AGENDA

Meeting Type:	B
Date:	09-09-1985

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

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

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

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

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

Charlotte

Monday, September 9, 1985
District 6 Council Meeting
Alexander Graham Junior High School
1800 Runnymede Road

6:00 p.m.	-	Dinner Discussion with representatives of bond rating agency
7.00 p.m.	-	Citizens Hearing
7:30 p.m.	-	Council Meeting Multi-Purpose Room

ITEM NO.

1. Invocation by the Reverend Terry Hammell of Mouzon United Methodist Church.

2. Consider approval of minutes of the regular meeting of July 8, 1985 and Zoning Meeting of July 15, 1985.

PUBLIC HEARINGS

3. A. Public hearing on the approval of an order authorizing $18,000,000 water bonds.

   B. Adoption of a motion approving an order authorizing $18,000,000 water bonds.

   C. Approval of a resolution calling for a Special Bond Referendum on Tuesday, November 5, 1985, directing the City Clerk to publish the required notices and establishing the form of the question that will appear on the ballot.

The actions are the necessary legal requirements to implement Council's approval of the 54" water main bond referendum.

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

4. A. Conduct a public hearing to abandon a portion of the Blythe Boulevard right of way.

B. Recommend adoption of a resolution abandoning a portion of the Blythe Boulevard right of way.

On June 12, 1985, the Charlotte-Mecklenburg Hospital Authority submitted a petition requesting abandonment of a portion of the Blythe Boulevard right of way. The Hospital Authority proposes to construct a new wing at the northern end of the existing main building, to be known as the Carolinas Heart Institute. This addition will extend into the existing Blythe Boulevard right of way and roadway, approximately midway between Brunswick Avenue and Scott Avenue. The Hospital owns the property on the opposite side of the roadway from the proposed building, and proposes to dedicate new right of way such that the alignment of the roadway can be shifted away from the building. A similar amount of the existing right of way will be abandoned, thus permitting construction of the Carolinas Heart Institute. The realignment involves approximately 450 feet of Blythe Boulevard; and the existing pavement width will be retained.

The Hospital owns all property abutting Blythe Boulevard between Brunswick Avenue and Scott Avenue. Two-way traffic will be maintained throughout the process. The Dilworth neighborhood association concurs with the abandonment.

It is requested City Council adopt a resolution which·

1. Accepts new right of way along a portion of Blythe Boulevard approximately midway between Brunswick Avenue and Scott Avenue.
2. Authorize Charlotte-Mecklenburg Hospital Authority to realign a portion of Blythe Boulevard at their expense.
3. Abandon a portion of existing Blythe Boulevard right of way upon final approval by the City Manager of the street construction.

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

All costs to be borne by the Charlotte-Mecklenburg Hospital Authority.

A map is attached.

Attachment No. 1

5. A. Conduct a public hearing to abandon three alleyways bound by North Graham Street, Smith Street, West Eighth Street and West Ninth Street.

B. Recommend adoption of a resolution abandoning three alleyways bound by North Graham Street, Smith Street, West Eighth Street and West Ninth Street.

On June 14, 1985, NCF Financial Corporation and Victoria Properties, Incorporated submitted a petition requesting the abandonment of three alleyways bound by North Graham Street, Smith Street, West Eighth Street and West Ninth Street. The alleyways are unopened, non-maintained rights of way located within the limits of the Fourth Ward redevelopment area. The abandonment is consistent with the Fourth Ward plan. The first alleyway, off West Ninth Street, is approximately 10-feet wide and 128-feet long; the second alleyway off North Graham Street, is nine-feet wide and 198-feet long; and the third alleyway off Smith Street, is approximately eight-feet wide and 300-feet long. The petitioners own all property abutting these alleyways and intend to incorporate these rights of way into the adjoining tracts for residential condominium development.

All City departments, private utility companies, the Historic District Commission and the Fourth Ward Neighborhood Association have been contacted and are in concurrence with the abandonment.

No City funds are involved.

A map is attached.

Attachment No. 2

6. A. Conduct a public hearing to abandon a portion of the right of way of North Pine Street.

B. Recommend adoption of a resolution abandoning a portion of the right of way of North Pine Street.

On March 28, 1985, Federal Plaza Associates submitted a petition requesting the abandonment of a portion of the right of way of the 100 block of North Pine Street. This portion of existing right of way is residue from the original Pine Street right of way, as a result of construction of the Pine-Mint Connector in 1968. Located on the northwest corner of the North Pine Street-West Trade Street intersection, the triangular section is approximately 1253 square feet in area. The petitioner owns the abutting property and intends to incorporate this right of way into the adjoining tract for construction of a proposed office building complex.

All City departments and private utility companies were notified and are in concurrence with the abandonment. The Historic District Commission representative and the Fourth Ward Neighborhood Association are also in concurrence with the abandonment.

No City funds are involved.

A map is attached.

Attachment No. 3

7. A. Conduct a public hearing to abandon a portion of Cherry Street.

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

On May 6, 1985, Webb/Kuester Partnership submitted a petition requesting the abandonment of a portion of Cherry Street. Cherry Street is a paved, City maintained right of way located off the 1400 block of Baxter Street within the Cherry redevelopment area. The portion of Cherry Street to be abandoned is the cul-de-sac which is 80 feet in diameter. The petitioners own all the property abutting the cul-de-sac and intend to incorporate the right of way into their property for a proposed medical park. The petitioners will dedicate a permanent vehicular easement across their property from Cherry Street to Torrence Street.

All City departments, private utility companies and the Cherry Community Organization were notified and are in concurrence with the abandonment.

No City funds are involved.

A map is attached.

Attachment No. 4

POLICY

8. Recommend approval of proposed change in reimbursable provisions of water and sewer extension policy for projects in five-year Capital Improvement Program (CIP).

The current water and sewer extension policy provides for reimbursement of project cost to individuals or businesses that extend water and sewer trunk lines. For projects that are in the five-year Capital Improvement Program (CIP), reimbursement of 35% of revenue derived is made for four years and at the end of five years, the remainder of the project capital cost is refunded.

ITEM NO.

A change in the policy to provide for a guaranteed 20% annual refund amount for five years would make the construction of these extensions more feasible and would in turn encourage more developer financing of projects in the five-year CIP. Since projects are included in the five-year CIP only after the Utility and Finance Directors have determined they would be cost effective, the City would benefit from this change resulting in more projects being built without interest and other costs associated with bond financing.

