AGENDA

Meeting Type.	BUSINESS
Date:	08/24/1987

City of Charlotte, City Clerk's Office

CHARLOTTE

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

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

Council Agenda

Monday, August 24, 1987

12:00-2:00 PM . . . Council-Manager luncheon/ agenda and Council discussion
2:00 PM. . . . . Citizens Hearing
2:30 PM. . . . . Reports
3:00 PM. . . . . Council Meeting

ITEM NO.

1. Invocation by Rev. Dennis Whitaker, Police Department Counselor.

2. Consider approval of the following minutes Regular Meetings of June 8 and 22, Zoning Hearings of June 15 and July 20, Special Use Permit Hearing of June 16, and Special Meeting of July 2, 1987.

PUBLIC HEARINGS

3. Council is requested to take the following actions concerning the November 3, 1987 General Obligation Bond Referendum:

A. Conduct a public hearing on a General Obligation Bond Referendum to be held on November 3, 1987.

B. Approval on the second reading an order authorizing $46,000,000 Street Improvement Bonds.

C. Approval on the second reading an order authorizing $15,000,000 Cultural Facility Bonds.

D. Approval on the second reading an order authorizing $14,800,000 Sanitary Sewer Bonds.

E. Approval on the second reading an order authorizing $13,675,000 Water Bonds.

F. Approval on the second reading an order authorizing $12,500,000 Parks and Recreational Facilities Bonds.

G. Adoption of a resolution calling for the bond referendum.

A description of the bond projects is attached.

Attachment No. 1

POLICY

4. A. Consider a report from the Budget Advisory Committee concerning Mayor and Council compensation.

B. Adopt a budget ordinance providing an additional appropriation to increase the compensation for the Mayor and Council.

This item was deferred at the July 27, 1987 Council meeting. The report recommends the total compensation for the Mayor be $20,000; total compensation for Councilmembers, $12,500. The report is attached.

Attachment No. 2

5. Recommend approval of the conceptual design for Plaza Park as submitted by the firm of Danadjieva and Koenig Associates.

In April, 1987 Danadjieva and Koenig Associates (D&KA) presented three design concepts for Plaza Park including a budget pricing analysis. This analysis indicated a probable project cost of $2.75 million for all three programs. Public construction dollars were set at $1 million. Council concurred that the designers should proceed with a design program leading to the selection of one of the options or a variation thereof. This assumed any cost above $1 million would be provided for privately. It also assumed a phased construction program may be required with the City using its funds to construct the water feature. In February 1987, City Council approved a $167,065.00 contract for architectural services with Danajieva and Koenig Associates for conceptual design for the park and the general area of the Square. It is to be noted that design development will provide for construction of the water feature in a manner that can stand alone should this be necessary due to funding limitations.

On June 25, 1987, Danadjieva and Koenig Associates conducted a workshop with City Council to review their proposal for the future development of the Plaza Park site. The meeting enabled D&KA to fully explain their intentions for the Square, while allowing Council

members a chance to provide input on the direction they should follow.

As a result of City Council's positive reaction to the D&KA proposals, the design process is ready to proceed into further design development, centering on a single concept.

Council is asked to approve the conceptual design described as Concept B-2 for the park, as presented at the June 25, 1987 workshop. A description of this concept is attached.

Funding will be from existing Plaza Park development funds as established in the Capital Improvement Program and private donations.

Danadjieva & Koenig Associates have coordinated this recommendation through the Plaza Park Citizens and Technical Committees and the Planning Department. Appropriate City staff have been involved.

Attachment No. 3

6. Recommend approval of further urban design analysis for the West Trade Gateway as part of the next fiscal year Central Area Plan Update to be initiated by Planning staff. In the interim, a privately supported feasibility study for suggested lakes is recommended under the guidance of City Engineering.

In February, 1986, Clark, Tribble, Harris and Li submitted a proposal to provide design and planning services for the West Trade Street corridor. The proposal was the result of an "idea package" generated by Clark, Tribble, Harris and Li for NCNB Community Development Corporation. It includes a suggested master plan to include: a mix of office, hotel and residential, new landscaping for the I-77 interchange, and impoundment of Irwin Creek along I-77 as a lake feature.

Recent Council actions relative to Third Ward include: (a) Third Ward Plan approval in June, 1986; and, (b) Charlotte Uptown Streetscapes Plan approval in April, 1987. The Streetscape Plan includes a conceptual proposal for "...gateway portals at Irwin Creek and the Southern Railway bridge" at West Trade.

City Council directed the proposal to Planning staff for review and comment. As a result, members of the Planning staff met with Dennis Rash with NCNB's Community Development Corporation to discuss the goals and objectives for the future development of the area. The project was outlined as a major development which would create lakefront property in conjunction with a monumental entrance at the Irwin Creek bridge. It was proposed that the majority of the funding would be by the City. The project, while creating a dramatic gateway

statement, would promote a substantial increase in adjacent property real estate value. Since the conceptual idea is complete for the gateway, it seems most appropriate to undertake an engineering feasibility study for the lakes. It is recommended that no public funds be used in the further pursuit of this effort as it is directly tied to private development and further, such a project is not included in the ten year Capital Needs Inventory.

If this project is pursued privately, further engineering feasibility and cost evaluation should be undertaken privately. Since public land would be required to construct the proposed ponding, this study should be technically consistent with procedures and methods acceptable to City Engineering.

The FY88 planning program includes a staff update of the urban design components of the Central Area Plan. It will focus on further refinement of urban design concepts for development "hot spots" as well as evaluate current private urban design studies.

No additional funds are requested.

This proposal has been reviewed by appropriate City staff.

7. Discussion of City role in the collection of recyclable materials.

The Solid Waste Management Plan includes a recycling goal. Currently, the City is collecting recyclables in five pilot neighborhoods through an interlocal agreement with the County.

Council discussion of the collection of recyclables is requested because under the 1984 solid waste disposal agreement, the City took responsibility for the collection of refuse and the County took responsibility for disposal.

