital Improvement Program, Allotment #248.00, "Bridge Replacement Program".

The Engineering Department has reviewed these changes and concurs with the quantities shown in the change orders.

BID LIST

13. 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. Treva Woods Storm Drainage Improvements Engineering

Recommendation: By the City Engineer that the low bid of $46,572.49, as submitted by Jones Fencing and Grading, Inc., be accepted for award on a unit price basis, and that the low bidder's failure to sign his bid be waived as a technicality.

Project Description: The Treva Woods condominium development has experienced flooding of their clubhouse, tennis courts, swimming pool and lawn areas due to overflow from two ponds. The homeowners in the drainage area petitioned for improvements to the drainage problems under the Storm Drainage Repair Policy approved by City Council in 1978. The property owners' share of the cost will be one-fifth of the total cost and the City will pay the remaining four-fifths under Storm Drainage Repair Policy.

Source of Funding: General Capital Improvement Fund (Special Storm Drainage Construction) - Storm Drainage Bonds.

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CONTRACT

14. Recommend approval of a contract between the Charlotte Housing Authority and the City of Charlotte for improvements to the Earle Village Housing complex.

As a part of the Lane-Frenchman First Ward Plan, several recommendations were made to enhance development of residential neighborhoods in First Ward. One of the recommendations was to improve Earle Village specifically to upgrade the appearance, and generally improve liveability.

In the FY84-88 capital improvement program, Council approved the project for a total of $750,000 to be appropriated in the amounts of $250,000 per year for three years. A contract for the first $250,000 was approved on May 14, 1984. The first phase of work included architectural design work and planning for structural alterations, landscaping and fencing; and alterations to porch canopies at the housing units, which includes construction of the canopies as well as roofing, replacement of support posts and railing, and painting related to alteration of the canopies.

Council may be aware that the bid for construction on the alterations to porch canopies exceeded the original budget for the first phase of the Earle Village improvements project. The cost overrun is due to an expansion in the scope of work. Porch canopies are being reconstructed on all 409 units rather than simply on the 101 street front units, and trim work and porch ceilings are being painted to complement the canopies. The use of the GRS money to do this additional work will produce savings in maintenance costs to the Housing Authority over the next few years. The Authority will use such maintenance money to complete other site improvements consistent with the First Ward plan. The Housing Authority has also scaled down the project to exclude the installation of shutters, storm doors, and weather stripping. The Authority plans to install storm doors and weather stripping when doors must be replaced as a part of their routine maintenance program.

This contract with the Charlotte Housing Authority would complete the Earle Village improvements project. The contract provides a total of $500,000 from the FY85 and FY86 appropriations for implementation of the Lane-Frenchman recommendations such as fencing, landscaping and sidewalk additions. Where possible, the Housing Authority plans to use natural materials, such as shrubs and bushes, rather than metal fencing. This will help to contain project costs while still serving the purpose for which the fencing was intended.

The contract is funded by appropriations from General Revenue Sharing which were approved by Council at the levels of $250,000 each in the FY85 and FY86 appropriation ordinances.

RESOLUTION

15. Recommend adoption of a resolution authorizing the Mayor to execute the First Amendment to the Uptown Residential Loan Agreement and related secured Promissory Note.

On December 20, 1984, the City of Charlotte and a consortium of lenders entered into an Uptown Residential Loan Agreement, and the City has issued its secured promissory note to the lenders the principal amount of $21 million. The agreement and the note have been executed by the City for the establishment of a Residential Loan Program in furtherance of its uptown urban development objectives. This program provides below market funds for first-time homeowners to purchase new or substantially rehabilitated homes and to finance the substantial rehabilitation of residences in the Uptown Redevelopment Areas One, Two, Three and Four and First, Third, and Fourth Wards in the Uptown area of Charlotte. These seven eligible areas are known as "rehabilitation, conservation and reconditioning areas" and also qualify as eligible project areas under North Carolina Redevelopment Law.

The City and the lenders now desire to amend the agreement and the note in order to reduce the interest rate for 1985 on program loans from 9 3/4% to 8 3/8% and to take care of certain items required by the changes in the tax laws and regulations.

No funding is necessary for action requested.

AGREEMENTS

16. Recommend authorizing the Mayor to execute a municipal agreement with the N.C. Department of Transportation for the installation of railroad crossing signals.

Each year the State of North Carolina examines all of the public railway-highway grade crossings in the State and ranks them on their need for improvement. Based on train and vehicle volumes, train speed, accident experience and existing protection, the following three locations have qualified for Federal Funds:

16th Street and Southern Railway
Old Pineville Road (near Arrowood Road) and Southern Railway
Minuet Lane and Southern Railway

This municipal agreement is for the installation of railroad crossing signals at two of the three locations; 16th Street and Southern Railway; and Minuet Lane and Southern Railway. We are not asking that an installation be made at the Old Pineville Road crossing at this time due to the possibility of the Arrowood Road relocation being implemented in the next year or two, thus closing this crossing.