Existing contracts would not receive the 20% refund annually, but any contracts for future projects which are in the CIP would be eligible.

Council and the Community Facilities Committee held a joint public hearing on August 12, 1985 to receive input related to the proposed change. No one appeared at the public hearing.

The Community Facilities Committee has reviewed the policy and recommends that the proposed change be approved by Council. This change in policy is also recommended for approval by the Utility Director and the Finance Director. Attached is the July 26 Council-Manager memorandum which refers to this action.

Attachment No. 5

9. Consider the following service reductions alternatives for savings for the replacement of general revenue sharing funds in the FY 87 budget (1) charge veterinarians for the collection of dead animals; and (2) use of cemetery revenues to balance cemetery budget.

During the budget workshops in June, 1985, City Council identified service reductions and revenue enhancement ideas for which they wanted additional information and discussion. Dollars saved from any implemented changes would be used for capital projects, specifically to replace the probable loss of general revenue sharing (GRS) which is primarily dedicated to the capital program. Since the major loss of GRS will not be experienced until the 1986-87 fiscal year, the Manager recommended considering changes during the year with the goal of implementing such changes by July 1, 1986 in order have a full fiscal year of savings. This is the second set of the reductions to be considered.

Council is asked to consider the following service reduction alternatives and decide whether or not to implement

1. Charge Veterinarians for the Collection of Dead Animals
   Currently, the City allocates one position to pickup dead animals for disposal on request from citizens, other City personnel and veterinarians. This service costs approximately $40,000 annually.

The service reduction alternative would discontinue the policy of providing dead animal pick-up service free to veterinarians and would instead charge a fee for this service.

If Council approves of a fee, the next issue is the percentage of the cost to be recovered from the veterinarians. If the City bases the fee on the number and weight of the animals collected, 50% of the cost would be recovered for a net gain of $20,000 in revenue. Based on a sample, the approximate costs to the veterinarians under this fee would be $5.50 per animal which may be prohibitive. Veterinarians may elect to use alternative methods of disposal including disposal at the landfill or contracting with a rendering service. In each case, additional expense would be incurred by the veterinarians from landfill fees or possible purchase of storage freezers.

If the City bases the fee on the number of trips and miles driven, 20% of the cost could be recovered for a net gain of $8,000 in revenue. This charge would be minimal and would probably not alter veterinarians' use of the service.

If Council pursues a charge, the staff recommends the fee of 20% cost recovery based on number of trips and miles driven. Because the service is essentially personnel and vehicle costs which are not related to the number or weight of animals being picked up and because the City will continue to incur the entire cost to provide the service to citizens whether or not pickups from veterinarians are made, the 20% is a fairer charge.

2. Use of Cemetery Revenues to Balance the Cemetery Budget
This alternative is also a revenue enhancement and is recommended by the Budget and Evaluation, Finance, and Parks and Recreation Departments. The alternative would allow the use of revenues from the sale of cemetery lots to balance the cemetery budget, while maintaining the Cemetery Trust Fund at an appropriate level of sufficiency.

Under the existing code, all proceeds from the sale of cemetery lots are dedicated to the Cemetery Trust Fund to be used in the perpetual care fund. This change would retain the revenues from the sale of lots in the General Fund to be used to balance the Cemetery's operating budget and would result in savings of about $110,000.

This change will leave the Trust Fund with two stable sources of income, including perpetual care surcharges and earnings from investment of the funds' cash assets. The Fund is now producing $180,000 to $200,000 in annual investment income. Based on the Finance Department's review, these sources will continue to grow sufficiently to maintain the funds' assets.

Indepth reports from Budget and Evaluation on both service reduction alternatives are attached. If either or both are authorized, the required City Code amendments will be on a later agenda.

Attachment No. 6

10. Recommend a funding arrangement with Mecklenburg County for the removal of the Governmental Plaza Walkway.

On August 6, 1985 City Council voted to remove the Governmental Plaza walkway contingent upon an equitable cost sharing arrangement to be worked out by the City and County Managers. Subsequently, the County Commissioners approved a similar resolution.

J. N. Pease Associates, architects for the Governmental Center, support the removal of the walkway. The architects have concluded that the walkway does not work because the buildings were not built in conformance to the Governmental Center plan. The variations from the plan include:

- Locating major buildings away from the Governmental Center.
- Building parking structures alongside the buildings rather than below the buildings.
- Orienting the buildings to ground level access rather than walkway level access.

The architects believe there are good reasons for the City and the County to remove the entire walkway, the most important of which is to ensure that the Governmental Plaza concept works now that it has evolved away from the walkway.

The architects have received an estimate of $375,000 for the removal of the walkway from Dore and Associates, a nationally recognized demolition contractor. These costs breakout as follows:

- Area over streets and Marshall Park	$169,800
- Area between Third and Fourth Streets	$113,500
- Demolition Contingency	$ 40,000
- Alterations to Education Center	$ 10,000
- Alterations to County Office Building	$ 15,000
- Architectural/Engineering Fees	$ 26,000
TOTAL	$374,300

The County Manager offered to contribute $100,000 to this project. This is equal to costs the County would incur to tie their new Courts Building into the walkway if the walkway remained. The County Manager does not believe the County should pay more than $100,000 because the walkway belongs to the City This arrangement would cost the City $275,000 for the removal of the walkway.

If City Council approves this arrangement, staff will develop a formal agreement with the County and demolition work should begin in spring 1986.

The City Council appropriated $275,000 in General Revenue Sharing funds in FY 85 for the purpose of repairing or removing the Governmental Plaza Walkway.

BUSINESS

11. Recommend adoption of an ordinance amending Chapter 15 of the City Code by deleting the existing Section 15-1 and substituting a new section providing stricter controls over the delivery of unsolicited materials.

Over the past several years the Charlotte Clean City Committee has received complaints concerning the delivery of unsolicited advertising materials and newspapers Individuals have expressed two major concerns: one is that unsolicited materials may create litter problems; the other is, if not collected promptly, an accumulation of such materials may signify an unoccupied home and increase the likelihood of burglary. The current ordinance which concerns the delivery of such material does not offer any recourse. In addition, because distributors are not required to put their name and address on materials, it is often impossible to complain to anyone. In response to these concerns the Charlotte Clean City Committee has held meetings with representatives of companies which distribute such materials, however, only one company has made any attempt to comply with individuals' requests that materials not be delivered to their homes.