The City staff recommends that this principle be maintained as recycling is implemented and recommends the collection of recyclables by the City through an interlocal agreement with Mecklenburg County for the following reasons:

1. Citizen Satisfaction - One collector of the City's solid waste would reduce or eliminate confusion.

2. Efficiency - As the collector of all solid waste in the City, the City would be able to standardize routes and provide for the efficient collection of solid waste.

3. Effectiveness - By pursuing an interlocal agreement with Mecklenburg County, the City can be more comfortable in controlling factors such as service level provision, resource needs and cost.

ITEM NO.

Decision Point: Does Council want City crews to pick up recyclables?

Advantages

- One focal point for all collection of refuse would reduce citizen confusion in the collection of recyclables and refuse. This would increase the likelihood for citizen understanding and satisfaction.

- The collection of recyclables impacts the cost of collecting the remaining refuse. The greater the amount collected through recycling, the lower the operational costs for the collection of refuse. If the City assumes the responsibility of the collection of recyclables, then staffing and equipment may be transferred between refuse and recycling as demand dictates.

  A review of other communities' recycling efforts reveal that: (1) breakeven analyses have been performed to indicate that the more successful a recycling program, (high participation rate) the lower the operational costs of collecting refuse; (2) communities usually collect recyclables with the same municipal crews or private haulers responsible for regular trash service.

- Greater control and flexibility over service level provision.

Disadvantages

- Privatization (bid process) may yield lowest cost to citizens.

- Collection of recycling would place the City in a new business/service delivery arena. Different disciplines and procedures may be needed to effectively deliver a new and evolving public service.

Two options are identified for City participation. The discussion with the County Commission would focus on them.

Option 1. Interlocal Agreement:

Advantages

- Service levels, operational parameters, and costs can be negotiated between the two boards with greater flexibility than a bid contract would allow which would likely require a multi-year commitment.

- Requires less staff time than the preparation of bid documents, proposal review and selection, and contractor evaluation.

Option 2. Prepare a bid for proposal:

Advantages

- The competitive bid process may yield the lowest cost to the taxpayer.

- Service levels may be tied to a fixed cost over the term of the contract.

Disadvantages

- City is not guaranteed award of contract. This is a disadvantage if Council desires autonomy over the collection of recyclables.

- The City would have to appropriate $29,417 to gather data necessary to submit accurate bid.

ACTION:

If Council does not want City crews to pick up recyclables, then no additional action is required at this time.

If Council does want City crews to pick up recyclables, then recommend meeting with County Commission to discuss pursuing either: (A) An interlocal agreement with Mecklenburg County; or (B) City staff prepare a bid for proposal.

The Operations Department concurs in this recommendation.

BUSINESS

8. Consider adoption of an ordinance appropriating $45,000 from the General Fund - Contingency to finance a market analysis and administrative planning support for Discovery Place Phase II Expansion.

This issue was considered at the July 27, 1987 Council meeting; that agenda item is attached. At that time, Council asked staff to provide some additional information which is detailed below.

Q: How would the funding of Discovery Place Phase II affect the Capital Improvement Program financing plan?

A: The Capital Needs Document has included the Discovery Place Phase II project as a high priority unfunded need since FY85. This ranking suggests that the project be funded if dollars are available. Given limited capital funds, projects are evaluated for inclusion in the five-year financed capital program based on Council's policies which rank projects as follows·

1st priority - rehabilitation and maintenance of existing facilities
2nd priority - replacement of existing facilities
3rd priority - expand existing facilities
4th priority - new facilities.

Another evaluation tool for the inclusion of projects in the five-year capital program is the annual review of policy and financing assumptions. These policies are reaffirmed on a continuing basis at the Council retreat, planning workshop, and in other documents and agreements.

The Discovery Place Phase II project would compete as a third or fourth priority project to be funded when General Fund bond potential becomes available. Based upon the debt management program, additional uncommitted bond capacity, without new or increased revenues, is not projected to be available until the 1990's.

Q: What would Discovery Place do with the requested funds?

A: Discovery Place has plans to use these funds in the following manner:

Hiring a consultant to develop a regional market questionnaire to determine interest level and need.	$25,000

Personnel costs associated with researching the types of exhibits and education needs for the expansion	$12,000
Development of a marketing plan for fund raising outside the Charlotte community.	$5,000
Personnel costs associated with the preparation of financial projections concerning the impact of the expansion.	$3,000

Attachment No. 4

9. Recommend extension of contract with ATE, Inc. to continue management of Charlotte Transit operations for a period of three years, in an amount not to exceed $906,660, and effective September 1, 1987.

The City first contracted with ATE to manage the transit system in 1976. In the ensuing years, the contract has been renewed, with the last renewal in February 1984. This current contract expires August 31, 1987. Staff has continuously reviewed and evaluated ATE's performance and found that wherever performance measures can be quantified, ATE has exceeded expectations.

The system expansion authorized by Council with the adoption of the five-year financial plan for Charlotte Transit in May 1985 is well underway. Delivery of the 30 new buses has begun. New fareboxes are scheduled for delivery and bids for the new radio system are under review. As ATE was instrumental in analysis and development of this expansion program, their continued management as implementation begins is prudent.

Compensation under this contract is divided into two sections. The first is the straight management fee, and the second is "not to exceed" figures for consulting services by ATE. The previous contract had one figure which the City paid whether or not ATE staff was utilized in consulting activities. This separation of compensation allows the City to choose when and if these services are necessary.

The total of this three-year contract is $906,660; $866,460 for the management fee and $40,200 for optional consulting services. The annual management fees of $275,004, $287,580 and $303,876 represent annual increases of 4%, 4.57% and 5.67%. The increases reflect ATE's best estimates of the increases in its cost of doing business over the next three years. Those costs include salary and fringe benefits for its employees assigned to Charlotte, as well as overhead expenses which include: liability insurance and legal costs, recruiting,

training, relocation, utilities, maintenance of the ATE resource center, development of new information systems about ridership, routes and bus maintenance (which are being provided to the City at no cost), and accounting and payroll. As with any multi-year contract, ATE is assuming some risks should inflation increase in the second and third years of the contract.

