AGENDA

Meeting Type:	B
Date:	02-11-1991
SUBJECT	

City of Charlotte, City Clerk's Office

CHARLOTTE

Meetings in February '91

THE WEEK OF FEBRUARY 1 - FEBRUARY 2

1	Friday, 8 30 a m	**TAXICAB REVIEW BOARD** - Law Enforcement Center, 825 E Fourth Street, Room 302
2	Saturday, 8 00 a m	**PLANNING COMMISSION RETREAT WITH MAYORS AND REPRESENTATIVES FROM SMALL TOWNS IN MECKLENBURG COUNTY** - CMGC, Conference Center

THE WEEK OF FEBRUARY 3 - FEBRUARY 9

4	Monday, 12 Noon	**CITY COUNCIL REGIONAL ISSUES COMMITTEE** - CMGC, Rooms 270-271
	Monday, 5 00 p m	**CITY COUNCIL WORKSHOP** - CMGC, Conference Center
5	Tuesday, 4 00 p m	**PLANNING COMMISSION/Planning Committee** - CMGC, 8th Floor Conference Room
6	Wednesday, 6 00 p m	**YOUTH INVOLVEMENT COUNCIL** - CMGC, Meeting Chamber Conference Room
7	Thursday, 2 00 p m	**ADVISORY ENERGY COMMISSION** - CMGC, Room 119

THE WEEK OF FEBRUARY 10 - FEBRUARY 16

11	Monday, 3 00 p m	**CITY COUNCIL EXECUTIVE SESSION** - 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 30 p m	**HISTORIC LANDMARKS COMMISSION** - 1221 S Caldwell Street
12	Tuesday, 8 00 a m	**AIRPORT ADVISORY COMMITTEE** Charlotte/Douglas International Airport, Conference Room A
	Tuesday, 2 30 p m	**HOUSING APPEALS BOARD** - CMGC, 5th Floor Conference Room
	Tuesday, 4 00 p m	**PLANNING COMMISSION/Planning Committee** - CMGC, 8th Floor Conference Room
13	Wednesday, 8 30 a m	**CIVIL SERVICE BOARD** CMGC, 7th Floor Conference Room
	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
15	Friday, 7 30 a m	**PLANNING LIAISON COMMITTEE** - CMGC, 8th Floor Conference Room
	Friday, 12 Noon	**DIVISION OF INSURANCE & RISK MANAGEMENT** - CMGC, 10th Floor Conference Room

(CONTINUED ON BACK)

Public Service And Information Department

600 East Fourth Street

Charlotte NC 28202 2861

704/336-2395

THE WEEK OF FEBRUARY 17 - FEBRUARY 23

18	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
19	Tuesday, 12 Noon	**HOUSING AUTHORITY/Work Session** - 1301 South Boulevard
	Tuesday, 12 Noon	**CITY COUNCIL/COUNTY COMMISSION/SCHOOL BOARD LUNCHEON** - CMGC, Conference Center
	Tuesday, 2 00 p m	**HOUSING AUTHORITY** - 1301 South Boulevard
	Tuesday, 3 30 p m	**PLANNING COMMISSION/Executive Committee** - CMGC, 8th Floor Conference Room
	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
20	Wednesday, 7 30 a m	**CITY/COUNTY/CHAMBER BREAKFAST** - Charlotte Chamber, 129 West Trade St
	Wednesday, 6 00 p m	**YOUTH INVOLVEMENT COUNCIL** - CMGC, Meeting Chamber Conference Room
21	Thursday, 7 00 p m	**CHARLOTTE TREE ADVISORY COMMISSION** - CMGC, Room 270

THE WEEK OF FEBRUARY 24 - FEBRUARY 28

25	Monday, 4 30 p m	**PLANNING COMMISSION/Zoning Work Session** - CMGC, 8th Floor Conference Center
	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)
26	Tuesday, 2 00 p m	**CITY ZONING BOARD OF ADJUSTMENT** - Hal Marshall Building, 700 North Tryon Street, Building Standards Training Room
	Tuesday, 4 00 p m	**PLANNING COMMISSION/Planning Committee** - CMGC, 8th Floor Conference Room
27	Wednesday, 7 45 a m	**PRIVATE INDUSTRY COUNCIL** - CMGC, Rooms 270-271
	Wednesday, 10 30 a m	**AUDITORIUM-COLISEUM-CONVENTION CENTER AUTHORITY** - Charlotte Convention Center, 101 South College Street, VIP-B Conference Room
	Wednesday, 2 30 p m	**CHARLOTTE-MECKLENBURG ART COMMISSION/Executive Committee** - CMGC, 8th Floor Conference Room
28	Thursday, 5 00 p m	**CHARLOTTE-MECKLENBURG ART COMMISSION** - CMGC, 8th Floor Conference Room

February 11, 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, February 11, 1991

3.00 p.m.	-	City Manager's Evaluation (271)
5:00 p.m.	-	Council-Manager Dinner (267)
5:30 p.m.	-	Chamber Review of CCA
6:30 p.m.	-	Citizens Hearing
7:00 p.m.	-	Council Meeting Meeting Chamber

ITEM NO.

1. Invocation by Rev. Charlene Stewart of Mt. Carmel Baptist Church.

2. Consider approval of minutes of December 10, December 17, December 28, 1990 and January 7, 1991.

PUBLIC HEARING

3. A. Conduct a public hearing on the question of annexing the Westinghouse Boulevard Extension Area No. 3;

B. Adopt an ordinance annexing this area effective immediately.

Voluntary Annexation: On January 28, 1991, the Council received a joint annexation petition for property owned by Vulcan Materials Company and the City. This annexation is associated with the Westinghouse Boulevard extension project is necessary for the road to be constructed within the City. The City is prepared to begin construction on the next phase of this project once this property is annexed.