This amendment will give individuals an option to prohibit the delivery of unsolicited advertising materials and provide a penalty to companies that continue delivering these materials. Highlights of the ordinance are:

- All unsolicited advertising material must bear the complete name, address and phone number of the distributor or company which caused the material to be printed.

- Such materials must not be thrown or placed on any street, lot or yard and must be placed behind a storm door, on a porch, etc.

- An individual may stop delivery of unsolicited materials by sending a certified letter to the distributor. This request will become effective 14 days after receiving the letter. If the delivery is not stopped and materials are received on two separate occasions within a period of 180 days, the distributor will have violated the ordinance and would be subject to a penalty of up to $50.

- This ordinance will not apply to mail, newspapers or any other materials to which an individual subscribes.

This amendment is recommended by the Clean City Committee with endorsements by Knight Publishing, Sierra Club, and Dilworth Community Development Association.

12. Recommend approval of two contracts with Family Housing Services, Inc.: (1) Home Management and Improvement Program for residents of the greater Charlotte area in the amount of $229,120; (2) a contract covering relocatee referrals from the Community Development Department in the amount of $81,707. The two contracts total $310,827.

The first of the two contracts (home management and improvement program) is designed to provide professional comprehensive counseling and consumer education services to Charlotte area low and moderate income families who presently own, rent or are seeking standard housing units. The second contract (for relocatee referrals) will provide the same services to relocatees who are being displaced by the Community Development Department who are seeking standard housing units to purchase or rent.

The scope of services of both proposed FY86 contracts are identical to the FY85 contracts with one exception. In the relocatee contract, an additional performance objective has been added stating that due to a declining relocation workload, at the end of six months, the department will evaluate the need to refer new clients to Family Housing Services. The Community Development Department records indicate that the relocation workload has been declining due to the close-out of acquisition activity and more emphasis being placed on economic development and housing rehabilitation activities. During the last two fiscal years Community Development relocated 250 households. The projected number to be relocated this fiscal year, FY86, is 66.

The proposed contract amounts of $310,827 represent an increase of $16,678, a 5% increase over this year's contract amounts of $294,149.

Attached are evaluation reports on the two contracts with Family Housing Services, Inc. The findings of the evaluations show that both programs operated very well this year.

Attachment No. 7

ITEM NO.

13. A. Recommend amendment of the City's FY86 contract with Charlotte Uptown Development Corporation, and

B. Recommend adoption of a budget ordinance transferring $82,500 from the Municipal Services District fund balance to Charlotte Uptown Development Corporation to provide funding for a concept definition plan.

In June, 1985, the Charlotte Uptown Development Corporation (CUDC) proposed a concept definition plan for an uptown performing arts center, Convention Center expansion, a trade mart, an office building, a hotel, and retail commercial space. The plan was to be developed with a combination of funding from CUDC, the City, and the private sector. On June 24, Council approved a contract and an appropriation of $35,000 for the City's share of the cost of this project. This requested action will appropriate CUDC's share of the remaining funds. CUDC has secured pledges for private contributions to complete funding of the project.

The funding schedule which was originally identified included $35,000 from the City, $50,000 of CUDC funding, and $30,000 to be raised in contributions from the private sector. This money was to be used to pay $115,000 in fees from a consortium of firms including architectural/engineering consultants, real estate development consultants, public facilities consultants, and a market research firm. Since that time, CUDC has increased its own commitment of funding from $50,000 to $82,500 in order to fund additional market research on the performing arts center. The initial performing arts study formed the basis for community discussion of existing facilities and a takeoff point for a more detailed market analysis now needed to determine activity demand, revenue projections and operating costs.

Approval of this amendment to the City's contract with CUDC will increase the amount of the contract by $82,500; approval of the ordinance will transfer $82,500 from the balance of the Municipal Services District Fund's allotment for District 1 to the appropriation for District 1 Administration in order to make the funds available to CUDC.

14. Recommend adoption of a resolution authorizing the City Manager to apply for 1986 transit assistance grants under Section 9 from the Urban Mass Transportation Administration and from the North Carolina Department of Transportation.

Annually, the City applies to the Urban Mass Transportation Administration (UMTA) for operating assistance, and as needed, for capital and planning assistance. In 1982, Section 9 became the primary source for federal funding, and by a formula based on Charlotte Transit System's 1982 operating deficit, operating assistance has been capped at $1,506,759 annually. Capital and planning projects are still funded by an 80-20 match. This year's capital project amounts to $2,222,910, and a planning project will amount to $100,000.

This resolution authorizes the City Manager to apply to UMTA for a total of $3,363,487, ($1,506,759 for operating assistance and $1,856,728 (80%) in capital and planning assistance), and to the North Carolina Department of Transportation (NCDOT) for $232,091 (10%) in capital and planning assistance. The capital project includes purchase of 10 new 40-foot buses ($1,605,150); and related radios, fareboxes and spare components ($73,360); three supervisory vehicles for Charlotte Transit System ($35,640), two lift-equipped mini-buses for Specialized Transportation System expansion ($108,000); and four lift-equipped replacement mini-buses ($347,760); and the purchase and installation of shelters, benches, and bus information signs.

Also, a transit corridor feasibility study will be undertaken, funded partly by UMTA ($100,000 of $180,000). The study will not investigate the location but instead will focus on the feasibility of a transit corridor treatment in five corridors - I-77/South, SouthPark, Airport, UNCC, and the central area.

In order to receive the operating funds in a timely manner, and in order to obligate the federal allocations, grants are submitted at the onset of the federal fiscal year. The lag between submittal of the application and approval of the capital portion is such that no city expenditures are anticipated during City FY 86, but will occur in early City FY 87.

The City's matching funds will come from 1981 transit equipment and facilities bonds.

The grant committee has reviewed and approved this application

ITEM NO.

15. Nominations for Appointment to Boards and Commissions.

A. Specialized Transportation Advisory Committee - Two positions for two-year terms.

The terms of Charles Lamm and Rick Dancy expire September 30. Both are eligible for reappointment. Mr. Lamm is completing his first full term; Mr. Dancy is completing an unexpired term. Both have complied with the attendance policy.

B. Sister Cities Committee - One position for an unexpired term. Barbara Smith has resigned from the committee; her term ends April 5, 1986.

Attachment No. 8

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The City Attorney advises that agenda items no. 16 through 38 may be considered in one motion. However, any member of Council may request that an item be divided and voted on separately.

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PERSONNEL ACTIONS

16. Recommend adoption of a resolution amending the pay plan to add the classification of Revenue Division Manager to be assigned to the Management Pay Plan ($33,165 - 46,431 annually).