In FY85, 86 and 87, this contract amounted to 2.6%, 2.5% and 2.5% respectively of Charlotte Transit's approved budgets. In the approved Charlotte Transit budget for FY88, the total fees will be 2.46%; 2.5% of the proposed FY89 budget. Cost per passenger in FY85, 86 and 87 was a constant 2½ cents, and the ridership projected for FY88 will result in a cost per passenger of 2.6 cents.

To improve Charlotte Transit operations and ATE's management responsibilities, and to minimize the City's involvement in day-to-day operations, staff from Budget and Evaluation, Finance, Transportation, Purchasing and Legal have identified potential policy changes in procurement and revenue collection. Staff will be pursuing these changes and may come back to Council at a later date with proposed contract amendments in these areas, if the changes appear to be in the City's best interests.

Attached is a table comparing ATE contract cost and ridership information for the past three fiscal years and projections for the next three years.

This contract will be funded from the Public Transportation Fund, 7801.

The Legal Department has reviewed the contract, and the Budget & Evaluation, Transportation, Purchasing and Finance Departments recommend award of the contract to ATE.

Attachment No. 5

10. Recommend adoption of a resolution proposing to accept an offer from Duke Power Company to purchase 3.92 acres 250' west of Tyvola Road at Big Sugar Creek for $450,000 and authorize advertising for upset bids.

Due to rapid growth in recent years along Billy Graham Parkway coupled with the present and anticipated development around Tyvola Road, the demand for power will exceed Duke Power's capability from their present facilities. They have offered to purchase 3.92 acres from the City for $450,000 to construct a substation which will serve the Coliseum, the Coliseum Center development, Coffey Creek Business Park and Trammell Crow's Lake Pointe development. The construction of the substation will provide adequate power for the opening of the Coliseum and Tyvola Road next summer. The property

was appraised for the City by Robert Glenn, M.A.I. and Wallace Gibbs, M.A.I. and the price of $450,000 is within the limits of their appraisals.

Proceeds from this sale of land are planned to be used to fund underground wiring and metal poles along the Tyvola Road Extension Project adjacent to City-owned land. These improvements were recommended in the Billy Graham Parkway Land Use Plan. Preliminary cost estimates prohibited including the enhanced underground wiring in the project. Since that time, this land transaction was negotiated and staff recommends the proceeds from the sale be used to provide funding for the lighting. With final approval of this offer, an ordinance will be placed on the Council agenda to appropriate the funds to the Tyvola Road Extension project.

In accordance with North Carolina General Statutes 160A-269, Council is required to adopt a resolution proposing to accept the offer of $450,000 from Duke Power and advertise the amount and terms of offer with a notice that within 10 days any person may raise the bid by not less than 10% of the first $1,000 and 5% of the remainder. This process continues until no further qualifying bids are received. City Council may at any time reject any and all offers. North Carolina General Statutes do not permit municipalities to negotiate with utilities, thereby making the upset bid process the best way to convey the land for this needed facility to Duke Power Company.

Terms of the sale will include a provision that the property may only be used for the aforesaid purpose.

The Planning staff, Engineering/Real Estate, Parks and Recreation and the Manager's task force concur with this request.

A map is attached.

Attachment No. 6

11. Recommend adoption of an ordinance lowering the speed limit on 16 neighborhood streets from 35 miles per hour to 25 miles per hour.

In accordance with Council's approved policy, 16 streets in 15 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:

Braewick Place (Braewick)
Briar Ridge Drive (Greenbriar)
Eagle Peak Drive (Pawtuckett)
Fairway Ridge Road (Wellington Square)
Heritage Court (Myers Park)
Kemp Street (Mecklenburg Acre)

Leland Street (Paw Creek)
Lynridge Road (Idlewild)
Plantation Road (Providence Plantation)
Sardis Road North Alternate (Sardis Park)
Somerdale Lane (Windsor Park)
Stratford Avenue (Shamrock)
Sulkirk Road (Beverly Woods)
Tarrington Avenue (Eastway/Sheffield)
Turnbridge Road (Old Farm)
Ware Road (Idlewild)

12. Appointments to Boards and Commissions.

1) Historic Properties Commission - The following nominations have been made for a three-year term:

a) Allen L. Brooks, nominated by Councilmember Leeper.
b) Daniel W. Desmond, nominated by Councilmember Hammond.
c) Pamela W. Palmer, nominated by Councilmember C. Patterson.

2) Charlotte Uptown Development Corporation - The following nominations have been made for two three-year terms:

a) Non-profit Organization Category -

aa) Oscar Bidgood, nominated by Councilmember Dannelly.
bb) Freda Nicholson, nominated by Councilmember P. Patterson.

b) Residential Category -

aa) Shelley Anderson, nominated by Councilmember C. Patterson
bb) Mary Dawn Bailey, nominated by Councilmember P. Patterson.

Attachment No. 7

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The City Attorney advises that agenda items no. 13 through 33 may be considered in one motion. However, any member of Council may request that an item be divided and voted on separately.

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ITEM NO.

BUDGET ORDINANCE

13. Recommend adoption of an ordinance appropriating Airport funds of $3,275,000 for air cargo development.

In order to accommodate the demand for additional air cargo and airline support facilities at the Airport, the City began development of the old passenger terminal area several years ago. This development has provided air cargo facilities for Federal Express, Flying Tigers, Burlington Air Express, Summit Airlines, and others. As a result of the continuing expansion of air cargo activity at Charlotte, several air cargo operators have requested additional facilities. This need for additional facilities was identified during the master planning process and has been included in the City's Capital Improvement Program.

Adoption of this budget ordinance will appropriate Airport funds of $3,275,000 to provide funding for the third phase of air cargo development. The project budget is as follows:

Multi-tenant air cargo facility	$1,700,000
Access roads	700,000
Aircraft parking ramps	875,000
	$3,275,000

Additionally, Council previously advanced Airport funds of $3,950,000 to provide for construction of the Piedmont cargo and catering facility until revenue bonds were issued to provide permanent financing. The Finance Director and Airport Manager have now determined that permanent financing should be from Airport funds since the size of the issue and market conditions do not warrant borrowing at this time. The ordinance will also change the temporary source of funding, Airport Operating Fund Balance, to the permanent source of funding for this project. The construction and lease of the facility continues to be a good investment with commitments already made.

