AGENDA

Meeting Type:	B
Date:	04-22-1991
SUBJECT	

City of Charlotte, City Clerk's Office

CHARLOTTE

Meetings in April '91

THE WEEK OF APRIL 1 - APRIL 6

1	Monday, 12 Noon	**CITY COUNCIL/COUNTY COMMISSION MEETING/Discussion of Cultural Action Plan** CMGC, Meeting Chamber Conference Room
	Monday, 12 Noon	**PLANNING COMMISSION/Work Session** - CMGC, 8th Floor Conference Room
	Monday, 5 00 p m	**CITY COUNCIL WORKSHOP** CMGC, Conference Center
3	Wednesday, 9 00 a m	**TAXICAB REVIEW BOARD** Law Enforcement Center, 825 E Fourth Street, Room 300
	Wednesday, 9 00 a m	**CIVIL SERVICE HEARING** - CMGC, Room 118
	Wednesday, 5 00 p m	**CITY COUNCIL ZONING ORDINANCE WORKSHOP** - CMGC, Conference Center
4	Thursday, 10 00 a m	**PARADE PERMIT COMMITTEE** - CMGC, 6th Floor Conference Room
	Thursday, 6 30 p m	**CHARLOTTE CITY COUNCIL/REGIONAL ISSUES COMMITTEE** - Cabarrus Country Club, Weddington Road, Concord

THE WEEK OF APRIL 7 - APRIL 13

8	Monday, 3 30 p m	**CITY COUNCIL FINANCE COMMITTEE** - CMGC, Room 271
	Monday, 5 00 p m	**CITY COUNCIL/MANAGER DINNER** - CMGC, Conference Center
	Monday, 6 30 p m	**CITIZENS HEARING** - CMGC, Meeting Chamber (Televised on Cable Channel 32)
	Monday, 7 00 p m	**CITY COUNCIL MEETING** - CMGC, Meeting Chamber (Televised on Cable Channel 32)
	Monday, 7 00 p m	**HISTORIC LANDMARKS COMMISSION** 1221 South Caldwell Street
9	Tuesday, 8 00 a m	**AIRPORT ADVISORY COMMITTEE** - Charlotte/Douglas International Airport, Conference Room A, Main Terminal
10	Wednesday, 8 30 a m	**CIVIL SERVICE BOARD** - CMGC, 7th Floor Conference Room
	Wednesday, 12 Noon	**CHARLOTTE-MECKLENBURG ART COMMISSION/Criminal Courts Plaza Dedication Ceremonies** - Criminal Courts Plaza, 700 East Fourth Street
	Wednesday, 2 30 p m	**CHARLOTTE-MECKLENBURG ART COMMISSION/Executive Committee** - CMGC, 8th Floor Conference Room
	Wednesday, 4 00 p m	**HISTORIC DISTRICT COMMISSION** - CMGC, 8th Floor Conference Room
11	Thursday, 2 00 p m	**ADVISORY ENERGY COMMISSION** - 700 N Tryon Street, Hal Marshall Center, Agriculture Extension Auditorium, Room 1

(Continued on Back)

Public Service And Information Department

600 East Fourth Street

Charlotte NC 28202 2861

704/336-2395

THE WEEK OF APRIL 14 - APRIL 20

15	Monday, 4 00 p m	**CITY COUNCIL/CONVENTION CENTER BLUE RIBBON OVERSIGHT COMMITTEE** - CMGC, Rooms 270 - 271
	Monday, 5 00 p m	**CITY COUNCIL/MANAGER DINNER** - CMGC, Meeting Chamber Conference Room
	Monday, 6 00 p m	**CITY COUNCIL/PLANNING COMMISSION/Zoning Hearings** - CMGC, Meeting Chamber
16	Tuesday, 12 Noon	**JOINT CITY COUNCIL/COUNTY COMMISSION MEETING** - CMGC, Conference Center
	Tuesday, 2 00 p m	**HOUSING AUTHORITY** Housing Authority Administrative Offices, 1301 South Blvd
	Tuesday, 4 00 p m	**PLANNING COMMISSION/Planning Committee** - CMGC, 8th Floor Conference Room
	Tuesday, 4 30 p m	**COMMUNITY RELATIONS COMMITTEE** - CMGC, Conference Center
	Tuesday, 6 00 p m	**CHARLOTTE ADVISORY PARKS COMMITTEE** - CMGC, Conference Center
17	Wednesday, 7 30 a m	**CITY/COUNTY/CHAMBER BREAKFAST** - CMGC, 11th Floor Conference Room
18	Thursday, 7 00 p m	**CHARLOTTE TREE ADVISORY COMMISSION** - CMGC, Conference Center
19	Friday, 7 30 a m	**PLANNING LIAISON COMMITTEE** - CMGC, 8th Floor Conference Room

THE WEEK OF APRIL 21 - APRIL 27

22	Monday, 4 30 p m	**PLANNING COMMISSION/Zoning Committee** - CMGC, 8th Floor Conference Room
	Monday, 5 00 p m	**CITY COUNCIL/MANAGER DINNER** - CMGC, Conference Center
	Monday, 6 30 p m	**CITIZENS HEARING** - CMGC, Meeting Chamber (Televised on Cable Channel 32)
	Monday, 7 00 p m	**CITY COUNCIL MEETING** - CMGC, Meeting Chamber (Televised on Cable Channel 32)
23	Tuesday, 3 00 p m	**COMMUNITY FACILITIES COMMITTEE** - CMUD, 5100 Brookshire Boulevard
	Tuesday, 4 30 p m	**PLANNING COMMISSION/Executive Committee** - CMGC, 8th Floor Conference Room
24	Wednesday, 7 30 a m	**PRIVATE INDUSTRY COUNCIL** - CMGC, Conference Center
	Wednesday, 2 30 p m	**CHARLOTTE-MECKLENBURG ART COMMISSION/Executive Committee** - CMGC, 8th Floor Conference Room
25	Thursday, 7 30 a m	**FIREMEN'S RETIREMENT BOARD** - Charlotte Firefighters' Retirement System Administrative Offices, 428 East Fourth Street, Suite 205
	Thursday, 5 00 p m	**CHARLOTTE-MECKLENBURG ART COMMISSION** - CMGC, 8th Floor Conference Room

THE WEEK OF APRIL 28 - APRIL 30

29	Monday, 10 30 a m	**AUDITORIUM-COLISEUM-CONVENTION CENTER AUTHORITY** - Charlotte Coliseum, 100 Paul Buck Blvd
30	Tuesday, 1 00 p m	**CITY ZONING BOARD OF ADJUSTMENT** - 700 N Tryon Street, Hal Marshall Center, Building Standards Training/Conference Room

April 22, 1991 City Council Agenda
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CHARLOTTE

Mayor Sue Myrick *Mayor Pro Tem Cyndee Patterson*

Stanley M Campbell *Hoyle H Martin*
Daniel G Clodfelter *Roy Matthews*
Ann Hammond *Ella Butler Scarborough*
Pat McCrory *Richard Vinroot*
Tom Mangum *Lynn M Wheeler*

Council Agenda

Monday, April 22, 1991

3.30 PM	-	City Attorney Evaluation
5·00 PM	-	Council-Manager dinner · Light Rail
6 30 PM	-	Citizens Hearing
7·00 PM	-	Council Meeting

ITEM NO.

1. Invocation by Rev. Fred McAllister of Third Presbyterian Church.

2. Consider approval of minutes of March 18, 1991 Zoning Meeting.

VOTE ON CONSENT ITEMS

3. Agenda items 15 through 23 may be considered in one motion except for those items removed from the consent agenda as a result of a Council member making such a request of the City Clerk prior to the meeting.

   Staff Resource: Pam Syfert

POLICY

4. Consider a 30-day study of expanding the existing Convention Center site.

   Information on this item will be sent to Council with the Friday, April 19 Council-Manager memorandum.

   Staff Resource: Del Borgsdorf

5. Approve an option for financing proposed convention center: Option 1: Authorize City Manager/staff to proceed with installment purchase (COP) financing using N.C.G.S. 160A-20 and adopt necessary resolution and budget ordinance. Option 2: Authorize City Manager/staff to proceed with general obligation bond referendum - set date of same.