As a result of an approved reorganization in the Finance Department, a review by the Personnel Department indicates the need to establish a class title for the new position of Revenue Division Manager in order to better describe the duties and appropriately compensate the position for work performed.

The position of Revenue Division Manager will direct the operations and services of the newly created Revenue Division in the Finance Department. The Revenue Division Manager will be responsible for centralizing all customer service and collection functions, and will establish and direct a formalized credit management process. The establishment of this position will provide better public service coordination, improve credit management and place a greater emphasis on revenue production.

Based on a trade-off of an Accountant II position, Pay Range 20, the FY86 cost of implementing this change is $10,500. This can be accommodated within the current departmental appropriation.

17. Recommend adoption of a resolution amending the pay plan to add the class of Administrative Services Officer - Fire, pay range 24 ($27,284 - $34,823).

Based on an approved reorganization of the administrative function in the Fire Department, the Personnel Department has identified the need to establish a new class of Administrative Services Officer - Fire at pay range 24.

This position, which was authorized in the FY85 budget, will be responsible for providing assistance to the Assistant Fire Chief - Administration and for coordinating and supervising the administrative support, budget, personnel, logistics, and fire planning functions. Assistance with day-to-day coordination will enable the Assistant Chief to allot more time to the overall Fire administrative function.

The FY86 cost of implementing this change is $3,300 which can be accommodated within the current departmental appropriation.

18. Recommend adoption of a resolution amending the pay plan to change the pay range assignments for the classifications of Contract Administrator from pay range 21 to 23 ($25,985-33,165 annually) and Contract Assistant from pay range 16 to 19 ($21,378-27,284 annually).

The amounts and types of contracts administered by the Engineering Department have increased substantially, and therefore a separate Contracts Division has been created to better facilitate the contracts process and increase departmental productivity.

A Contracts Administrator position will assume responsibility for composing professional services contracts, preparing requests for proposals on specific projects, interviewing interested firms, and negotiating fees. Much of this function was previously performed by division heads and assistant city engineers. In addition to freeing top management positions from these time-consuming tasks, the reorganized Contracts Division will be responsible for developing professional service contract formats, standardizing fee schedules for routine services and simplifying fee negotiations.

The Contract Assistant will assume day-to-day responsibility for work related to construction contracts and the City's bidding process. Before reorganization, these duties were primarily performed by the Contract Administrator; however, supervision of the new division and the added responsibility for professional services contracts requires greater delegation to the assistant position.

The FY86 cost of implementing these changes is $2,650, which can be accommodated within the current departmental appropriation.

ITEM NO.

19. Recommend adoption of a resolution amending the pay plan to add the classifications of Transportation Planner I, II and III, pay ranges 19, ($21,378 - 27,284), 21 ($23,569-30,081), and 25 ($28,649-36,564) respectively; and the classification of Traffic Signal Electrician, pay range 12 ($15,192-19,390).

The Personnel Department has completed studies of positions engaged in various aspects of professional transportation planning work and skills required for several unique electrician positions and recommends. (1) a class series of Transportation Planner I, II and III and (2) a classification of Traffic Signal Electrician.

Since the positions affected will receive a title change with no change in pay range assignment, there is no additional cost of implementation.

Transportation Planner I, II and III

The Transportation Department is currently utilizing the classifications of Planner I, II and III; however, the positions require specific and technical experience and education that is related to the field of transportation and cannot be accommodated under the present Planner specifications. Consequently, the Transportation Planner class series is needed to distinguish these positions from planning positions in the Planning Department. In addition, the new class will serve to better describe and evaluate assigned duties and to better attract job candidates with traffic engineering and/or transportation planning course work and experience.

Traffic Signal Electrician

Establishment of a Traffic Signal Electrician class will distinguish the electrical work of the traffic signal electricians from the more traditional building wiring and related electrical work of the majority of Electrician positions. Traffic Signal Electrician positions are responsible for performing specialized electrical work in overhead buckets and utilizing construction type equipment such as hydraulic drills, bolt cutters and chain jacks in addition to standard electrician tools. Although both types of electrical work require knowledge of electrical theory, the methods and materials are sufficiently dissimilar to warrant a separation of job classifications. Additionally, the traffic signal electrician job class should help attract applicants with more job-related experience.

BUDGET ORDINANCES

20. Recommend adoption of a budget ordinance to transfer funds in the amount of $15,678 and add a position to the Purchasing Department for the operation of the M/WBE program.

As of July 1, 1985, Community Relations' staff responsibilities for the M/WBE program were transferred to the Purchasing Department; CRC monitors the M/WBE program only. Duties transferred to Purchasing are: certification of M/WBE's; training and technical assistance to M/WBE's; a communications program; and the maintenance of a bidders' list, source list and data bank.

A permanent, parttime secretarial position was authorized in the FY 85-86 budget to handle Purchasing's increased workload. With the transfer of M/WBE responsibilities, it is recommended that that position be upgraded and assume full time status to handle the additional workload.

This budget ordinance transfers $15,678 to the Purchasing Department ($8,038 from CRC and $7,640 from contingency), and amends the table of organization of the Purchasing Department to delete one permanent, part-time Office Assistant III, and adds one Office Assistant IV position.

21. A. Recommend approval of agreements with Piedmont Airlines and American Airlines to provide temporary funding to implement Airport terminal expansion, and

B. Recommend adoption of budget ordinance appropriating Airport and airline funds totaling $3,000,000 to cover preliminary construction packages.

On February 11, 1985, Council authorized the City to proceed with planning for construction of new Concourse "A" to accommodate American Airlines and others. In addition to American, U.S. Air, Ozark, Peoples Express, Delta and United have indicated substantial interest in boarding gates on the new concourse. As part of this construction, the main terminal will also be expanded approximately 100,000 sq. ft. to provide ticket counter, office, baggage operations and other airline-leased space as well as additional concession and public areas. The total project is estimated to cost $19 million.

The City has agreed to undertake to finance the terminal expansion for the airlines based upon their commitments to repay the project costs through rental payments. While design and construction planning has been underway, the City's Finance Director and Airport Manager have been working closely with financial advisors and the airlines to arrange revenue financing for the terminal expansion and other airport projects. It is anticipated that the

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City will be placing approximately $100 million in Airport revenue bonds in November or December.