GRANT ACCEPTANCE/BUDGET ORDINANCE

14. A. Recommend acceptance of a grant award for the N. C. Department of Crime Control and Public Safety to fund the Victim Assistance Program's Misdemeanor Unit.

B. Recommend adoption of an ordinance appropriating the grant funds of $104,004.

Last year, the Victim Assistance Program received a grant from the Governor's Crime Commission to expand its services through the creation of a Misdemeanor Unit. This unit provides counseling services to victims of misdemeanor crimes, with special emphasis on domestic violence cases. The unit has been a success and the state has approved funding for the unit's second year.

The $104,004 grant must be channeled through a governmental unit; therefore, the City is acting as a conduit for the grant. A local match of $35,820 is required; this is being met through Victim Assistance funding already approved in this year's budget. No additional commitments are required of the City.

Funds for this project come from the grant award from the North Carolina Department of Crime Control and Public Safety and a local in-kind match from the existing Victim Assistance Program. This has been reviewed and approved by the Grants Review Committee.

BID LIST

15. 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. Law Enforcement Center — Police Department

Recommendation: By the General Services Director that the project be awarded to Southeastern Waterproofing Company, Inc. of Charlotte at the low bid of $128,044.00, plus an alternate bid to caulk all seams on the masonry panels in the amount of $13,794.00. Total contract amount $141,838.00.

Project Description: The existing built-up roof and waterproofing have been in place since the Law Enforcement Center was built. Both are deteriorated allowing both energy loss and moisture to enter the building. This project will provide the Law Enforcement Center with a new single-ply roof system with increased insulation and new waterproof caulking between building panels.

Source of Funding: General Capital Improvement Fund - (Building Improvements).

B. Fall Resurfacing - 1987 — Operations Department

Recommendation: By the City Engineer that the low bid of $1,683,982.50, as submitted by Blythe Industries, Inc., be accepted for award on a unit price basis.

Project Description: This is one of two contracts let each year to resurface a portion of the City's approximately 1,300 miles of streets. These funds are allocated by the State from the gasoline tax revenue distributed annually to cities and towns.

This project will include the resurfacing of approximately 55 miles of streets throughout the City.

Source of Funding: Powell Bill - (Contracted Asphalt Street Resurfacing).

C. Power Conditioner/Distribution Unit M.I.S.

Recommendation: By M.I.S. Director and Purchasing Director that the low bid, Watson Electric Company, Inc., Charlotte, N. C., in the amount of $57,749.00 be accepted.

Project Description: This equipment will supply power to the City's mainframe computer system in the new Charlotte-Mecklenburg Government Center. The equipment will prevent variances in power, and thus avoid the possibility of erroneous data generation. Additionally, electrical brownouts or minor disturbances will not interrupt the availability of computer resources that provide support for departmental daily operation.

Source of Funding: General Fund - (Municipal Information Systems).

D. Water Distribution Project 12-Inch Water Main Along Industrial Drive In Pineville - From Rodney Street To Old Pineville Road — Charlotte-Mecklenburg Utility Department

Recommendation: Director, Charlotte-Mecklenburg Utility Department recommends that the low bid by Brown Utility Company of Concord, North Carolina in the amount of $161,457.65 be accepted for award of contract on a unit price basis.

Project Description: Construction of this project would provide reinforcement of the existing distribution system.

Source of Funding: Water and Sewer Capital Improvement Fund - (Water Main Along Industrial Drive).

E. Water Distribution Project 12-Inch Water Main Along McCoy Road — Charlotte-Mecklenburg Utility Department

Recommendation: Director, Charlotte-Mecklenburg Utility Department recommends that the low bid by Brown Utility Company of Concord, North Carolina in the amount of $93,207.45 be accepted for award of contract on a unit price basis.

Project Description: Construction of this project would extend water service to McCoy Road from Julian Clark Avenue to Twin Trail Drive in the North Mecklenburg (Huntersville) area.

Source of Funding: Water and Sewer Construction Fund - (Oaklawn Associates).

F. Tank Contract for Fuel Farm Expansion — Airport Department

Recommendation: The Airport Manager recommends that the low bid from Fisher Tank Co. in the amount of $486,100 be accepted for award of contract on a lump sum basis.

Project Description: This contract provides for all labor, material and equipment for installation of two, 30,000 barrel above-ground fuel storage tanks.

This project is necessary to meet the fuel storage requirements of the airlines serving Charlotte and in conjunction with the overall expansion of Airport facilities. Council approved this project as part of the 1985 and 1987 Revenue Bond package.

Source of Funding: Airport Terminal Capital Projects Fund - (Fuel Farm Expansion).

G. Mechanical Contract for Fuel Farm Expansion — Airport Department

Recommendation: The Airport Manager recommends that the low bid from ROW Industrial Services, Inc. in the amount of $849,700 be accepted for award of contract on a lump sum basis.

Project Description: This contract provides for all labor, material and equipment for mechanical construction work for the proposed fuel farm expansion.

Source of Funding: Airport Capital Improvement Fund - (Air Cargo Development).

H. Air Cargo Ramp Expansion Airport Department

Recommendation: The Airport Manager recommends that the bid from Blythe Industries, Inc. in the amount of $295,710.50 be accepted for award of contract on a unit price basis. Initial bid opening was scheduled for June 4, 1987 and due to submittal of one bid, the project was readvertised as required by North Carolina bidding laws. At the second bid opening again only one bid was received.

Project Description: This ramp expansion project will provide additional aircraft parking to accommodate continued expansion of air cargo activity. City Council previously accepted NCDOT grant funds which covers 50% of the project costs.

Source of Funding: Airport Capital Improvement Fund - (Air Cargo Development).

CITY CODE AMENDMENT

16. Recommend adoption of an amendment to Chapter 10 of the City Code, the refuse collection ordinance, to add a new section on the scavenging of recyclable materials.

This action has been requested by the Mecklenburg Board of County Commissioners.

Under contract to Mecklenburg County, the City of Charlotte is performing collection responsibilities for a multi-material recycling program in designated areas of the City. Residents are given containers to hold recyclable materials that are placed curbside on collection day. The City collects the materials and delivers them to the County for handling.