Convention Center Financing

- April 1, 1991 - Council received information about the proposed convention center including financing.
- April 7, 1991 - a blue ribbon committee chaired by Chuck Grace presented its recommendation to Council.
- April 15, 1991 - Council held a workshop with the committee and all consultants associated with the project to answer any questions about the project.

Council Action

Approve an option for financing proposed convention center:

Option 1: City Council is requested to authorize the City Manager/staff to proceed with the installment purchase (certificates of participation) method of financing. Adopt necessary resolution that directs the City staff to proceed with a 160A-20 financing transaction for the Convention Center.

On April 7, 1991 Council appropriated sufficient funds to provide for payment on the land option through April, 1991. Should Council decide on this method of financing, Council is requested to adopt a budget ordinance of $220,000 to provide for land carrying cost through June 1991.

or

Option 2: City Council is requested to authorize the City Manager/staff to proceed with a general obligation bond referendum and set a date. Should Council decide on this course of action, contracts with the construction manager and architect will be suspended.

Sub-option A - continue options on land at an estimated monthly cost of $110,000. Adopt budget ordinance appropriating sufficient funds to cover costs through estimated sale date of bonds (approximately 3 months past date of referendum).

Sub-option B - discontinue options on land.

Funding Occupancy tax.

Clearances Finance, Budget and Engineering.

Staff Resource: Del Borgsdorf

6. Consider submitting a proposal to the Federal government for assistance with implementing a rail transit system.

Council Action City Council is requested to consider endorsing the request for a 100% demonstration grant to establish commuter rail service from Charlotte to Rock Hill. Although the City will be requesting 100% Federal funding, conversations with Congressman McMillan's office clearly indicate that 100% Federal funding is very unlikely. However, given the lack of local dollars available for this project, if Council wishes to proceed with this commuter rail project, requesting 100% federal funding is the only option.

Demonstration Grant On April 1, Council reviewed and approved our proceeding with preparing a demonstration application to be submitted to Congressman McMillan for inclusion in the Surface Transportation Re-authorization Act. This demonstration application was originally targeted for the Charlotte/Gastonia rail corridor. This is an under-utilized rail line that may be available to purchase from CSX Railroad.

Subsequently, the Light Rail Task Force suggested making the proposal more flexible to include several potential corridors, as well as the specific Charlotte-Gastonia line.

Rail Corridors

Charlotte-Gastonia

A quick study by DeLeuw Cather estimated the capital cost for a commuter rail line to Gastonia at $57.2 million. A copy of the study will be available for Council Monday. This high cost is caused by the need to almost totally rebuild this track to operate commuter rail. This high capital cost, coupled with the low ridership projected by the Planning staff, indicates that we should not pursue Charlotte-Gastonia as an active project at this time. However, staff recommends continuing to work with the State to purchase and protect this right-of-way.

Charlotte-Pineville

Staff then asked DeLeuw Cather to suggest a corridor that might have a lower capital cost and higher ridership potential for commuter rail service. DeLeuw suggested the Charlotte-Rock Hill corridor and estimated capital cost for commuter rail service to Rock Hill at $43.2 million. Other factors that favor the Charlotte-Rock Hill corridor are:

- Provide South Carolina with a transit alternative and hopefully leverage congressional support from our neighboring state as recommended by the Light Rail Task Force;

- The Pineville corridor is the #2 ranked rail corridor as determined by the Planning Department's review of ridership and land development potential;

- I-77 is already over capacity and needs to be widened to four-lanes; however, funds are only available to widen it to three lanes;

- The Pineville corridor will, if implemented, activate the current spur line that runs behind the Convention Center south to Tyvola Road and thus provide service to the heart of Uptown;

- The monies spent in this corridor to demonstrate commuter rail would establish some of the infrastructure needed to develop a light rail project in this corridor at a later date.

The Light Rail Task Force has reviewed the suggested Charlotte-Rock Hill commuter rail service and recommends that City Council request a 100% demonstration grant from the Federal government for this project.

A draft proposal and additional information will be included in the Council-Manager memo on Friday, April 19.

Staff Resource: Boyd Cauble

7. Authorize the City Manager to work with the School Board staff in developing an agreement which will allow for the joint development and use of recreational facilities at the Highway 51 park and school site.

Highway 51 Park Site

- In 1990, the City purchased 106+ acres on Highway 51 for a district park with a construction budget of $1.5 million.
- The land has relatively steep terrain, making athletic field construction costly and difficult.
- The School Board purchased land adjacent to the park for a middle school.
- City staff and school designers have met to develop a conceptual plan which allows for maximum development by using both parcels of land.
- A public input meeting on park needs is scheduled for May, 1991.
- The current schedule calls for the school to open in August, 1992. Other park facilities would be constructed later.

Council Action

Council is asked to authorize the City Manager to develop a formal joint use agreement with the School board. This agreement would reflect the utilization of land, sharing of design and construction costs, and operation of facilities at the school and park site on Highway 51. This agreement would be developed and brought back to Council for approval within the next 90 days. The benefits of such an agreement are:

- The City would have the potential public use of four softball fields and possibly two soccer fields by utilizing both properties. (This is more than could be constructed alone.)
- Reduce the need for extensive roadways on park property.
- Dual use of parking facilities will reduce the amount of land covered with asphalt.
- Summer recreational programs could be conducted using the school building and outdoor park facilities.
- The school can adequately utilize all of its land.
- The School Board would get additional playing fields for student use, in addition to an outdoor classroom for environmental studies.
- The taxpayers get a greater number of recreational facilities at a reasonable cost.

Funding New Park Development Capital Account.

Clearances Parks and Recreation; the City-County Planning staff supports this joint use relationship.

Staff Resource: Julie Burch

8. Recommend adoption of an ordinance amending Chapter 3 of the City Code entitled, "Animals", to regulate the exhibition of animals, to regulate wild and exotic animals, and to allow ferrets to be kept as pets conditional to rabies vaccination and licensing.

Animals In 1989, City Council considered adoption of a new City Code Chapter 3 entitled, "Animals".

- The ordinance contained definitions of "wild animal" and "exotic animal" and sections pertaining to the display of animals and the prohibition of wild and exotic animals.

- Several pet shop owners expressed opposition to the restrictions placed on display of animals behind glass windows, and one owner voiced his objections to the definitions.

- Staff was instructed to review and rewrite the amendment.

The revised amendment has been sent to the pet shop owners for review; no negative comments have been received from the pet shop owners.

Code Amendment

The intent of the amendment is threefold;

- to protect citizens from wild or exotic animals;

- to ensure the well-being and care of animals exhibited in public areas or offered for sale at flea markets and public areas; and

- to require rabies vaccination and licensing of ferrets so they may be kept as pets.

The restriction on exhibition and display-for-sale of animals has been rewritten.

- All references to display behind glass have been deleted. Animals on display for sale or on exhibition must be provided with shelter, shade, food, water and ventilation.

- The manner of exhibition or display cannot endanger the animal's safety in any way.

  The amendment would make unlawful the keeping of any venomous reptile or any wild or exotic animal. However, citizens currently owning such animals with a proper permit would be grandfathered.

- Prohibited animals include, but are not limited to: raccoons, monkeys, lions, wolves, bears, and snakes over 50 pounds.

The definition for "wild or exotic animals" has been redrafted under a new section 3-30(b) "Definition".

- The prohibition of venomous reptiles and wild and exotic animals is based primarily upon a concern to protect the health, safety, and welfare of the citizens of Charlotte.

- Provisions of this section would not pertain to lawfully operated and located pet shops, zoological gardens, scientific research labs, circuses, or veterinarians.

- All citizens currently owning such animals with a proper permit would be grandfathered.

This amendment marks a change in the way ferrets will be registered within the City of Charlotte.

- Previously, ferrets had been considered a wild animal and had to be permitted under the existing law.

- A rabies vaccine has recently been developed for ferrets, thereby allowing them to be protected against the disease.

- The Mecklenburg County Health Department recommends that ferrets be allowed as pets, conditional to being vaccinated against rabies and licensed. This amendment reflects their recommendation.

Clearances: Charlotte/Mecklenburg Animal Control Department, City Attorney's Office, and the Mecklenburg County Health Department.

Staff Resource: C. Don Steger

9. Consider approval of the City's participation to study the effectiveness and efficiency of the local criminal justice system.