In the meantime, Piedmont and American have requested that the City expedite construction of new Concourse "A" so that their operational requirements can be met as soon as possible. American is currently operating on Piedmont gates through a temporary arrangement. Since Piedmont's ability to accommodate American is of limited duration due to their own expansion plans, time is of the essence for Piedmont and American, as well as the City.

In order to avoid delaying construction until permanent financing is arranged, the City has proposed that Piedmont and American join with the City to provide temporary funding to enable construction to start prior to the issuance of revenue bonds. Piedmont and American have agreed to pledge $1 million each if the City will pledge $1 million to cover preliminary construction packages. These funds are to be refunded when the revenue bonds are issued.

Council is requested to approve agreements with Piedmont Airlines and American Airlines to provide temporary funding to implement Airport terminal expansion, and authorize the Airport Manager to execute the agreements on behalf of the City. Council is also requested to adopt an ordinance appropriating Airport and airline funds totaling $3,000,000 to cover preliminary construction packages. In a later action, Council will be requested to award contracts for site preparation, foundations, and steel work associated with the terminal expansion project.

The Finance Director and the Airport Manager recommend this request.

22. Recommend adoption of a budget ordinance appropriating $750,000 from Airport funds to provide for renovation of two air cargo buildings at the Airport and authorize the Finance Director to arrange revenue financing.

Two air cargo buildings located in the vicinity of the old passenger terminal need to be renovated so that their tenants may continue to use the premises for their air freight businesses.

Both buildings require new roofs, new doors, rewiring, additional heating and air conditioning, and various other building and site improvements in order to extend the useful life of these facilities for 20 to 30 years. Based on costs of new construction, it is felt that renovation of these existing facilities would be in the best interest of both the City and its tenants. In a later action, Council will be requested to award a contract for re-roofing one of these buildings.

Rental payments for these facilities will reimburse the City for the cost of improvements as well as paying the City a reasonable rate of return for its initial investment. This action is consistent with the City's policy that the airport be self-sustaining.

This ordinance appropriates $750,000 from the unappropriated balance of the airport operating fund. It is anticipated that these funds would be replaced by revenue financing to be arranged by the Finance Director.

BID LIST

23. Recommend approval of the bid list as shown. The following contract awards are all low bid and within budget estimates unless otherwise noted. Each project or purchase was authorized in the annual budget.

A. Cast Iron or Ductile Pipe — Utility Department

Recommendation: By Utility Director and Purchasing Director that the bid of U. S. Pipe & Foundry Company, Birmingham, Alabama, in the amount of $197,495.00, be accepted for award of contract on a unit price basis.

U. S. Pipe & Foundry Company, the previous supplier of pipe to the City, is recommended for award of contract in that their delivery schedule is from one to two weeks and that of Clow Corporation, which also bid $197,495.00, is from four to six weeks.

Project Description: Cast iron or ductile pipe is used by the Utility Department to extend and repair the water distribution system.

Source of Funding: Water and Sewer Operating Fund - Water Distribution Inventories, Stores.

B. Water Distribution Project — Utility Department
12-Inch Water Main Along
Mallard Creek Church Road and
Mary Alexander Road

Recommendation Director, Charlotte-Mecklenburg Utility Department recommends that the low bid by W. M. Paris & Associates, Incorporated of Charlotte, North Carolina in the amount of $160,462.83 be accepted for award of contract on a unit price basis.

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Project Description: Construction of this project would extend water service to the Mallard Creek Church Road and Mary Alexander Road area. Fifty percent of the required funds have been deposited by Ellison Properties for water to serve the subject project. Additional funds are available under the City's 50/50 extension policy to cover 100% of the contract amount.

Source of Funding Water and Sewer Operating Fund - Water Tapping Privilege Expenses.

C. Wastewater Collection Headquarters Parking Lot Improvements — Utility Department

Recommendation. By the City Engineer that the low bid of $30,190.08, as submitted by Crowder Construction Co., be accepted for award on a unit price basis.

Project Description: This project involves resurfacing part of the parking lot at the wastewater collection operational facility on Wilmount Road.

Source of Funding: Water and Sewer Operating Fund, Sewer Maintenance - Maintenance and Repair of Land and Water Areas.

D. Earthwork, foundation and structural steel package - Concourse "A" and Terminal Building Expansion — Airport Department

Recommendation. The Airport Manager recommends that the low bid by Robert H. Pinnix Co. in the amount of $2,917,000.00 be accepted for award of the contract on a lump sum basis.

Project Description: Piedmont and American have requested that the City expedite construction of Concourse "A" so that their operational requirements can be met as soon as possible. This is the first contract for the construction of Concourse "A" and the terminal building expansion.

This contract provides all labor, materials and equipment necessary to prepare the site, install foundations and structural steel on the west side terminal expansion, new Concourse "A" and connector.

Source of Funding Airport Capital Improvement Fund (Phase II, Airport Terminal Expansion and Concourse "A" Construction - Airline Agreements and 1974 Airport Revenue Anticipation Notes).

E. Re-Roof Air Cargo Airport Department

Recommendation: The Airport Manager recommends that the low bid by R. T. Dooley, Inc. in the amount of $98,734.00 be accepted for award of contract on a lump sum basis.

Project Description: This building was built in 1970 and has a built-up roof which leaks profusely. It is necessary to replace this roof in order for the building to be serviceable for another 20 years.

Source of Funding: Airport Operating Fund (Air Cargo Development).

F. Microcomputers, associated peripheral equipment, and microcomputer software MIS

Recommendation: By MIS Director and Purchasing Director that the bid, Computer South, Charlotte, N. C. in the amount of $90,917, be accepted for award of contract.

The low bidder could not provide compatible software equipment and therefore the lowest responsive bidder was selected.

Project Description: In a continuing effort to improve productivity and promote efficiency through information technology, Charlotte City government is expanding the use of microcomputers to support a number of departments with specific application needs. Installation of microcomputers will continue to augment the established base of central and word processing computer and broaden the ability of departments to share information.

Source of Funding General Fund - Municipal Information Systems, Miscellaneous Contractual and Lease - Purchase Accounts. Funding in the amount of $84,000 has been included in the FY 86 Lease - Purchase agreement for purchase of hardware, and $14,000 is included in the MIS miscellaneous contractual account for software. Both hardware and software are included in this bid.

CONTRACTS

24. Recommend approval of a contract in the amount of $596,000 between the City of Charlotte and Hazen and Sawyer, P. C. of Raleigh, N. C. for the design and construction administration services of a 250 million gallon raw water reservoir at the Walter M. Franklin Water Treatment Plant.