In the pilot recycling program last year and during the program this year, there have been reports of private individuals picking up the recyclable materials. While there have been attempts to discourage this, there is no ordinance to prohibit pickup by private individuals.

The County Commissioners have asked that the City adopt an "anti-scavenging" ordinance to discourage these activities that can divert revenues from the recycling program. The amendment will:

- define recyclables and those materials presently collected, i.e. glass containers, newspapers, beer and soft drink cans; plastic soft drink bottles;

- make such materials City property once placed at the curb;

- provide for a $25.00 citation for anyone who violates the ordinance; and
- upon conviction, provide for a fine not to exceed $500.

There is no additional cost associated with this ordinance amendment, which will be enforced by the Community Improvement Division.

Adoption of this ordinance is consistent with Mecklenburg County's proposed Solid Waste Management Plan.

CITY CODE AMENDMENT

17. Recommend adoption of an ordinance amending City Code Section 13-36, Chapter 13, "Licenses" to provide for a reduction of $10.00 in the annual motor vehicle privilege license tax for elderly residents with a disposable income not exceeding $11,000.00.

On January 12, 1987, the City Council unanimously approved a reduction of $10.00 in the annual motor vehicle privilege license tax to anyone over 65 years of age with a disposable income not to exceed $11,000.00. This is the same qualification that was formerly used for the personal property tax exemption for the elderly.

Mr. Joseph Stone, Tax Administrator, has been requested to set up a system for implementing this $10.00 reduction to eligible elderly residents who own motor vehicles. He has agreed to do this, and an application blank for this reduction will be included with the property tax listing card to be filed January 1, 1988.

The proposed ordinance will provide the authority for this $10.00 reduction in the motor vehicle tax for anyone who is 65 years or older prior to January 1, 1988, and who meets the income restrictions.

CONTRACTS/BUDGET ORDINANCE

18. Recommend: (1) approval of contracts with the towns of Matthews and Cornelius that provide for the prepayment of certain of the towns' debt and (2) adoption of an ordinance appropriating $395,000 from the Utility Debt Service Fund Balance.

City Council approved agreements with Matthews and Cornelius dated August 1, 1984 and January 8, 1985 respectively, to purchase the towns' water and sewer systems. These agreements provide that the City would be responsible for paying the future debt service cost of any outstanding debt. All of the debt for the two systems is

financed through the Farmers Home Administration (FHA) as compared to the more conventional general obligation bonds that the City issues to finance capital projects.

Pursuant to the Omnibus Budget Reconciliation Act of 1986, the FHA has instituted a program that allows prepayment of debt at a favorable discount rate. Both of the towns have signed agreements which would allow the City of Charlotte to make the early payment on its behalf. The payment will result in cash savings of $823,310 to the City. This equates to present value savings of $194,994.

Prepayment does not apply to the other small towns. Pineville has no water or sewer outstanding debt. The FHA has an "all or none" prepayment requirement; therefore, Huntersville was not eligible for the early repayment program because the City owned its sewer system but not its water system. Davidson has no funding through FHA.

Council is requested to take the following actions related to the prepayment of the debt:

- Approve a contract with the Town of Cornelius, providing for the prepayment of the town's debt for their water system.

- Approve a contract with the Town of Matthews providing for the prepayment of the town's debt for their water system.

- Approve an ordinance appropriating $395,000 from the Fund Balance of the Water and Sewer Debt Service Fund.

This action is recommended by the Finance Department.

CONTRACT AMENDMENT

19. Recommend approval of an amendment to the contract between Mecklenburg County and the City of Charlotte regulating terms of use for the Charlotte-Mecklenburg Government Center.

In May, 1984, local voters approved $32.7 million in bond funds for construction of a new Government Center. In October, 1985, City Council approved a contract between the City and the County detailing ownership, payments, operating procedures and necessary easements. This is the first amendment to the October contract.

As work has progressed on the Government Center, the need for modification or further clarification of several areas of the contract has become evident. Changes provided by this amendment are outlined as follows:

1. At the beginning of our project it was determined that the portion of the City's plaza nearest the proposed courts facility could be most efficiently constructed as part of the County project. This amendment provides an improved method for establishing the cost for this work. The City will reimburse the County for the cost of this portion of the plaza. Funds were reserved for this purpose in the original contract.

2. The amendment also addresses changes made to City or County floor plans. Any costs for changes or modifications to previously approved floor plans will be the responsibility of whichever government requested the changes.

No funding is required for this contract amendment.

The proposed amendment has been reviewed and recommended by the City Attorney's Office and the Engineering Department. This amendment was approved by the County Commission on July 20, 1987.

CONTRACT AMENDMENT

20. Recommend approval of an amendment of a land sales contract from Harris and Morgan, a North Carolina Limited Partnership, to Tri-Star Limited Partnership.

On March 24, 1986, City Council approved the sale of Block 33, Parcel 1 in the West Morehead Neighborhood Strategy Area to Harris and Morgan, a North Carolina general partnership to be formed for the purpose of developing a 2100 square foot light industrial production facility. The partnership remains the same, but this is a bookkeeping action to: (1) change the name of the partnership from Harris and Morgan to Tri-Star Limited Partnership, and (2) permit the developer to submit an irrevocable letter of credit in lieu of the required performance bond.

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

21. Recommend approval of an amendment to the contract between the City and Browning-Ferris Industries for multi-family residential refuse collection services.

The City annexed an area on June 30, 1987 that included one multi-family complex with solid waste collection being provided by Browning-Ferris Industries, Inc. (BFI). This action is an amendment to the City's existing multi-family residential contract with BFI which will allow BFI to continue to provide collection services at this complex for a two-year period at the rates established in the current contract as required by North Carolina General Statutes.

AGREEMENT

22. Recommend an agreement with Applied Data Research, Inc. (ADR) for use of their LIBRARIAN computer software product at a cost of $36,820. Annual maintenance contracts after the first 16 months of use will cost approximately 17 percent of the purchase price.