Federal Grant — The Citizen's Criminal Justice Commission has requested a federal grant through the Governor's Crime Commission to fund a Local Criminal Courts Operations Improvement Project.

$30,625 City Match — The first year budget for this study is $245,000. Federal funding will cover $183,750 of the cost but the grant requires a 25% cash match of $61,250. The County has agreed to pay one half of the match, $30,625, and the Citizens Criminal Justice Commission requests the City provide the remaining $30,625 of the first year match.

The Project — The project is a two year study that would bring in nationally recognized professional consulting services to study the management, organization, and operations of the following agencies:

- Criminal Division of the Clerk of Superior Court
- Superior Court
- District Court (including Warrant Issuing Magistrates)
- District Attorney
- Public Defender
- Pretrial Services
- Mecklenburg County Criminal Justice Information System (MCCJIS)
- Mecklenburg County Intake Center
- Sheriff's Department (excluding correctional functions)

- The study will be conducted with the active participation of each agency and will focus on each agency's impact on the entire criminal justice system and its overall goals.

- Once the studies are completed, consultants will work with each agency to develop individualized plans which will enable each agency to function more effectively and efficiently both internally and within the overall criminal justice system.

- In the final phase of the study the consultants will develop methods to measure each agency's effectiveness and efficiency within the criminal justice system as well as an ongoing mechanism of system evaluation and accountability.

There is a likelihood that the Criminal Justice Commission will request funding again next year for implementation of the recommendations from the study.

One of the concerns is that no one individual or agency is in charge of the Criminal Justice System, and thus none has the authority to insure implementation of the study's recommendations throughout the system. The majority of the criminal justice officials are elected independently, and are regulated by the state or by state statute. While they have agreed with the intent of the Criminal Justice Commission's study, the Commission has no authority to require implementation. Consequently, the outcome of the study will depend upon voluntary cooperation by all the court officials.

Funding: The matching funding will be included in the FY92-93 budget.

Clearances: The City Manager's Office; Budget and Evaluation.

Staff Resource: C. Don Steger

10. Consider Mecklenburg County's request for staff assistance to develop a position paper establishing a Solid Waste Management Authority.

Solid Waste Management Authority: The Waste Management Advisory Board requested that Mecklenburg County study the possibility of consolidating solid waste responsibilities into a Solid Waste Management Authority (see attachment). Before agreeing to do a formal, in-depth study, the Mecklenburg County Board of Commissioners wants a preliminary report on the issues involved in an Authority. This preliminary report would need to be completed by June 1, 1991.

Council Direction

The County has requested staff representatives from the City and the other towns in the county to help develop this position paper (see attached letter).

Staff is requesting Council's direction on participating in this County study due to:

- the substantial commitment of staff resources that this would require exceeds the four hour limit set by City Council;

- the long-term implications for City solid waste services and financing posed by such an authority.

Staff Resource: Don Steger

Attachment No. 1

11. Recommend approval of the Finance Committee's recommendation to retain the existing policy of not compensating appointed boards, commissions and committees.

Compensation

City Council traditionally has not compensated citizen boards, commissions and committees. One exception is the Planning Commission, which was granted a stipend of $125 per month in 1982.

In January, 1991, the City Zoning Board of Adjustment requested a stipend similar to that of the Mecklenburg County Zoning Board of Adjustment which receives $35 per meeting, with the chair receiving $50 per meeting.

On April 8, 1991, the Finance Committee considered two options:

- Continue the current policy of not compensating citizen boards and commissions beyond the stipend already given to the Planning Commission.

- Establish the opportunity for boards and commissions to be compensated based upon the nature of their work, the frequency with which they meet, and the personal expenses the members incur.

A full description of the options and a survey of other jurisdictions' policies is attached.

Committee Recommendation: Council is requested to approve the recommendation of the Finance Committee to retain the existing policy of compensating only the Planning Commission.

Funding: Compensating boards and commissions is estimated to cost $2,000 to $3,000 per year per board, depending on the stipend and the frequency with which they meet.

Staff Resource: Pam Syfert

Attachment No. 2

12. Recommend referral of the Southwest District Plan to the Planning and Public Works Committee for recommendation to Council.

Committee Referral: Due to the complexity of the issues within the Southwest District Plan, especially those related to the land use policy within the noise contours around the Airport, Planning staff requests that the plan be referred to the Planning and Public Works Committee. This will help ensure that there is adequate time for in-depth review and discussion of the issues.

Southwest District Plan: The Charlotte City Council and the Mecklenburg County Commission will hold a joint public hearing for comments on the Southwest District Plan on Thursday, June 13, 1991. A presentation of the plan will begin at 4:30 p.m. with the hearing following at 6:00 p.m.

As part of the planning and approval process, the Planning Commission hosted two public hearings, one on October 2, 1990 to present the plan and receive public comment and another on January 15, 1991 which was hosted by the Planning Committee.

The Airport Advisory Committee, the Aviation Director and the study group have endorsed this plan.

Staff Resource: Pam Syfert

13. Recommend approval of workshop topics for the Thursday, May 9, 1991 Council workshop.

Because of the Charlotte Chamber visit to Indianapolis, the regular workshop has been moved to Thursday, May 9 at 5:00 p.m. The following items are proposed for discussion.

Presentation of two-year budget and Capital Improvement Program
Realignment of Council voting districts
Auditorium-Coliseum-Convention Center Capital Projects

Staff Resource: Pam Syfert

BUSINESS

14. Recommend approval of Option 2 to proceed with the development of Statesville Road Park within the $5 million allocation.

Statesville Road Park — The 1988 park bonds allocated $5 million for development of the Statesville Road Community Park.

- The 306 acres were divided into an active recreational area and an area set aside for development of a botanical garden.
- The master plan of the active areas anticipated a $6.6 million construction estimate, in addition to $1.2 million to purchase 49.8 acres of additional land.
- At the February 11, 1991 Council meeting, City Council requested that staff present a series of alternatives for development and land acquisition at the park site that would stay within the $5.0 million allocation.
- It is anticipated that construction could begin in the summer of 1992.

Land Acquisition - Cost Estimate and Rationale.

Parcel A - 17.6 acre Hutchison tract, estimated cost $440,500

- Acquisition of this parcel would expand the park's frontage along Statesville Road and would preclude the potential for private development that may infringe on the park's activities.

Parcel B - 12.5 acre Biggar tract, estimated cost $237,000

- Acquiring this tract would allow for the development of a lake amenity that would be of sufficient size for a community park.

Parcel C - 19.7 acre Crow/Freeman tract, estimated cost $544,200

- This land would improve the access to the botanical garden site along Nevin Road, by allowing the entrance road to be relocated to a safer position. Private development would not be able to occur at the entrance to the garden.

Options

Council is asked to consider the attached options which note the amount of land which could be purchased vs. the amount of park development which could initially be constructed.

Recommendation

Staff recommends Option #2.

- This option provides for construction of a greater amount of facilities at this time.
- It improves access for the botanical garden by purchasing only that land specifically needed for that purpose.
- The construction of the lake, as envisioned, can take place.
- The land on Statesville Road could be purchased at a later date.

The Parks Advisory Committee recommends Option 1. It is their feeling that we must secure as much land as possible now in order to enhance the future development of this park.

Funding 1988 Parks and Recreation Facility Bonds.

Staff Resource: Julie Burch

Attachment No. 3

CONSENT

BUDGET ORDINANCE

15. Recommend adoption of a budget ordinance to transfer $1 million from the unappropriated Water and Sewer Operating Fund Balance to McAlpine Creek Wastewater Treatment Plant Capital Account.

Change Orders For approximately seven years, the Utility Department has been involved with the latest upgrading and expansion of the McAlpine Creek Wastewater Treatment Plant. As completion approaches on all construction and consultant contracts, numerous change orders must be approved to meet the required scope of work and and make final payments on contracts.

The change orders include approximately $450,000 in construction items not originally specified in the project. Also approximately $500,000 is needed to extend the engineering consultant's contract because this project has taken more time than anticipated due to the scope and complexity of the project.

A considerable amount ($300,000 - $400,000) of the additional appropriation may ultimately be identified as surplus due to liquidated damages.

Funding The budget ordinance will transfer $1 million from the Water/Sewer Operating Fund Balance to McAlpine Creek Wastewater Treatment Plant Capital Account.

Clearances Utility Department.