In the November, 1984 bond referendum, $8,000,000 was approved for the engineering and construction of a 250 million gallon raw water storage reservoir to be located at the Walter M. Franklin Water Treatment Plant. The completion of this facility will increase the raw water storage capacity from the existing 100 million gallons to a projected 350 million or from approximately one day's supply to approximately five days supply. The increased storage capacity is extremely important in the event of a failure of the raw water transmission system from the Catawba River.

In February, 1985, CMUD staff along with other City staff began the selection process to determine a capable consultant engineering firm for the design and construction administration of the project. A total of 17 firms were reviewed on the first evaluation with the selection of a short list of three firms. Of the final three firms, it was determined that Hazen and Sawyer was the most qualified for the project. During the selection process, Hazen and Sawyer demonstrated their successful capabilities on such similar projects as Little River Dam and Reservoir, Durham, N. C., Cane Creek Dam and Reservoir in Orange County, N. C. along with three major dam projects for the City of Greensboro, N. C.

The Hazen and Sawyer firm has agreed to complete the design phase in approximately six months which would permit the construction phase to begin at a very desirable time for construction in this area.

Completion of this project will be a part of the overall plar to maintain an adequate water supply to the entire water distribution svstem served by CMUD.

The Utility Director recommends the award of this contract so that the engineer can immediately start the design phase of the project.

RESOLUTIONS

25. Recommend adoption of a resolution authorizing the Mayor to execute the second amendment to the Uptown Charlotte Redevelopment Loan Agreement and the second amendment to the Uptown Charlotte Redevelopment Separate Loan Agreement.

On December 15, 1982, the City of Charlotte and the Charlotte Uptown Development Corporation (CUDC) entered into the Uptown Charlotte Redevelopment Loan Agreement and the Uptown Charlotte Redevelopment Separate Loan Agreement. These agreements established two loan programs to finance the repair and rehabilitation of eligible properties within certain areas of the central business district. The Uptown Charlotte Redevelopment Loan Agreement established a $5 million loan program, and the Uptown Charlotte Redevelopment Separate Loan Agreement established a process of direct bank assistance from several banking institutions with no established limits on program volume.

This amendment will (1) extend the lenders' commitment to December 15, 1986, and (2) incorporate into the agreements recent changes in the federal tax law.

AGREEMENT

26. Recommend approval of a revised grant agreement for $1,625,000 between the City and North Carolina Air National Guard for extension of Taxiway "D" at the airport

In October, 1984 Council accepted a grant from the North Carolina Air National Guard (NCANG) for $1,500,000 to provide funding for the extension of Taxiway "D" from their ramp southward, approximately 3,000 feet.

Since the original NCANG grant was accepted by the City, additional Department of Defense monies have become available for this project. The NCANG is offering to revise their original grant and increase their participation in this project from $1,500,000 to $1,625,000.

With the additional grant, the City's share has been reduced to approximately $500,000 which will be debt-serviced through landing fees and guaranteed by long term leases with the airlines.

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HOUSING LOAN

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

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 loans.

Borrower	Property Address	Loan Amount	Appraised Value
Jimmie J. and Lenelda C. James	#6 Clarkson Green	$87,750	$92,400
Joseph Chambers	811-Q Cates Street	35,150	37,000

HOUSING CODE ENFORCEMENT

28. A. Recommend adoption of an ordinance to demolish and remove the dwelling at 521 Beatties Ford Road declared unfit for human habitation using the in rem remedy and authorize the City Manager to approve contract for such work.

Date of inspection. January 31, 1985
Owner(s) notified of hearing. February 12, 1985
Hearing held. March 8, 1985
Owner(s) ordered to demolish dwelling by. May 27, 1985
Estimated value of dwelling: $9,930.00
Estimated repair (which exceeds 65 percent of estimated value) $7,500.00

Repairs include: replacing rotted roof sheathing; installing roof shingles; replacing rotted roof rafters; replacing front porch ceiling; replacing facia boards; repairing ceilings throughout house; painting interior; repairing hole in bathroom floor; replacing rotten sills, painting exterior; replacing rotten front porch floors, replacing torn screen wire front door, installing rear screen door; replacing rotted rafter ends, replacing missing siding; installing weatherstripping on front and rear doors, repairing loose bricks in chimney. The dwelling is occupied and tenants have been placed on relocation workload. The demolition will occur after the occupants are rehoused.

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

B. Recommend adoption of an ordinance to demolish and remove the dwelling at 2412 Rozzells Ferry Road declared unfit for human habitation using the in rem remedy and authorize the City Manager to approve contract for such work.

Date of inspection: March 26, 1985
Owner(s) notified of hearing: March 26, 1985
Hearing held: April 19, 1985
Owner(s) ordered to demolish dwelling by: July 2, 1985
Estimated value of dwelling: $15,920.00
Estimated repair (which exceeds 65 percent of estimated value). $13,000.00

Repairs include: replacing loose and missing sheetrock on ceilings; painting exterior; installing heating equipment, replacing rotted studs; installing roof shingles, replacing rotted roof sheathing; replacing rotted roof rafters; replacing rotted boxing; replacing rotted facia board; replacing all unsafe electrical wiring, installing window screens; replacing wall receptacle covers, replacing lavatory in bathroom; installing faucets at kitchen sink; painting interior; replacing broken window glass; replacing screen wire on front and rear screen doors; replacing rotted sheathing; installing roof shingles; replacing rotted siding on attached carport. The structure is open and unoccupied and is a 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.

STORM DRAINAGE REPAIR POLICY

29. A. Recommend approval of storm drainage improvements from 1833 Ferncliff Road to 1829 Shoreham Drive in accordance with the Storm Drainage Repair Policy; and that one-fifth of the private property cost be assessed to 11 of the 12 property owners involved.

In July, 1982, the Engineering Department received a request for study of a drainage problem affecting properties in the vicinity of Ferncliff Road, Woodbrook Lane, and Shoreham Drive. Assistance was offered through the City's Storm Drainage Repair Policy. The recommended improvements involve installation of approximately 1200 feet of 36-inch and 42-inch pipe and associated drainage structures at an estimated cost of $153,500. In evaluating alternate solutions, it was determined a portion of the improved drainage system could be located in the Woodbrook Lane right of way at less total cost than following the alignment of the existing system across private property.