The City has been using Applied Data Research, Inc. (ADR) software products since installation in 1982 of their database management system. Another ADR product was added in 1984 to increase the speed and efficiency with which computer programs are written. The requested software will complement the products already installed. The LIBRARIAN software provides a number of facilities to safeguard the hundreds of computer programs that routinely operate on the City's computer at MIS. Access to these programs will be automatically controlled and a permanent and traceable record produced each time a program is modified. The use of LIBRARIAN will also make the storage and maintenance of computer program listings unnecessary, thereby freeing up over 200 square feet of space in the new Charlotte-Mecklenburg Government Center.

Funds were approved in this year's budget.

23. Recommend approval of an agreement with Williamson Systems and Consulting Group, Inc. for use of their ARTIS museum management system at a cost of $51,879. Annual maintenance contracts after the first year of use will cost approximately $2,400.

The Mint Museum and MIS staffs conducted a thorough analysis and extensive search for museum support software and determined that the ARTIS system, a proprietary product of the Williamson Group of Cambridge, Massachusetts, is the best source of a system that meets the Mint Museum's needs. The system was designed in consultation with the Art Museum Association of America and includes the computing hardware, software, training and support to meet the automated needs of the museum community.

The system will be used by the Mint Museum to support collections management activities including inventory, status of outgoing loans and of objects in temporary custody, and the tracking of the insurance value of individual objects or portions of the collection. The latter feature will make it easier to maintain the exact value of the collection and ensure that the level of protection is commensurate with the value at risk.

Funds were approved in this year's budget.

24. Recommend approval of a street lighting agreement between the City of Charlotte and Duke Power for the installation of Fourth Ward-Phase V decorative street lighting.

This item was deferred at the July 27, 1987 Council meeting.

The Charlotte Department of Transportation requested a street lighting agreement from Duke Power Company to install decorative street lighting as part of the Fourth Ward-Phase V improvements. The agreement was received on April 19, 1985 and was approved by Council on May 13, 1985. The original agreement was never fully executed because of changes including a reduced number of lights, at the City's request, and a revised lower unit price from Duke resulting in an overall reduction in cost. The work has already been completed and Council is requested to reapprove the revised agreement.

AGREEMENT/BUDGET ORDINANCE

25. A. Recommend approval of an agreement with NCF Financial Corporation (NCFF) for the construction of Phase I of Delta Road Extension.

B. Recommend adoption of a budget ordinance of $250,000 appropriating NCFF's contribution toward this construction.

The FY86 Capital Improvement Program included the Delta Road Extension project which provides for a new four lane roadway from Independence Boulevard to Idlewild Road at Idlewild Road North. The design of Delta Road Extension is underway. In late 1985, NCF Financial Corporation (NCFF), as a provision of the rezoning petition #85-62, suggested the acceleration of the construction of a portion of Delta Road Extension from Idlewild Road North to Campbell Creek and agreed to contribute $250,000 to be used for construction and to dedicate all necessary rights-of-way and easements within their properties needed for the project.

This action will: (1) approve the agreement between the City of Charlotte and NCFF whereby the City agrees to accelerate a portion of the construction of the Delta Road Extension project, and (2) adopt a budget ordinance of $250,000 to appropriate NCFF's contribution toward this construction.

This action has been reviewed by the City Attorney's Office, and the Budget & Evaluation, Finance and Engineering Departments concur with this request.

ITEM NO.

HOUSING LOAN

26. Recommend approval of a loan for permanent financing to purchase property under the Uptown Residential Loan Agreement between the City of Charlotte and a consortium of banks and savings and loan associations.

Approval of the loan is necessary in order to proceed with the closing of the loan under the Uptown Residential Loan Agreement.

Borrower	Property Address	Loan Amount	Appraised Value
Richard Bryon Whisnant	437 Clarkson Green	$85,650	$94,400

The 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.

ANNUAL ORDER OF COLLECTION OF TAXES

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

A memorandum dated August 5, 1987 from J. A. Stone, City-County Tax Administrator, recommends, upon the advice of the City-County Tax Attorney, that the City Council adopt and that the Mayor sign an annual order of collection of taxes. This action has been taken in previous years.

TAX REFUND

28. Recommend adoption of a resolution authorizing the refund of certain taxes in the total amount of $3,917.04 which were assessed through clerical error or illegal levy against 28 tax accounts.

SALE OF PROPERTY

29. Recommend approval of sale of City property at 8421 McAlpine Drive.

Council is requested to approve the sale of City-owned property subject to compliance with the provisions of the North Carolina General Statutes and pursuant to the terms of the following offer:

Property Address	8421 McAlpine Drive
Tax Code	141-05-03
Buyer's Name	Mr. and Mrs. Ernest H. Roback
Offer	$51,400

On February 4, 1987, Mr. & Mrs. Roback submitted an offer of $51,400 which was approved by Council. On March 5, 1987, Mr. William Carpender submitted an offer of $55,000 which upset the Roback offer. This upset offer was also approved by City Council. On May 13, 1987, Mr. Carpender, by letter, withdrew his offer and forfeited his deposit in the amount of $3,000. On July 30, 1987, Mr. & Mrs. Roback again submitted their original offer of $51,400. This offer is acceptable in accordance with previously established criteria for the sale of these properties. Upon acceptance by the City, this offer must be publicly advertised and may be upset by a higher offer in accordance with North Carolina General Statutes.

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

SET PUBLIC HEARINGS

30. A. Recommend setting a joint public hearing with the County Commission for the proposed Sign Ordinance Text Amendment on September 16, 1987 at 7:00 p.m. in the board room on the fourth floor of the Education Center.

B. Recommend setting a public hearing on September 28, 1987 at 3:00 p.m. in the Council Chamber to obtain the views of citizens regarding changes to Chapter 21 of the City Code entitled "Trees".

APPLICATION FOR SPECIAL OFFICER PERMIT

31. Recommend approval of application for special officer permit to Timothy Eugene McEntire for use on the premises of Charlotte/Douglas International Airport.

ITEM NO.

UTILITY CONTRACTS

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

These are extension contracts for new development in accordance with the Water/Sewer Extension Policy. 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. The Utility and Planning Directors recommend approval.

1. Rice Development Corporation, to construct 680 linear feet of 8-inch water main, 1,825 linear feet of 6-inch water main and 1,070 linear feet of 2-inch water main to serve Crown Colony Estates, located north of Alexander Road, east of Shaftesbury Road and west of Harrison Road, inside the Charlotte City Limits. Estimated Cost - $55,000.00. Water Contract No. 86-106.