BID LIST

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

A. 1 - Rear Loading Refuse Collection Vehicle — Solid Waste Services

Recommendation: By Purchasing Director and Solid Waste Services Director that the integrated unit submitted by Stockton Motor Company, Charlotte, N. C., in the amount of $84,779.00, be accepted for award of contract on a unit price basis.

Project Description: This proposed purchase is for one rear loading refuse vehicle for collection of refuse from streets and alleys in the uptown central business district and adjacent residential areas.

This proposal was prepared in a manner in order to take advantage of a cab and chassis price and a body price from cab and chassis suppliers and body suppliers. The integrated price received from Stockton Motor Company, Charlotte, N. C., $84,779.00, is lower than any other combination of pricing received.

Source of Funding: Capital Equipment Fund - (Solid Waste Services).

B. Police & Fire Academy - Modular Units — Police & Fire Dept.

Recommendation: By the General Services' Director that the project be awarded to Space Master Building of Atlanta, Ga., the low bidder in the negotiated amount of $156,238.00.

Project Description: A space needs study of the Police and Fire Training Academy by Wilkerson and Associates (October, 1989) indicated that nine additional classrooms were needed. Expansion of the Academy is included in the Capital Improvement Program, but the expansion will not be completed until 1997. This contract includes the purchase of two classroom modular units and one shower modular. These units will provide a temporary solution to the space problem and can be used at other facilities once the Academy is expanded.

Source of Funding: General Capital Improvement Fund - (Building Improvements and Police-Fire Academy Improvements-Pay-As-You-Go Tax Levy).

CITY CODE AMENDMENT

17. Recommend adoption of an ordinance amending Chapter 10 of the City Code entitled "Health and Sanitation", deleting the "Operations Department" and establishing the "Solid Waste Services Department".

City Code Revision: In late 1989, the Operations Department was reorganized and a new Solid Waste Services Department created. This action revises the City Code and substitutes the correct department name where appropriate.

Clearances: Solid Waste Services Department, City Attorney's Office, City Manager's Office.

HOUSING CODE ENFORCEMENT

18. Detailed information is attached. Funds are available and liens will be placed against the properties for the costs incurred.

A. Recommend adoption of an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling located at 5213 Lawrence Orr Road. (Hickory Grove)

B. Recommend adoption of an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling located at 1009 Van Every Street. (Belmont)

C. Recommend adoption of an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling located at 1505 N. Davidson Street. (Optimist Park)

D. Recommend adoption of an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling located at 1417 N. Davidson Street. (Optimist Park)

E. Recommend adoption of an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling located at 1415 N. Davidson Street. (Optimist Park)

Attachment No. 4

UTILITY AGREEMENT

19. Recommend a utility agreement between the City of Charlotte and the North Carolina Department of Transportation (NCDOT) for constructing an interchange at SR 2145 (Sam Furr Road) at I-77 from SR 2136 (Sherrill Road) to east of US 21.

Utility Agreement: The construction of an interchange at Sam Furr Road and I-77 requires the adjustment and relocation of certain Charlotte-Mecklenburg Utility Department (CMUD) water lines. The utility agreement provides for the NCDOT's contractor to perform water line adjustment and relocation work at an estimated cost of $81,144.50. The City is responsible for reimbursing the NCDOT for costs associated with the adjustment/relocation of CMUD water lines within State controlled rights-of-way.

Funding: Relocation of Water Lines for Street Improvements Capital Account.

Clearances: Plans have been approved by the Charlotte Department of Transportation (CDOT), the City Engineering Department, and the Charlotte-Mecklenburg Utility Department. The agreement and resolution have also been approved as to form by the City Attorney's Office.

SALE OF CITY PROPERTY

20. Recommend acceptance of an offer from Hickory Grove Baptist Church to purchase 2.482 acres of City-owned property at the rear of Fire Station #23, 7400 East W. T. Harris Boulevard.

Surplus Property: On November 13, 1990, City Council declared surplus 2.482 acres of City-owned property located at the rear of Fire Station #23, 7400 East W. T. Harris Boulevard, and authorized Engineering Department/Real Estate Division to offer it for sale.

- The parcel was purchased for Fire Station #23 in 1977.
- The Fire Department utilized only the front portion of this property with an additional 40 feet being reserved for future expansion, if needed.
- The 2.482 acre rear portion was appraised for $25,900.00, and an offer for same was received. In accordance with N.C.G.S. 160A-169, the property was advertised for upset bids on March 8, 1991, and left open for ten (10) days with no upset bids received.

Recommendation: It is recommended that City Council accept the offer of $25,900.00 from Hickory Grove Baptist Church to purchase this property. Planning staff recommends the property be sold subject to the restriction that no development or use be allowed within 35 feet of adjacent properties if no rezoning is required. If rezoning is required, staff recommends careful review of the impact the proposed development may have on adjacent properties.

Funding: Proceeds from the sale will be deposited into a General Fund Revenue account.

Clearances: All City departments have been canvassed with none expressing an interest in retaining this parcel for City use. The Planning Commission has also reviewed and concurs with the mandatory referral.

Copies of the mandatory referral and a map of the parcel are attached.

Attachment No. 5

TAX REFUND

21. Recommend adoption of a resolution authorizing the refund of certain taxes in the total amount of $9,842.56 which were assessed through clerical error or illegal levy against 77 tax accounts.

SET PUBLIC HEARINGS

22. Recommend setting a public hearing on May 13, 1991 at 7:00 p.m. in the Meeting Chamber for consideration of the FY92 operarting budget and the FY92-96 Capital Improvement Program.

PROPERTY TRANSACTIONS

23. Recommend approval of the following property transactions and adoption of the condemnation resolutions.

1. Project: F.A.R. Part 150 Land Acquisition
   Owner(s):John W. Dellinger and wife Myrtle
   Property Address: 7600 Whippoorwill Drive, Charlotte, NC 28210
   Property to be acquired: 1.988 Acres
   Improvements: 3 bdrm, 2 bath, brick ranch house
   Price: $89,800.00
   Remarks: Property purchased under Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition & Relocation Act 1970. Owners eligible for relocation benefits. Acquisition eligible for Federal Aviation Administration reimbursement.

2. Project: Park/Johnston Rd. Widening-Phase II, Segment III, Parcel #357
   Owner(s): Merry Land and Investment Company, Inc.
   Property Address: 7700 Cedar Point Lane
   Property to be acquired: 68 sq.ft. (0.0016 ac.) Permanent Easement plus 17,074 sq.ft. (0.3920 ac.) Temporary Construction Easement
   Improvements: Landscaped berm, trees, shrubs, flowers, landscaped median, entrance way, signage, flag poles, irrigation
   Price: $34,450.00
   Remarks: Zoned: R12MFC Use: Multifamily

3. Project: Park/Johnston Road Widening, Phase II, Segment III, Parcel #373
   Owner(s): Feld Development Corporation (NC)
   Property Address: 9000 Block Park Road
   Property to be acquired: 4,581 sq.ft. (0.1052 ac.) of fee simple acquisition
   Improvements: none
   Price: $30,000.00
   Remarks: Zoned: B-4 Use: Vacant

4. Project: Park/Johnston Road Widening, Phase II, Segment II, Parcel #372
   Owner(s): Windridge-Oxford Associates Limited Partnership No. 201
   Property Address: 9902 Park Road
   Property to be acquired: 9,997 sq.ft. (0.2295 ac.) of Temporary Construction Easement
   Improvements: Landscaping, trees, shrubs, lawn, flowers, landscaped traffic median, stone planter, signage, paving, curbs & gutter
   Price: $23,100.00
   Remarks: Zoned: R-12MFCD Use: Multifamily dwellings

5. Project: Park/Johnston Road Widening Project, Phase II, Segment I, Parcel #238
   Owner(s): Quail Hollow Homeowners Association No. 4, Inc.
   Property Address: Sharon Road West
   Property to be acquired: 3,547 sq.ft. (0.0814 ac.) Permanent Easement plus 4,375 sq.ft. (0.1004 ac.) Temporary Construction Easement
   Improvements: Paved entrance way, lawn, shrubs and trees, signage
   Price: $10,300.00
   Remarks: Zoned: RPUD Use: Single Family Homes, Subdivision Common Area

CONDEMNATIONS

1. Project: Hebron Street Extension - Phase II
   Owner(s): Silver Mount Baptist Church, Parcel #52
   Property address: 14 acres Arrowood Road
   Property to be condemned: In fee simple 18,907.11 sq.ft. (0.434 ac.), Permanent Utility Easement 389.72 sq.ft. (0.008 ac.).
   Improvements: none
   Price: $950.00
   Reason for condemnation: Original condemnation was approved by City Council on November 26, 1990 for $5,000.00 and was filed on March 13, 1991. An amendment to this resolution is needed to correct property description and compensation to be paid.