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On June 11, 1985, the 12 involved property owners submitted a limited petition in lieu of circulating a petition throughout the drainage basin as provided in the Storm Drainage Repair Policy, and requested the City make the necessary storm drainage improvements. The petition requests that a portion of the cost for work within the Woodbrook Lane right of way equal to the cost of work that would otherwise be on private property be distributed as private property costs. In accordance with the Storm Drainage Repair Policy, the City is asked to pay four-fifths of the cost of private property improvements ($97,800) and 100 per cent of the cost of upgrading existing facilities in street rights of way ($31,250). The property owners are responsible for the remaining one-fifth ($24,450) of private property improvements.

Funding is available in the FY 86 Capital Improvement Program, Storm Drainage Repair Policy Account.

A map is attached.

Attachment No. 9

B. Recommend approval of storm drainage improvements on private property from 3116 Clearview Drive to 3155 Dawnshire Avenue in accordance with the Storm Drainage Repair Policy; and that one-fifth of the cost be assessed to two of the four property owners involved.

In November, 1983, the Engineering Department received a request for study of a drainage problem affecting properties on Clearview Drive and Dawnshire Avenue. Assistance was offered through the City's Storm Drainage Repair Policy. On June 18, 1985, a petition signed by the four involved property owners was received requesting the City make the necessary storm drainage improvements and assess one-fifth of the cost to two of the four property owners. The owners of the four properties involved have signed a limited petition in lieu of circulating a petition throughout the drainage basin as provided in the Storm Drainage Repair Policy.

The work required to correct the problem is entirely on private property and involves installation of approximately 52-feet of 18-inch pipe and associated drainage structures at an estimated cost of $11,113. In accordance with the Storm Drainage Repair Policy, the City pays four-fifths of the cost ($8,890) and the involved property owners share the remaining one-fifth ($2,223).

Funding is available in the FY 86 Capital Improvement Program, Storm Drainage Repair Policy Account.

A map is attached.

Attachment No. 10

SPEED LIMITS

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

In accordance with Council's approved policy, four streets in two 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

Driftwood Drive (Rosehaven/Winterfield)
Rosehaven Drive (Rosehaven/Winterfield)
Winterfield Place (Rosehaven/Winterfield)
Lancer Drive (Old Providence)

SURPLUS PROPERTY

31. 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 of 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 the following 10 parcels be declared surplus and advertise each for sale.

1. 1324 Jefferson Street - Tax Code #073-083-07. This parcel was acquired by a tax foreclosure and contains approximately 4800 square feet. It has 44 feet of frontage on Jefferson Street and is level and zoned I-2.

2. 2742 Celia Avenue - Tax Code #069-094-09. This parcel was acquired by a tax foreclosure and contains 6620 square feet with approximately 30% of the parcel in the flood plain. The rear portion is encumbered by a Duke Power easement. It has 50 feet of frontage on an unopened street and zoned R-6.

3. 175 Manor Road - Tax Code #175-178-01. This parcel is in the Sugar Creek flood plain and contains 7400 square feet, is level and zoned R-6.

4. 3107 Celia Avenue - Tax Code #069-113-03. This parcel was acquired by a tax foreclosure and contains 6230 square feet with 50% of parcel in the flood plain and zoned R-6.

5. 432 West Third Street (corner North Graham Street) - Tax Code #073-112-02. This parcel was acquired for Fourth Street Extension and contains approximately 785 square feet and zoned I-3.

6. 4201 The Plaza - Tax Code #091-046-04. This parcel of land was acquired for Plaza Road widening. Access to the property off The Plaza is restricted due to a 20 foot drop from the road grade. A large portion of the property is on the embankment to support the road-right-of-way. The only access to the parcel is from a 20 foot alley off Donna Avenue. It contains approximately 14,590 square feet, and zoned I-1.

7. 221 Norwich Place - Tax Code #145-125-08. This parcel was acquired for Clanton Road right of way. It contains approximately 6098 square feet and zoned R-6.

8. 300 Grandin Road - Tax Code #071-013-07. This parcel was acquired for Fourth Street Widening. It has approximately 2615 square feet and is 3 feet above road grade and zoned R6-MF.

9. 429 Coxe Avenue - Tax Code #071-105-50. This parcel was acquired by a tax foreclosure. It has approximately 7500 square feet, has 50 feet of paved frontage which is 3 feet above road grade at front and drops toward the back of the property and zoned O-6.

10. 2916 Clemson Avenue - Tax Code #083-156-17. This parcel of land was acquired for Thirtieth Street widening and is located at the corner of Clemson and Matheson Avenues containing 4530 square feet, and zoned R-6.

Due to the irregular shape and size of the above lots, it is anticipated that only the adjoining property owners will have any interest in these parcels.

11. 1400 East Seventh Street - Tax Code #080-192-01. This residual parcel was acquired for the construction of Independence Boulevard. It is gently sloping towards Independence and contains approximately 9,200 square feet. It is zoned for office use. The Boy Scouts of America own the adjoining property on which they have built their Mecklenburg Council Service Center. They are proposing to build an auditorium adjacent to the service center as shown on their master plan for development. They have indicated an interest in acquiring this property to be used as a landscaped "front yard" for their new auditorium. This parcel would have no improvements built on it. The Planning staff has reviewed the Boy Scouts' proposal and is in full support stating that they believe it would add to the streetscape along Independence Boulevard.

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

TAX REFUND

32. Recommend adoption of a resolution authorizing the refund of certain taxes in the total amount of $16,170.38 which were assessed through clerical error or illegal levy against 16 tax accounts.

33. Recommend denial of a request by Alcon Aluminum Corporation for refund of taxes for the years 1982 and 1983.

Alcon Aluminum Corporation paid $11,511.60 in City ad valorem taxes for the 1982 tax year on certain inventory consisting of aluminum electrical transmission cables. In 1983 it paid City taxes in the amount of $9,090.90 for similar inventory that was also located within the City limits at the beginning of the tax year.

The taxpayer, Alcon Aluminum Corporation, has filed a request with the City of Charlotte and Mecklenburg County for a refund of 1982 and 1983 property taxes contending that the taxes in question were exempt from taxation under G.S. § 105-275(10). This section of the General Statutes exempts from taxation personal property shipped into North Carolina when placed in a public warehouse as intermediate consignee for the purpose of transshipment in its original form or package to the owner's customers either inside or outside the state.

Mr. J. A. Stone, City-County Tax Administrator, recommends against the refund request for the following reasons·

1. The inventory in question was not located in a public warehouse as required by G.S. § 105-275(10.

2. The taxpayer failed to file an application for exemption as required by G.S. § 105-282.1(a).

3. The taxpayer listed and paid taxes on the property in question without an appeal to the Board of Equalization and Review.