2. Pace/Dowd Properties, to construct 6,090 linear feet of 16-inch water main to serve York Road, located south of Carowinds Boulevard and west of I-77, outside the Charlotte City Limits Estimated Cost - $260,000 00. Water Contract No 100-87-054.

3. Pace/Dowd Properties, to construct 2,550 linear feet of 8-inch water main, 2,905 linear feet of 6-inch water main and 555 linear feet of 2-inch water main to serve Yorkshire Subdivision, located east of Choate Road, west of Moss Road and south of N.C. Highway 49, outside the Charlotte City Limits. Estimated Cost - $161,000.00. Water Contract No. 100-87-071.

4. John Crosland Company, A North Carolina Limited Partnership, By: Crosland Homes, Inc., to construct 1,027 linear feet of 6-inch water main and 1,746 linear feet of 2-inch water main to serve Kent Village II at Wellington, located south of Dearmon Road, west of Prosperity Church Road and east of Mallard Creek, outside the Charlotte City Limits. Estimated Cost - $37,000.00. Water Contract No. 100-87-082.

5. John Crosland Company, A North Carolina Limited Partnership, By: Crosland Homes, Inc., to construct 1,297 linear feet of 8-inch water main, 645 linear feet of 6-inch water main and 1,200 linear feet of 2-inch water main to serve Wyndmere Subdivision, located south of N.C. Highway 51, east of Reverdy Lane and west of Elizabeth Lane, outside the Charlotte City Limits. Estimated Cost - $47,000.00. Water Contract No. 100-87-028.

6. Colvard Park Limited Partnership, to construct 835 linear feet of 8-inch water main, 3,670 linear feet of 6-inch water main and 2,035 linear feet of 2-inch water main to serve Colvard Park, located west of Mallard Creek Road, north of Mallard Creek and south of Prosperity Church Road, outside the Charlotte City Limits. Estimated Cost - $96,000.00. Water Contract No. 100-87-049.

7. John Trotter Company, to construct 3,494 linear feet of 16-inch water main, 500 linear feet of 8-inch water main, 885 linear feet of 6-inch water main and 1,410 linear feet of 2-inch water main to serve Newell Place Subdivision, located east of Knollwood Circle, west of Old Concord Road and north of Rocky River Road, outside the Charlotte City Limits. Estimated Cost - $183,000.00. Water Contract No. 100-87-096.

8. UDC Homes, to construct 2,300 linear feet of 8-inch water main, 669 linear feet of 6-inch water main and 1,312 linear feet of 2-inch water main to serve Cameron Wood Phase V Subdivision, located east of Park Road, west of McMullen Creek and north of Johnston Road, inside the Charlotte City Limits. Estimated Cost - $71,000.00. Water Contract No. 100-87-089.

9. Hobart Smith Construction Company, to construct 2,029 linear feet of 8-inch sanitary sewer main to serve Breckenridge Section III Subdivision, located north of David Kenney Farm Road, south of Sam Furr Road and east of Hager Ferry Road, outside the Charlotte City Limits. Estimated Cost - $71,015.00. Sanitary Sewer Job No. 621-86-204.

10. Eastern Sunbelt, Incorporated, to construct 2,225 linear feet of 8-inch sanitary sewer main to serve Wellsley Village, Phase II Subdivision, located west of N.C. Highway 115, north of Washam Potts Road and south of Catawba Road, outside the Charlotte City Limits. Estimated Cost - $77,875.00. Sanitary Sewer Job No. 100-87-584.

11. Harry Grimmer & Company, Inc., to construct 2,111 linear feet of 8-inch sanitary sewer main to serve Idlewild Brooke II Subdivision, located south of Idlewild Road, west of Piney Grove Road and east of Campbell Creek, inside the Charlotte City Limits. Estimated Cost - $73,885.00. Sanitary Sewer Job No. 100-87-621.

12. Butterfly Seven Ltd., to construct 2,224 linear feet of 8-inch sanitary sewer main to serve Reacroft Subdivision, located east of Par View Road South, north of Carmel Estates Road and west of Rea Road, inside the Charlotte City Limits. Estimated Cost - $77,840.00. Sanitary Sewer Job No. 100-87-612.

13. Withrow Developers, to construct 13,461 linear feet of 8-inch sanitary sewer main to serve Withrow Subdivision, located north of U.S. Highway 29, east of Salome Church Road and south of Union School Road, outside the Charlotte City Limits. Estimated Cost - $471,135.00. Sanitary Sewer Job No. 100-87-617.

14. John Trotter Company, to construct 3,145 linear feet of 8-inch sanitary sewer main to serve Newell Place Subdivision, located east of Knollwood Circle, west of Old Concord Road and north of Rocky River Road, outside the Charlotte City Limits. Estimated Cost - $110,075.00. Sanitary Sewer Job No. 100-87-609.

15. John Trotter Company, to construct 2,618 linear feet of 8-inch trunk to serve Newell Place Subdivision, located east of Knollwood Circle, west of Old Concord Road and north of Rocky River Road, outside the Charlotte City Limits. Estimated Cost - $104,720.00. Sanitary Sewer Job No. 100-87-551.

16. John Crosland Company, A North Carolina Limited Partnership, By: Crosland Homes, Inc., to construct 1,916 linear feet of 8-inch sanitary sewer main to serve Avon Farm II at Wellington Subdivision, located south of Dearmon Road, west of Prosperity Church Road and north of Mallard Creek Road, outside the Charlotte City Limits. Estimated Cost - $67,060.00. Sanitary Sewer Job No. 100-87-599.

17. Johnston Hall Developers, to construct 2,775 linear feet of 8-inch sanitary sewer main to serve Johnston Hall Subdivision, located south of Old Reid Road, north of Northampton Road and west of Park Road, inside the Charlotte City Limits. Estimated Cost - $82,950.00. Sanitary Sewer Job No. 621-86-217

18. The Dowd Company, to construct 5,310 linear feet of 8-inch sanitary sewer main to serve Provincetowne Phase IV Subdivision, located south of Providence Road West, east of Providence Road and west of Tom Short Road, outside the Charlotte City Limits. Estimated Cost $159,300.00. Sanitary Sewer Job No. 621-79-176.