The City would pay 10 percent of the initial cost and 50 percent of the annual maintenance cost. The estimated costs for the two crossings are:

| Location | Total Cost | City Share | City Share of Annual Maintenance |
|---|---|---|---|
| 16th Street | $75,000 | $7,500 | 625 |
| Minuet Lane | $60,000 | $6,000 | 490 |

This program is funded in the CIP, Account No. 387.00.

17. Recommend approval of an Urban Development Action Grant agreement between the United States Department of Housing and Urban Development and the City of Charlotte.

The City of Charlotte has received preliminary application approval for an action grant of $2,500,000 from the United States Department of Housing and Urban Development to provide partial financing for the development of a Festival Marketplace in an area bounded by North Tryon, East Fifth, North College and East Sixth Streets. The City will acquire the sites with proceeds from general obligation bonds and contract with the Carley Capital Group, a limited partnership and the project's developer, to construct a parking facility (to be financed with parking revenue bonds and owned and operated by the City). Carley Capital Group will lease the City's air rights above and around the parking garage to develop two levels of speciality retail, office, food, restaurant, and entertainment areas, including 77,000 square feet of new construction, and the rehabilitation of the old Carolina Theater. Financing will include developer equity funds, a conventional loan from the NCNB National Bank of North Carolina, First Union National Bank and the purchase of tax-exempt revenue bonds issued by the City.

This action will authorize the Mayor to accept the UDAG grant in the amount of $2,500,000. It has been cleared through the Community Development, Legal and Finance Departments.

HOUSING LOANS

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

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

| Borrower | Property Address | Loan Amount | Appraised Value |
|---|---|---|---|
| Michael E. Carscaddon | 316-3 South Cedar St. | $42,550 | $45,000 |

HOUSING CODE ENFORCEMENT

19. Ordinances authorizng the demolition of the following two structures in A. and B. were on the August 12 agenda. Council deferred action, however, for 30 days to allow the owner of the structures, Gethsemane AME Zion Church, an opportunity to bring proposals as to when the necessary repairs could be completed. The owner contended they had attempted to repair the dwellings, but because of the slow process, unknown persons would break into the buildings and remove plumbing fixtures.

As of September 12, proposals from the owner have not been received by the Community Development Department and the owner has been notified these items are on the agenda.

A. Recommend adoption of an ordinance to demolish and remove the dwelling at 1909-11 West Trade 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: November 6, 1984
Owner(s) notified of hearing: November 9, 1984
Hearing held: November 14, 1984
Owner(s) ordered to demolish dwelling by: December 14, 1984
Estimated value of dwelling: $9,420
Estimated repair (which exceeds 65 percent of estimated value): $8,000

The owners appealed the demolition of 1909-11 West Trade Street to the Housing Appeals Board on January 8, 1985. The decision of the Housing Appeals Board, granted the owners of the property a 45-day extension of time in order to prepare plans for rehabilitation of the property and to notify the Community Development Department of their plans and contracts. The owners failed to submit any plans or contracts to the City.

Repairs include: repairing walls and ceilings; painting interior walls and ceilings; installing tile kitchen floors; installing tile bath floors; installing electrical ceiling fixtures; repairing defective electrical wiring; replacing thimble in living room; installing heating equipment; replacing foundation vents; replacing bricks in foundation; replacing rotted facia board, replacing rotted roof edge; painting exterior; installing weather stripping on front and rear doors; replacing rotted window sash; replacing rotted front porch floors, sills and joists; installing porch railing; installing porch columns; replacing rotted front porch floors, joists, studs and roof; installing screens on windows; installing screen doors; removing junk and trash and undergrowth 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 costs.

B. Recommend adoption of an ordinance to demolish and remove the dwelling at 1913-15 West Trade 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: October 1, 1984
Owner(s) notified of hearing: November 9, 1984
Hearing held: November 27, 1984
Owner(s) ordered to demolish dwelling by: January 28, 1985
Estimated value of dwelling: $9,940
Estimated repair (which exceeds 65 percent of estimated value): $15,469

Repairs include: repairing loose materials on walls and ceilings; painting interior walls and ceilings; repairing plumbing in bathroom; replacing rotted bath floors; repairing rotted kitchen floors; installing electrical light fixtures; installing heating equipment; installing foundation vents; installing access door; replacing rotted facia board; repairing weatherboard; painting exterior; installing weatherstripping on front and rear doors; replacing rotten window sash; replacing broken window glass; repairing rotten front porch floors; replacing rear porch floors; sills and joists; also, columns; replacing rotten steps and treads; installing handrails; repair electrical wiring at meter box; replacing roof; replacing roof sheathing; removing trash and rubbish from inside of house; replacing screen doors; installing screens; installing kitchen sink.