In the opinion of the Tax Administrator, this request for refund fails to meet any of the applicable statutory requirements for a refund and thus the refund request should be denied.

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ORDER

34. Recommend adoption of an order of collection empowering the Office of the Tax Supervisor to collect the City's ad valorem taxes.

Upon the advice of the City-County Tax Attorney, it is recommended that City Council adopt and that the Mayor sign an annual order of collection of taxes. The tax attorney has suggested that the City Council do this because of certain questions being raised by the bankruptcy court.

UTILITY CONTRACTS

35. 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.

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

1. Derita Properties to construct 1,535 linear feet of 8-inch water main, 4,220 linear feet of 6-inch water main and 3,340 linear feet of 2-inch water main to serve Olde Whitehall Subdivision located west of York Road and north of Arrowood Road, outside the Charlotte City Limits. Estimated Cost - $110,000.00. Water Contract No. 85-050.

2. Harry Grimmer & Associates, to construct 2,026 linear feet of 8-inch water main, and 1,675 linear feet of 2-inch water main to serve Idlewild Brooke Subdivision, located south of Idlewild Road and west of Piney Grove Road, inside the Charlotte City Limits. Estimated Cost - $52,000.00. Water Contract No. 85-020.

3. Harry Grimmer & Associates, to construct 1,002 linear feet of 8-inch water man and 2,392 linear feet of 2-inch water main to serve Creekside Village Subdivision, located west of Piney Grove Road and south of Idlewild Road, inside the Charlotte City Limits. Estimated Cost - $40,000.00. Water Contract No. 85-026.

4. Harry Grimmer & Company, Inc., to construct 3,960 linear feet of 8-inch sanitary sewer main to serve Idlewild Brooke Subdivision, located south of Idlewild Road, west of Ware Road and east of Campbell Creek, inside the Charlotte City Limits. Estimated Cost - $118,800.00. Sanitary Sewer Job No 621-85-045.

5. JRS Enterprises, Inc., to construct 2,491 linear feet of 8-inch sanitary sewer mains to serve the Shopping Center On Lebanon Road, located south of Lawyers Road, east of Spicewood Drive and west of Lebanon Road, outside the Charlotte City Limits. Estimated Cost - $74,730.00. Sanitary Sewer Job No. 621-85-036.

6. JRS Enterprises, Inc., to construct 3,231 linear feet of 8-inch sanitary sewer main to serve Morris Farms II Subdivision, located south of Lawyers Road, east of Spicewood Drive and west of Lebanon Road, outside the Charlotte City Limits. Estimated Cost - $96,930.00. Sanitary Sewer Job No. 621-85-037.

7. JRS Enterprises, Inc., to construct 1,555 linear feet of 8-inch water main, 890 linear feet of 6-inch water main and 890 linear feet of 2-inch water main to serve Morris Farms II Subdivision, located south of Lawyers Road, east of Spicewood Drive and west of Lebanon Road, outside the Charlotte City Limits. Estimated Cost - $49,000.00. Water Contract No. 85-029.

8. GBH Venture, to construct 1,731 linear feet of 8-inch sanitary sewer mains to serve Chesney Glen Subdivision, located west of South Trade Street, south of Country Place Drive and north of Four Mile Creek, outside the Charlotte City Limits. Estimated Cost - $51,930.00. Sanitary Sewer Job No. 621-85-107.

9. First Colony Corporation, to construct 1,372 linear feet of 8-inch sanitary sewer main to serve Sugar Springs Subdivision, Phase II, located north of Mineral Springs Road, east of Neal Road and west of I-85, outside the Charlotte City Limits. Estimated Cost - $48,020.00. Sanitary Sewer Job No. 621-85-021.

10. IMS Properties, to construct 4,138 linear feet of 8-inch sanitary sewer main to serve Coulwood Creek Subdivision, located east of Fielding Road, north of Cathey Road, and south of Gum Branch Road, outside the Charlotte City Limits. Estimated Cost - $124,140.00. Sanitary Sewer Job No. 621-85-059.

11. IRT Realty Services, Inc., to construct 953 linear feet of 8-inch existing sewer main and 1,175 linear feet of 8-inch proposed sewer main to serve the Airport Interchange Park, located south of I-85, north of Wilkinson Boulevard and east of Little Rock Road, inside the Charlotte City Limits. Estimated Cost - $35,250.00. Sanitary Sewer Job No. 621-85-061.

Utility and Planning Directors recommend approval.

ITEM NO.

PROPERTY TRANSACTIONS

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

A. Acquisition of 1.172 acres, at the 5600 block of York Road, from Alson Court, Inc., for $19,000.00, for the York Road Community Park Project. (Option)

B. Acquisition of 1.138 acres, at 5500 York Road, from Reid Stanley Windham and wife, Brenda Windham, for $15,000.00, for the York Road Community Park Project. (Option)

Condemnation

C. Recommend adoption of a resolution of condemnation at 5400 York Road, from Hal P. Sumpter, for 5.36 acres, for $130,000.00, for the York Road Community Park.

CONDEMNATION - CORRECTED RESOLUTION

37. Recommend adoption of a resolution authorizing condemnation of land belonging to Austin Powder Company for park purposes. This resolution is intended to correct the resolution of August 12, 1985, which contained erroneous statutory citations.

On August 12, 1985, City Council authorized condemnation of land owned by Austin Powder Company for use in the York Road Community Park Project. The resolution contained the wrong statutory citation for the procedure to be followed and the amended resolution is designed to correct this error.

SET PUBLIC HEARING

38. Recommend adoption of a resolution providing for a public hearing on October 28, 1985 at 3.00 p.m. in the City Council Chambers on an application for installation of a monument at the rose garden on North Davidson Street.

- PENDING MATTER -

In meeting on Monday, September 23, 1985, City Council will make nominations to fill a vacancy on the Taxicab Review Board caused by the death of Mr Robert L Grubb who was appointed on August 12 Appointment is for a three-year term expiring September 1, 1988

- SCHEDULE OF MEETINGS -
September 9 - 13, 1985

Monday, September 9	COUNCIL/MANAGER DINNER & PRESENTATION	6 00 p. m
	CITIZENS HEARING	7 00 p m
	COUNCIL MEETING Multi-Purpose Room Alexander Graham Jr High School	7 30 p m.