19. UDC Homes, to construct 2,265 linear feet of 8-inch sanitary sewer trunk to serve Browne's Ferry Subdivision, located east of Browne Road, north of Hayden Drive and south of Dearmon Road, outside the Charlotte City Limits. Estimated Cost - $79,275.00. Sanitary Sewer Job No. 100-87-592.

20. UDC Homes, to construct 2,108 linear feet of 8-inch sanitary sewer main to serve Browne's Ferry Subdivision, located east of Browne Road, north of Hayden Drive and south of Dearmon Road, outside the Charlotte City Limits. Estimated Cost - $73,780.00. Sanitary Sewer Job No. 100-87-593.

PROPERTY TRANSACTIONS

33. Recommend approval of the following property transactions.

A. Acquisition of additional permanent utility sidewalk easement of 10,920.069 square feet (0.251 acres) plus 21.190 square feet (.0004 acres) of additional down guy easement, at 7625 Providence Road, from Katherine W. Springs, for $31,340.00, for the Intersection Improvements - NC 51/NC 16. (Right of Way Agreement)

This area is outside the UDC-V and is not required to be donated by property owner.

B. Acquisition of 797 square feet (.018 acres) of right of way plus permanent easement of 38 square feet (.0008 acres); also included is a temporary construction easement, at 5601 Independence Boulevard, from East Mecklenburg Corporation, for $10,900.00, for the Idlewild Road Widening. (Option)

This property is zoned B-2 and used as a Shell service station. Improvements include shrubs and paved entrance.

C. Acquisition of 6,579 square feet (.151 acres) plus permanent easement of 258 square feet (.005 acres) and temporary construction easement of 13,755 square feet (.315 acres) for Idlewild Road Widening, at the 5600 block of Independence Boulevard, from J. M. Wallace Land Co., for $109,300.00, for the Idlewild Road Widening. (Option)

Improvements include signs, shrubs, and paved parking area.

D. Acquisition of 6.91 acres, at Byrum Drive, from Mr. and Mrs. David B. Cash, for $21,000.00, for the Very high frequency, omnidirectional, radio beam (V.O.R.) Land Acquisition Project.

CONDEMNATIONS

E. Recommend adoption of a resolution of condemnation for 54,036.295 square feet (1.24 acres), at 5610 Camelot Drive, Matthews, North Carolina 28105, from Emmett S. Sullivan and wife, Jennifer B., for $5,100.00, for the 1982 Annexation Sewer - Phase III.

Property owners refused to accept City's offer based on appraisal; their counteroffers were $7,500 for one parcel and $10,000 for one parcel. (The parcels are contiguous.) Property owners are very upset with sewer line on their property plus loss of trees. Condemnation is recommended since no agreement can be reached with property owners.

F. Recommend adoption of a resolution of condemnation for 8,950.35 square feet (0.205 acres) of sanitary sewer easement plus 5,966.9 square feet of temporary construction easement, at rear of 7031 Cheshire Road, from Ruth Williams and any other parties of record, for $400.00, for the Mallard Creek Outfall to Derita.

Property owners of record cannot be located by any means including certified mail. The Legal Department has recommended that the City condemn for the needed sanitary sewer easement.

G. Recommend adoption of a resolution of condemnation of 1,807.42 square feet (0.0415 acres) plus 1,204.30 square feet of temporary construction easement, at 1516 Greene Street, from James Wallace Heirs and any other parties of record, for $400.00, for the Mallard Creek Outfall to Derita.

The property owners and owners of interest have been contacted. However, due to problems revealed in the title abstract, the Legal Department has recommended that the City condemn in order to get clear title.

H. Recommend adoption of a resolution of condemnation of 1,801.94 square feet (0.041 acres) of sanitary sewer easement plus 1,162.85 square feet of temporary construction easement, at 7031 Cheshire Road, from Ruth Williams and any other parties of record, for $300.00, for the Mallard Creek Outfall to Derita.

The owner of record cannot be located by any means including certified mail. The Legal Department has recommended that the City condemn in order to get clear title.

I. Recommend adoption of a resolution of condemnation of 5,337.75 square feet (0.122 acres) of sanitary sewer easement plus 3,558.5 square feet of temporary construction easement, at the rear of 125 Crestland Avenue, from Susie L. Morrow and any other parties of record, for $1,350.00, for the Mallard Creek Outfall to Derita.

Property owner has been contacted four times but refuses to negotiate and will not submit any counteroffer.

- PENDING MATTERS -

In meeting on Monday, September 14, 1987, City Council will make nominations for appointment to the following boards and commissions:

Airport Advisory Committee - one position for a 1-year term, two positions for 2-year terms, and two positions for 3-year terms.

Specialized Transportation Advisory Committee - Two positions for 2-year terms. One incumbent is eligible for reappointment. The other position must be filled by a physically handicapped person.

Applications must be received in the City Clerk's Office no later than Friday, September 4, 1987.

SCHEDULE OF MEETINGS
August 24 - September 11, 1987

Monday, August 24	COUNCIL/MANAGER LUNCHEON Training Center, City Hall Annex	12:00 Noon
	CITIZENS HEARING	2:00 p. m.
	COUNCIL MEETING Council Chamber, City Hall	3:00 p. m.
Wednesday, August 26	BRIEFING ON NEW ZONING ORDINANCE Planning Conference Room Cameron-Brown Building	7·30 a. m.
Thursday, August 27 Friday, August 28	WASTE-TO-ENERGY TOUR, TAMPA AREA	
Monday, August 31	JOINT PUBLIC HEARING - PLANNING DISTRICTS Board Room, Education Center	6·00 p m
Monday, September 7	LABOR DAY - City Offices Closed	
Tuesday, September 8	COUNCIL MONTHLY WORKSHOP Training Center, City Hall Annex	5:00 p. m
Friday, September 11	CEREMONY FOR ACTIVATION OF 54" WATER MAIN Providence United Methodist Church Providence/Sharon Amity Roads	12:00 Noon