This dwelling is open and unoccupied and is a health and fire hazard to adjoining property.

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

SURPLUS PROPERTY

20. Recommend that certain City-owned properties be declared surplus and advertise each for sale with deed restrictions as requested by the Planning Commission.

Disposal of residual City-owned property is in accordance with disposition objectives for FY85-86. By returning these parcels to private ownership, additional tax revenues are anticipated and the maintenance of these vacant parcels released from the City's responsibility. Engineering/Real Estate Division proposes that the City Council declare the following four parcels surplus and advertise them for sale. All four parcels are residual parcels acquired by the City around 1975 for the West Fourth/West Trade Street Connector.

1. In the 900 block of West Fourth Street - Tax Code #073-193-03. Contains approximately 4,160 square feet; zoned B-2.

2. In the 900 block of West Fourth Street - Tax Code #073-193-18. Contains approximately 1,176 square feet; zoned B-2.

3. In the 900 block of West Fourth Street - Tax Code #073-193-19. Contains approximately 44 square feet; zoned B-2.

4. In the 900 block of West Fourth Street - Tax Code #073-193-21. Contains approximately 15 square feet; zoned B-2.

All City departments have been canvassed for each parcel with none expressing an interest in retaining the parcels for City use. The Planning Commission has reviewed and recommends mandatory referral for each parcel with deed restrictions prohibiting outdoor advertising.

SET PUBLIC HEARINGS

21. A. Recommend adoption of a resolution calling for a public hearing on Amendment No. 4, Redevelopment Plan for Brooklyn Urban Renewal Area - Section No. 3 for October 28, 1985 at 3:00 PM in the Council Chamber of the City Hall.

B. Recommend adoption of a resolution calling for a public hearing on Amendment No. 4, Redevelopment Plan for Greenville Urban Renewal Area for October 28, 1985 at 3:00 PM in the Council Chamber of the City Hall.

UTILITY CONTRACTS

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

The applicants are to construct the entire systems at their own proper cost and expense. The City is to retain all revenue. There is no cost to the City and no funds are needed. Utility and Planning Directors recommend approval.

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

1. Carmel Preferred Venture, to construct 2,505 linear feet of 8-inch sanitary sewer main to serve Bellingrath, Section II Subdivision, located east of Quail Hollow Road, west of McMullen Creek, and south of Sharon Road, outside the Charlotte City Limits. Estimated Cost - $87,675.00. Sanitary Sewer Job No. 621-85-088.

2. The Mathisen Company, to construct 2,551 linear feet of 8-inch sanitary sewer main to serve Hampton Park, located north of Robinson Church Road, east of Hickory Grove Road and west of Plott Road, outside the Charlotte City Limits. Estimated Cost - $76,530.00. Sanitary Sewer Job No. 621-85-098.

3. Westminster Company, to construct 910 linear feet of 8-inch sanitary sewer main to serve Eastwood Section 5 Subdivision, located south of Albemarle Road and east of Delta Road, inside the Charlotte City Limits. Estimated Cost - $31,850.00. Sanitary Sewer Job No. 621-85-075.

4. IRT Realty Services, Inc., to construct 3,078 linear feet of 12-inch water main to serve Airport Interchange Park, located east of Little Rock Road and north of Wilkinson Boulevard, inside the Charlotte City Limits. Estimated Cost - $92,000.00. Water Contract No. 85-023.

5. John Crosland Company, Inc., to construct 1,214 linear feet of 8-inch sanitary sewer main to serve Somersby Section III Subdivision, located south of N.C. Highway 51, west of Elizabeth Lane and east of Reverdy Lane, outside the Charlotte City Limits. Estimated Cost - $35,420.00. Sanitary Sewer Job No. 621-85-106.

## - PENDING MATTERS -

In meeting on Monday, October 14, 1985, City Council will make nominations for appointment to the Clean City Committee to fill two vacancies caused by the resignations of David M. LaFave and Lat W. Purser III. Mr. LaFave's term expires June 30, 1986; Mr. Purser's, June 30, 1988.

## - SCHEDULE OF MEETINGS -
## September 23 - October 11, 1985

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| Monday, September 23 | COUNCIL/MANAGER LUNCHEON<br>Airport Presentations<br>Training Center<br>City Hall Annex | 12:00 noon |
| | CITIZENS HEARING/COMMITTEE REVIEWS | 2:00 p. m. |
| | CITY COUNCIL MEETING<br>Council Chamber<br>City Hall | 3:00 p. m. |
| Thursday, September 26 | OPERATIONS COMMITTEE<br>2nd Floor Conference Room<br>City Hall | 4:00 p. m. |