Put on Small Sites
refer to Dan
copy Planning

MECKLENBURG COUNTY

Office of the County Manager

April 3, 1991

O. Wendell White
City Manager
600 E. Fourth Street
Charlotte, N.C. 28202

Dear Wendell:

On April 1, 1991, the Board of County Commisioners instructed staff to develop a position paper on consolidating solid waste management responsibilities. These instructions resulted from a request by the Waste Management Advisory Board for a study of the potential for consolidating these responsibilities currently shared among the municipalities and county. The Board wants to have a more thorough explanation of issues before considering funding a formal study.

We want to coordinate the development of this position paper with representatives from the towns and City of Charlotte. Please forward names of representatives from your staff who will work with us. These names should be sent to Bobbie Shields, County Engineering Director, 700 N. Tryon Street, (336-3713).

Our target date for completing the position paper is June 1, 1991. This gives an opportunity to consider potential study costs as part of the fiscal year 1992 budget.

If you have questions, please contact Bobbie Shields, County Engineering Director, or Wanda Towler, Assistant County Manager.

Very truly yours,

Gerald G. Fox
County Manager

GGF/kg

Attachment

cc: Bobbie Shields
Wanda Towler

600 East Fourth Street • P O Box 31787 • Charlotte North Carolina 28231 • (704) 336 2472

Mecklenburg County, North Carolina

WASTE MANAGEMENT ADVISORY BOARD

(704) 336-2713

February 15, 1991

Board of County Commissioners
Mecklenburg County
600 East Fourth Street
Charlotte, North Carolina 28202

Subject: Waste Management Advisory Board
Recommendation for Study

Ladies and Gentlemen:

The Waste Management Advisory Board (WMAB) recommends that the Board of County Commissioners study the potential for consolidating waste management responsibilities shared among the municipalities and the County, including the potential for establishing a waste management authority. After careful consideration, the WMAB adopted the attached related resolution.

As you know, the WMAB is comprised of 20 members appointed by the Board of County Commissioners, and includes representative endorsed by the City of Charlotte and the elected governing bodies of other municipalities within the County. The members represent a variety of backgrounds and interests.

While under consolidation, or adoption of an authority, the County and the municipalities would lose direct control over waste collection and disposal, there would be relief from the direct financial and management burdens of solid waste disposal. Costs for the collection/disposal could be totally underwritten by user fees rather than wide-spread ad valorem tax support now provided. A single County-wide operating unit would be better positioned to participate in regional waste solutions that become available.

If the Board of County Commissioners decides to move forward with the study, the WMAB would be happy to participate or provide a facilitating function. The WMAB strongly believes in the need for a study, but is not prejudiced about its outcome.

If you have any questions or comments about the recommendation, please contact me at 365-2325. On behalf of the WMAB, thank you for the opportunity to provide citizen input on waste management issues.

Yours very truly,

WILLIS ENGINEERS

Charles A. Willis, P.E., DEE, Chairman,

Attachment

MECKLENBURG COUNTY WASTE MANAGEMENT ADVISORY BOARD

RESOLUTION FOR STUDY OF
CONSOLIDATION WASTE MANAGEMENT RESPONSIBILITIES
MECKLENBURG COUNTY

WHEREAS: North Carolina Senate Bill 58 was ratified on the 11 day of July, 1990, and

WHEREAS: Senate Bill 58 provides for the creation of regional solid waste management authorities, and

WHEREAS: the purpose of a regional solid waste management authority is to provide environmentally sound, cost effective management of solid waste, including storage, collection, transportation, separation, processing, recycling and disposal in order to protect the public health, safety and welfare, enhance the environment, and recover resources and energy, and

WHEREAS: various levels of waste management service can be provided to the residents of Mecklenburg County on a variable fee collection schedule, and

WHEREAS: any two or more units of local government may create a regional solid waste management authority by adopting substantially identical resolutions to that effect,

NOW, THEREFORE, BE IT RESOLVED: The Mecklenburg County Waste Management Advisory Board recommends to the Board of County Commissioners that appropriate action be taken to study the potential for consolidating waste management responsibilities shared among the municipalities and the County, and the potential for establishing a solid waste management authority in Mecklenburg County. The study should include input from representatives of Mecklenburg County, the City of Charlotte, and all other municipalities.

Adopted January 15, 1991

CITY COUNCIL FINANCE COMMITTEE

ISSUE: Compensation for Appointed Boards

BACKGROUND: City Council has been requested to compensate the Zoning Board of Adjustment. The current Council Policy is not to compensate citizen appointed boards and commissions, with the exception of the Planning Commission, which has received $125 per month since 1982. The issue was last considered by Council in October, 1985, and the policy was reaffirmed.

A copy of a report completed in January 1991 by Budget and Evaluation is attached for your review.

COMPARISON WITH OTHER JURISDICTIONS: A chart comparing the compensation policies of six cities and counties follows. There is a wide variety of approaches to this issue; however, several common tendencies emerged:

1. No jurisdiction has a formal policy stating whether to compensate boards and commissions, which boards and commissions to compensate, if any, and how much to compensate them.

2. Counties are more likely to compensate boards and commissions than are cities, possibly because of county's greater historical use of regulatory boards and commissions with actual enforcement powers.

3. The vast majority of jurisdictions which compensate boards and commissions make arbitrary payments. The compensation is not meant to reflect actual costs or necessarily to cover expenses.

4. Most boards and commissions meet once per month, usually outside of the normal workday hours.

POLICY OPTIONS: Council may wish to choose one of the following options for determining the compensation issue:

Policy Option #1 (Existing Procedure)

It is the policy of City Council not to compensate citizen boards, commissions and advisory groups. These groups were established by City Council to offer input into City operations on a volunteer basis.

Policy Option #1 (continued)

The one exception to this policy is the Planning Commission, which is to receive $125 per month. This exception is made due to the vital function the Planning Commission fulfills for City Council, the nature of work for which it is responsible and the regulatory powers granted to it.

Exceptions to this policy other than the Planning Commission will be considered only as a reconsideration of the policy, not on an individual basis.

Policy Option #2 (Potential Expanded Compensation)

It is the policy of City Council not to compensate boards and commissions of an advisory nature; however, boards and commissions of a regulatory or quasi-judicial nature may be compensated if they meet each one of the following criteria:

1. A nature of work and range of granted powers and authority requiring independence and autonomy. Decisions either do not need endorsement by City Council or offer interpretation to Council of complex City ordinances and regulations.

2. Responsibilities which require in excess of at least one regular meeting per month to fulfill.

3. The necessity to incur unreasonable personal expense, particularly travel, in order to fulfill responsibilities required by appointment to that Board or Commission.

The City Manager would receive, review and make recommendations on all requests for compensation to Boards and Commissions. Appeals of the Manager's recommendations will be made to City Council.

The appropriate compensation to any board or commission, which qualifies, appears to be $35 per meeting.

IMPACT: After a cursory review by staff, it appears that the Zoning Board of Adjustment, the Historic Districts Commission, the Historic Landmarks Commission and the Housing Appeals Board may meet at least one of the three criteria above.

COSTS: The approximate cost of compensating an average board or commission would be $2,000 to $3,000 per year per board or commission at the $35 per meeting rate.

ATTACHMENTS:

1. Survey of other local governments.

2 January, 1991 report on compensation to Boards and Commissions.

COMPENSATION FOR APPOINTED BOARDS

Are appointed Boards and Commissions compensated?
If so, which Boards and Commissions and what is the compensation?

Charlotte	Yes	Planning Commission - $125 per month
Mecklenburg County	Yes	Board of Equalization - $80 Chair, $55 members per meeting Electrical Advisory Board - $25 per meeting Fire Commission - $10 per inspection Zoning Board of Adjustment - $50 Chair; $35 members per meeting Civil Service Board - $10 per meeting
Durham City	Yes	Planning Commission - $25 per meeting Board of Adjustment - $25 per meeting
Durham County	No Response	
Greensboro	No	
Guilford County	Yes	Planning Commission - $20 per meeting Board of Adjustment - $20 per meeting Mental Health Board - $10 per meeting Health Commission - $10 per meeting

-continued-

Are appointed Boards and Commissions compensated?
If so, which Boards and Commissions and what is the compensation?

Raleigh	No	
Wake County	Yes	Planning Commission - $25 per meeting Board of Adjustment - $25 per meeting, $50 meeting and tour
Wilmington	No	
New Hanover County	Yes	Health Board - $25 chair, $20 members per meeting Social Services Board - $35 chair, $25 members per meeting Airport Advisory - Reimbursed for expense Planning Board - $20 per meeting Regional Mental Health Board - $30 per meeting plus 24 cents/mile
Winston-Salem	No	
Forsyth County	Yes	Board of Adjustment - $25 per meeting Jury Commission - $300 maximum per month, based on number of hours worked

Compensation for Appointed Boards

On January 11, 1991, Thelma Currence, Chair of the Zoning Board of Adjustment requested that the Board receive a stipend similar to that received by the County Zoning Board of Adjustment. The Budget and Evaluation Department researched this issue and has prepared the following report.

City Council previously considered a request (October 14, 1985) for stipends from the Civil Service Board. The request was referred to the Operations Committee and staff presented a report for their consideration. The report included the following conclusions from an extensive survey of other local governments:

- No evidence of a trend exists for addressing compensation for volunteer boards.
- No written policies exist which evaluate which boards are compensated or for what purpose.
- Of the government units surveyed, the boards that pay stipends are generally "regulatory" in nature, such as Alcohol Beverage Control, Planning, Board of Adjustment, Civil Service.
- Other types of "financial" amenities are provided, such as, free parking, mileage, catered meals, limited in- and out-of-town travel expenses.

Options prepared for the Committee were as follows:

- Establish a policy to determine whether a Board is compensated on an individual request basis.
- Approve Civil Service as a board to receive compensation, a $10 per meeting cost is comparable to Mecklenburg County's allowance. This would require requesting an amendment to the City Charter through the General Assembly.
- Continue the current policy (with the exception of the Planning Commission) of volunteers serving on boards as a community service and commitment.

City Council considered the issue at their October 14, 1985 meeting and the request for stipends was not approved by a 9-1 vote. The vote was to reaffirm the Council policy of not compensating appointed boards, commissions and committees.

In 1982, Council approved a stipend for the Planning Commission totalling $125 per member per month. This stipend is designated to cover the cost of gasoline, auto maintenance and other associated costs of attending neighborhood meetings and reviewing rezoning locations.

Additional information from the County regarding boards that receive stipends, is provided below:

Boards	Stipends
County Board of Equalization	$80 Chair/$55 member per meeting
County Electrical Advisory Board	$25 member per meeting
County Fire Commission	$10 per inspection
County Zoning Board of Adjustment	$50 Chair/$35 member per meeting
County Civil Service Board	$10 member per meeting

Based on current Council policy, stipends are not authorized for any appointed bond commission or committee (with the exception of the Planning Commission).

Prepared by

Budget and Evaluation
January 31, 1991

FINANCE AND LONG RANGE PLANNING COMMITTEE
April 8, 1991
EXECUTIVE SUMMARY

The City Council Finance and Long Range Funding Committee met at 3:30 p.m., on April 8, 1991, in Room 271 of the Charlotte-Mecklenburg Government Center, with Chairman Roy Matthews presiding. Committee members Stan Campbell and Ann Hammond were present. Committee members Pat McCrory and Lynn Wheeler were absent. Council member Hoyle Martin was also in attendance.

Staff members in attendance were: Curt Walton-Budget; Pam Syfert and Darlene Shrum-City Manager's Office

Also present: Thelma Currence, Chairman of the Charlotte Zoning Board of Adjustment

Policy Options for Paying Stipends to City Advisory Boards

Discussion: The committee met to discuss options for compensating citizen appointed boards and commissions. The City's Zoning Board of Adjustment requested that City Council consider providing stipends to their members similar to that of the Mecklenburg County Zoning Board of Adjustment ($35 per meeting for members, with the chairman receiving $50).

Thelma Currence indicated that the basis for the request was that their board devotes a great deal of time to hearing about 10 cases a month, is quasi-judicial in nature, and must research issues and be familiar with laws affecting their decisions.

The committee felt there was merit to the appeal, but felt that the issue should be addressed only if the City were not able to draw qualified volunteers for service to boards, or at such time when City and County Zoning Boards merged. They requested that the City Attorney's Office and the Zoning Administrator be directed to assist the Zoning Board of Adjustment with changes in laws or issues affecting their charge.

Action Taken: The committee unanimously approved a motion recommending that City Council retain the existing policy compensating only the Planning Commission.

It was requested that an appropriate letter of explanation be sent to the Charlotte Zoning Board of Adjustment after City Council's decision on the matter.

Meeting adjourned at 3:40 p.m.

	Option #1	Option #2	Option #3	Option #4	Option #5
Land Acquisition Estimated Cost	Purchase all parcels $1 2 M	Purchase all of parcel B, part of parcel C, Do not purchase A $537,000	Same as #2	Purchase A&B do not purchase C $677 500	Purchase no land at this time
Funds available for development	$3 8 M	$4 4 M	Same as #2	$4 3 M	$5 M
Proposed Development	o roadways and all site grading o maintenance facility o part of multi purpose area o lake with picnic shelter, fishing pier o lighted softball complex o youth ballfields o one soccer field o 1/3 nature trail o mountain bike trail o gravel parking lots	all of option #1, plus o completion of three soccer fields and basketball courts o volleyball courts o complete nature trail	all of option #1 plus o two additional rental shelters at lake o boat dock o large rental lake pavillion	Same as option 2 or 3	o all of option 2 o lake would be restudied
Advantages	o allows for entire lake to be constructed o secures land for the future	o improve access to botanical garden o more recreational facilities built	o completes all lake development	o provides frontage on Statesville Rd o allows for lake to be developed o protects park entrance from private development	o maximize current development
Disadvantages	o provides minimum development at this time	o reduced frontage on Statesville Road o private development may occur at entrance	Same as #2	o does not secure land for botanical garden now o garden could provide at a later date	o smaller lake or no lake o land may not be available in the future o private development at park entrance
1st Year Operating Cost	o $205,000	$235,000	$250,000	Same as 2 or 3	$250,000

HOUSING CODE ENFORCEMENT

A. Recommend adoption of an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling located at 5213 Lawrence Orr Road. (Hickory Grove)

PROPERTY ADDRESS: 5213 Lawrence Orr Road, Census Tract #19.06; Council District #5; Neighborhood: Hickory Grove

PROPERTY OWNER: Sheila Amentries Brown

BACKGROUND:

Date of Inspection: 2/21/91
Reason For Inspection: Field Observation
Owner(s) Notified of Hearing: 2/26/90
Hearing Held: 3/23/90
Owner(s) Ordered to Demolish Dwelling By: 4/23/90

A title search was ordered and received in October 1990. The title search revealed no parties in interest to the property.

Owner(s) Requested and Granted Extension to: 1/31/91

Estimated Value of Dwelling: $4,680
Estimated Repair (Which is more than 65% of Estimated Value): $7,435

The repairs include: major structural, mechanical, electrical and plumbing repairs. The dwelling is unoccupied.

The owner was notified of a Civil Penalty on March 7, 1991. The total penalty as of April 22, 1991 amounts to $900.00. The owner has also been notified of this April 22, 1991 Council action.

B. Recommend adoption of an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling located at 1009 Van Every Street. (Belmont)

PROPERTY ADDRESS: 1009 Van Every Street; Census Tract #8; Council District #1; Neighborhood: Belmont

PROPERTY OWNER: Mike Gaither

BACKGROUND:

Date of Inspection: 5/9/90
Reason For Inspection: Concentrated Code Enforcement(Field Observation)

Owner(s) Notified of Hearing: 5/10/90
Hearing Held: 6/8/90
Owner(s) Ordered to Repair Dwelling By: 7/8/90
Owner(s) Requested and Granted Extension to: 8/8/90

A title search was ordered and received in August 1990. The title search revealed parties in interest to the property. Due to the worsening condition of the house and the increased cost to correct the violations, a Order to demolish the structure was issued.
Owner(s) Ordered to Demolish Dwelling By: 9/20/90

It was learned that the property had been sold in September 1990.

Owner(s) Notified of Hearing: 11/26/90
Hearing Held: 12/20/90

Owner(s) Ordered to Demolish Dwelling By: 1/28/91
Owner Requested Permission to Repair Dwelling: 1/9/91
Supplemental Order Issued to Repair Dwelling By: 2/28/91

Since the repairs were not made by the owner, the demolition Order went back into effect.

Estimated Value of Dwelling: $10,000
Estimated Repair (Which is more than 65% of Estimated Value): $7,135

The repairs include: major structural, mechanical, electrical and plumbing repairs. The dwelling is unoccupied.

The owner was notified of a Civil Penalty on March 6, 1991. The total penalty as of April 22, 1991 amounts to $930.00. The owner has also been notified of this April 22, 1991 Council action.

C. Recommend adoption of an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling located at 1505 N. Davidson Street. (Optimist Park)

PROPERTY ADDRESS: 1505 N. Davidson Street; Census Tract #7; Council District #1; Neighborhood: Optimist Park

PROPERTY OWNER: Bernice L. McFarland

BACKGROUND:

Date of Inspection: 8/30/90
Reason For Inspection: Public Agency Referral
Owner(s) Notified of Hearing: 8/31/90
Hearing Held· 9/17/90
Owner(s) Ordered to Demolish Dwelling By. 11/2/90 (Mail Returned)

Title search was ordered and received in December 1990. The title search revealed parties in interest to the property. The Finding of Fact and Order was advertised in the Mecklenburg Times.

Owner(s) Ordered to Demolish Dwelling By: 2/25/91

The party in interest to the property has been notified of this action.

Estimated Value of Dwelling: $9,090
Estimated Repair (Which is more than 65% of Estimated Value): $8,550

The repairs include: major structural, mechanical, electrical and plumbing repairs. The dwelling is unoccupied.

The owner was notified of a Civil Penalty on March 12, 1991. The total penalty as of April 22, 1991 amounts to $650. The owner has also been notified of this April 22, 1991 Council action.

D. Recommend adoption of an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling located at 1417 N. Davidson Street. (Optimist Park)

PROPERTY ADDRESS: 1417 N. Davidson Street, Census Tract #7; Council District #1; Neighborhood: Optimist Park

PROPERTY OWNER: Kurtis H. Joyner

BACKGROUND:

Date of Inspection: 12/27/88
Reason For Inspection: Complaint
Owner(s) Notified of Hearing: 12/29/88
Hearing Held: 1/12/89
Owner(s) Ordered to Repair Dwelling By: 2/26/89

On February 13, 1989, it was learned that the property had been sold.

Owner(s) Notified of Hearing: 2/16/89
Hearing Held. 3/1/89
Owner(s) Ordered to Repair Dwelling By: 4/7/89

The case was not followed-up until January 1990, and it was learned that the property had been sold on January 18, 1990.

Owner(s) Notified of Hearing: 2/2/90
Hearing Held: 3/1/90

The case was not followed up on until July 1990.

Owner(s) Ordered to Repair Dwelling By: 8/3/90 (Mail Returned)
Owner(s) Ordered to Repair Dwelling By: 9/3/90

A title search was requested and received in September 1990. The title search revealed parties in interest to the property. Due to the worsening condition of the house and the increased cost to correct the violations, a Order to demolish the structure was issued.

Owner(s) Ordered to Demolish Dwelling By. 11/16/90 (mail returned)

The Finding of Fact and Order was advertised in the Mecklenburg Times.

Owner(s) Ordered to Demolish Dwelling By: 2/25/91

Estimated Value of Dwelling: $9,430
Estimated Repair (Which is more than 65% of Estimated Value): $12,210

The repairs include: major structural, mechanical, electrical and plumbing repairs. The dwelling is unoccupied.

The owner was notified of a Civil Penalty on March 13, 1991. The total penalty as of April 22, 1991 amounts to $2,300. The owner has also been notified of this April 22, 1991 Council action.

E. Recommend adoption of an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling located at 1415 N. Davidson Street. (Optimist Park)

PROPERTY ADDRESS 1415 N. Davidson Street, Census Tract #7, Council District #1; Neighborhood. Optimist Park

PROPERTY OWNER: Kurtis H. Joyner

BACKGROUND:

Date of Inspection: 5/30/90
Reason For Inspection. Concentrated Code Enforcement(Field Observation)
Owner(s) Notified of Hearing: 5/31/90
Hearing Held: 6/30/90
Owner(s) Ordered to Repair Dwelling By: 8/11/90

Title search was ordered and received in September 1990. Due to the worsening condition of the house and the increased cost to repair the violations, the owner was ordered to demolish the dwelling.

Owner(s) Ordered to Demolish Dwelling by: 11/6/90 (mail returned)

The Finding of Fact and Order was advertised in the Mecklenburg Times

Owner(s) Ordered to Demolish Dwelling By: 2/25/91

Estimated Value of Dwelling: $9,010
Estimated Repair (Which is more than 65% of Estimated Value): $7,085

The repairs include: major structural, electrical and plumbing repairs. The dwelling is unoccupied.

The owner was notified of a Civil Penalty on September 27, 1990. The total penalty as of April 22, 1991 amounts to $2,620. The owner has also been notified of this April 22, 1991 Council action.

MANDATORY REFERRAL REPORT NO. 90-43
CHARLOTTE-MECKLENBURG PLANNING COMMISSION
SALE OF ONE PARCEL OF CITY OWNED LAND
SEPTEMBER 1990

PROJECT PROPOSAL AND LOCATION

The proposal consists of 2.482 acres of unused land at the rear of Fire Station #23 on W.T. Harris Boulevard (formerly Delta Road) tax code number 103-211-04.

PROJECT JUSTIFICATION

It is an ongoing policy of the City to return residual tracts to the tax scrolls, adjoining property owners, or other interested parties. Hickory Grove Baptist Church has expressed interest in purchase of this property.

PROJECT IMPACT

Zoned R-12, this property is vacant and has no access to a public street. Existing adjacent land use is single family development on Dogwood Place, a church and a vacant parcel.

The purchase of this property by Hickory Grove Baptist Church would generate some concern over possible adverse impacts to the adjacent properties, especially on Dogwood Place.

PROJECT RELATIONSHIP TO OTHER PUBLIC AND PRIVATE PROJECTS

None known.

PROJECT COST

The total cost of this proposed sale is $2,150.00; $600.00 for appraisals, $700.00 for legal fees, $700.00 for administrative, and $150.00 for advertising.

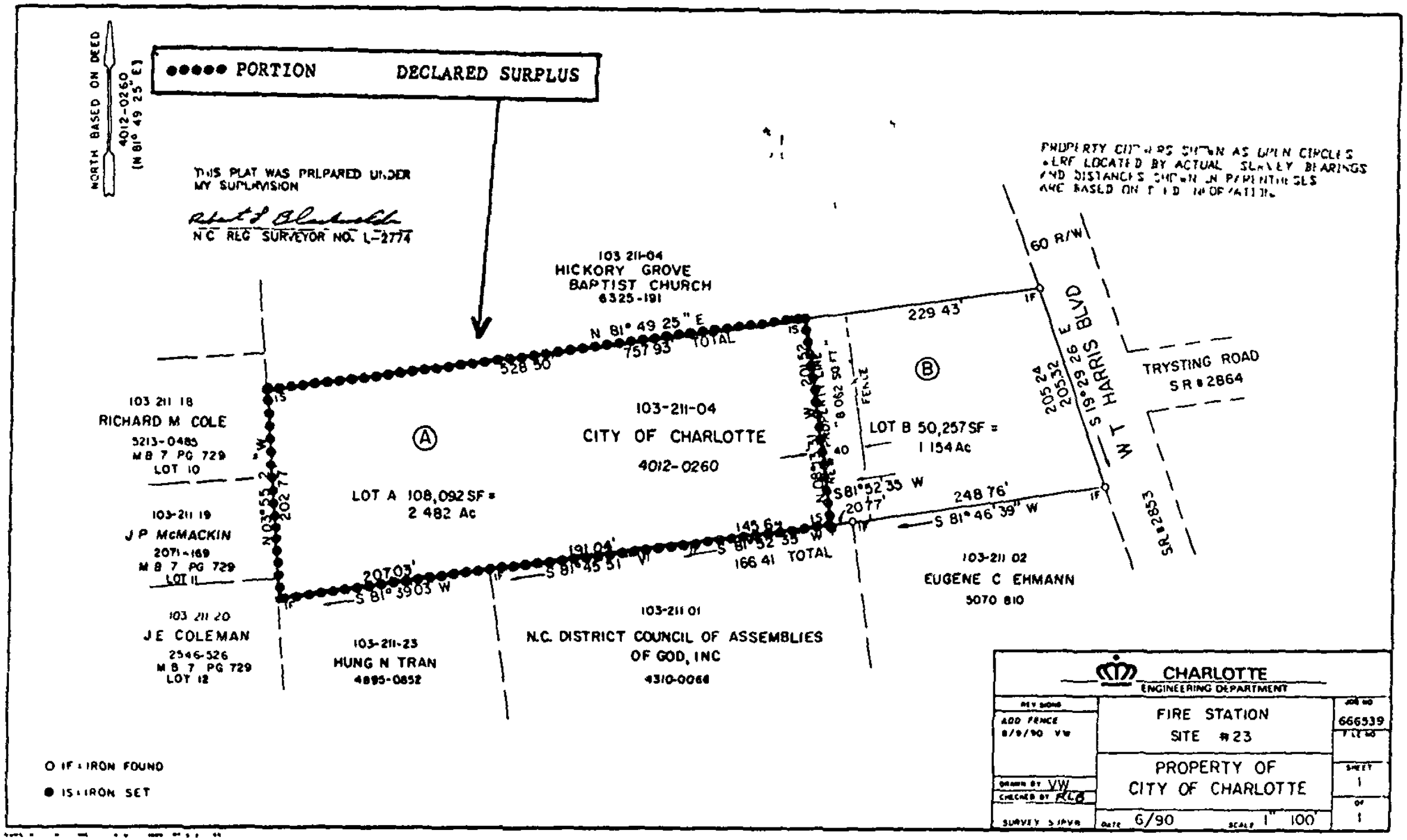
STAFF RECOMMENDATION

Approval is recommended for this parcel to be sold. If it is purchased by Hickory Grove Baptist Church and it is necessary to rezone from R-12 to R-I there should be careful review of proposed development so as to address any adverse impacts to adjacent property owners.

If no rezoning is required, staff request that the property be sold subject to the restriction that no development or use be allowed within 35 feet of the adjacent properties.

PLANNING COMMITTEE RECOMMENDATION

The Planning Committee unanimously approved staff recommendation at a meeting on September 4, 1990.


NORTH BASED ON DEED 4012-0260 (N 81° 49 25" E)
●●●●● PORTION DECLARED SURPLUS
THIS PLAT WAS PREPARED UNDER MY SUPERVISION
N C REG SURVEYOR NO. L-2774
PROPERTY CORNERS SHOWN AS OPEN CIRCLES ●IRF LOCATED BY ACTUAL SURVEY BEARINGS AND DISTANCES SHOWN IN PARENTHESES ARE BASED ON DEED INFORMATION
103 211-04
HICKORY GROVE BAPTIST CHURCH
6325-191
N 81° 49 25" E
757 93' TOTAL
528 50'
229 43'
60 R/W
S 19° 29 92" E
205 24
205 22
HARRIS BLVD
TRYSTING ROAD
SR #2864
SR #2853
103 211 18
RICHARD M COLE
5213-0485
M B 7 PG 729
LOT 10
N 03° 55 2
202 77
103-211 19
J P McMACKIN
2071-169
M B 7 PG 729
LOT 11
103 211 20
J E COLEMAN
2546-526
M B 7 PG 729
LOT 12
Ⓐ
LOT A 108,092 SF = 2 482 Ac
103-211-04
CITY OF CHARLOTTE
4012-0260
Ⓑ
LOT B 50,257 SF = 1 154 Ac
FENCE
S 81° 52 35 W
248 76'
S 81° 46 39" W
207 77'
145 64'
S 81° 52 35 W
166 41 TOTAL
191 04'
S 81° 45 51 W
207 03'
S 81° 39 03 W
103-211 02
EUGENE C EHMANN
5070 810
103-211-23
HUNG N TRAN
4895-0852
103-211 01
N.C. DISTRICT COUNCIL OF ASSEMBLIES OF GOD, INC
4310-0066
O IF = IRON FOUND
● IS = IRON SET
CHARLOTTE
ENGINEERING DEPARTMENT
REV DONE
ADD FENCE 8/9/90 VW
FIRE STATION
SITE #23
PROPERTY OF
CITY OF CHARLOTTE
DRAWN BY VW
CHECKED BY
SURVEY SUPVR
DATE 6/90
SCALE 1" 100'
JOB NO 666539
FILE NO
SHEET 1
OF 1

MAYOR'S SCHEDULE
April 22, 1991

6:30 p.m. CITIZENS' HEARING

1. Recognize Margaret Simon who will be bringing 10 Junior High students to meet Council.

2. Present proclamation to Cynthia Marshall, Executive Director of Cities in Schools, designating April 25th as "One on One Mentoring Day" in Charlotte.

3. Present proclamation to Pat Robson, Russell Dobbins, Cynthia Burch, and Willie Ratchford of Community Relations declaring April "Fair Housing Month".

4. Service award presentations.

5. Hugh Durden, Charlotte Uptown Development Corp. - Presentation on Housing for Uptown Area - Approximately 10 minutes.

6. Fred Lippman, 3912 Potomac Ct., 364-0605 - No smoking in restaurants.

7. Marilyn Lippman, 3912 Potomac Ct., 364-0605 - No smoking in restaurants.

8. Ray Glinski, 9721 Watergate Road, 525-1033 - Cost of contract between the City and American Golf Corp.

9. Bernard Harvey, 2547 Brentwood Place - Drainage in West Blvd. and Remount Area.

10. Jim Eagle, 100 Broadmarsh Ct., Charleston, S.C. 29418, (803) 552-3782 - Hot Air Ballooning.

11. Garland Denny, 7106 Woodstock Dr., Charlotte, NC 28210, 552-2677(H) - 392-0645(W) - City Golf Courses.

12. L. T. Farrar, 1830 The Plaza, 333-0509 - Demolition of Property at 909 Van Every St., and 1025-27 Harrill Street.

13. L. T. Farrar, Jr., 1035 Harrill St., 333-0509 - Demolition of property at 909 Van Every St., and 1025-27 Harrill Street.

7:00 p.m. - CITY COUNCIL

1. Invocation by the Reverend Fred McAllister of Third Presbyterian Church.

2. Announcements

Wednesday, April 24	5:00 p.m., New Zoning Ordinance Work Shop, Room 267.

3. The following requests to speak to agenda items have been received:

   (a) Agenda Item No. 4 - Expansion of the Existing Convention Center

(1) Ed McMahan, 5815 West Park Dr., 523-8661
(2) Jim Diehl, Marriott City Center, 100 W. Trade St., 333-9000
(3) Ron McLuen, 500 Chillingworth Ln., 366-6863
(4) Richard Boustead, 9731 Stoney Hill Ln., 28277, (W)377-0400 (H)543-9804
(5) Tom Kalin, 3000 E. Independence Blvd., 377-1501
(6) Johnny Harris, Bissell Co., 6337 Morrison Blvd, 366-9841
(7) Steve Camp, 100 Paul Buck Blvd., 357-4712

(b) Agenda Item No. 5 - New Convention Center Financing

(1) Linda McCall, 1356 E. Morehead St., 394-7907
(2) Bill Grigg, Exec VP Duke Power, 422 S. Church St., 28242, 373-4011
(3) Bill Covington, NCNB, One NCNB Plaza, 374-5916

(c) Agenda Item No. 8 - Exotic Animals

(1) Ronnie Johns, 415-17 Michelle Linea Rd., 547-0016
(2) Pam Thompson, 5414 Wilkinson, Blvd., 28208, 394-6433
(3) Glen Gibson, 10537 Still Trace Ct., 346-5775
(4) Bob McCormick, 2029 Archdale Dr., 534-6116