A map is attached.

Clearances: City Attorney's Office, Planning, Engineering.

Attachment No. 1

4. A. Conduct a public hearing on an application for installation of a monument at new Fire Station No. 1.

B. Recommend approval of the monument in memory of Fire Chief Richard L. Blackwelder.

Monument An application has been received from the Charlotte Fire Department for the installation of a granite monument to be placed in front of new Fire Station No. 1, 221 North Myers Street. The monument is in memory of Fire Chief Richard L. Blackwelder, and installation is estimated to be April 1, 1991.

This monument and location is to reflect the contributions made to the Charlotte Fire Department by former Chief Blackwelder.

Funding The cost of the monument is estimated to be $1,400 and will be financed from firefighter contributions.

A schematic drawing of monument is attached.

Attachment No. 2

VOTE ON CONSENT ITEMS

5. Agenda items 12 through 20 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.

POLICY

6. Recommend adoption of the Transportation Committee's recommendations to (A) approve policy assumptions for transportation and design criteria for street construction and (B) approve widening Eastway Drive to six lanes and the purchasing of additional property along the corridor to provide a compatible land use/transportation relationship.

Transportation Policies

Transportation Policies
The Transportation Committee recommends confirmation of current transportation policies that are in the Capital Improvement Plan, 2005 Transportation Plan, and District Plans General Policies, with one exception:

Current Road Policy
Specifies that only roads which are City responsibility will be constructed with City funds.

Proposed Road Policy
The City may fund all or part of the cost of constructing non-numbered State roadway projects in Charlotte which are on the local priority list.

Impact
The new policy adds six State projects projects to the City's roadway priority list and ensures that needed transportation improvements are not delayed due to lack of State funds. These six are:

Westinghouse Boulevard widening to four lanes (NC49 to Granite)

Statesville Road widening to four lanes (Newland to Hickory)

Eastway Drive widening to six lanes (Sugar Creek to Kilbourne)

Statesville Road widening to four lanes (Starita to Keith)

Beatties Ford Road widening to four lanes (Capps Hill Mine to Lakeview)

Lawyers Road widening to four lanes (Albemarle to City limit)

Attachment 1 lists all transportation policy assumptions; the newly recommended policy is shown as #11 on the attachment. The priority list of projects is Attachment 2.

Design Criteria

Design Criteria for Street Construction

The committee recommends adding a new criterion to the existing criteria for street construction:

Proposed Policy

Require each roadway widening project over two lanes to include a land use plan that (a) ensures the viability and livability of adjacent land uses, or (b) eliminates land use conflicts.

Impact

An amendment to the City Charter is needed to expand the City's condemnation authority to implement this policy. The committee directed staff to seek an amendment to the Charter expanding the City's condemnation authority. The bill would not be introduced until the 1993 session of the General Assembly.

Attachment 3 lists design criteria for street construction; the recommended addition is shown as #4. Attachment 4 is a memorandum from the City Attorney's office which addresses the required enabling legislation to amend the City Charter expanding the City's condemnation authority.

Eastway Drive

Widening Eastway Drive to Six Lanes/Purchase of Additional Property

The Transportation Committee recommends widening the section of Eastway Drive between Monroe Road and Independence Boulevard to six lanes and that staff be directed to use condemnation if necessary to acquire additional property for implementation of the recommended land use strategy adopted for this segment of Eastway Drive. (The additional property is shown in Attachment 5 as areas 1, 2, and 4).

Although the land use study recommends City acquisition of additional property in five areas along Eastway Drive, the City Attorney recommends delaying purchase of extra property in areas 3 and 5 until State enabling legislation has been obtained.

Attachments are as follows:

A detailed agenda item.
Attachment 1 - Transportation policy assumptions.
Attachment 2 - List of priority street projects.
Attachment 3 - Policy assumptions for design criteria for street construction.
Attachment 4 - Memorandum from the City Attorney's office on enabling legislation.
Attachment 5 - Eastway Drive land use analysis and map.
Attachment 6 and 7 - Executive summary minutes of two Transportation Committee meetings.

Funding — TSM Intersection Improvement Program account has funded planning and design. The remaining costs (for land acquisition and construction) of approximately $4 million to $5 million will be proposed as a new project in the upcoming CIP.

Clearances — Transportation Committee, Charlotte-Mecklenburg Planning Commission, City Attorney's Office, Budget and Evaluation Department, City Engineering Department.

Attachment No. 3

7. Recommend (1) approval of Planning and Public Works Committee's recommendation to continue the dialogue between City and County on a cooperative strategy for jail and Law Enforcement Center construction, and (2) that staff proceed to investigate available options for relocating the Law Enforcement Center.

Space Needs Study — On November 15, 1989, a task force composed of City, County, and School Board staffs completed the Government Center Area Space Needs Study. The study summarized both long-term and immediate needs for space and sites. The most pressing needs were the jails (pretrial and work release) and Law Enforcement Center expansion.

On January 30, 1991, the Planning and Public Works Committee received a study briefing by staff.

The County's first choice for location of the pre-trial and work release facilities would include the Law Enforcement Center site which is scheduled for expansion in the 93-94 Capital Improvement Program.

In order to initiate negotiations with the County concerning the Law Enforcement Center site, the Council is requested to approve:

(1) the Planning and Public Work Committee's recommendation to continue dialogue between City and County on a cooperative strategy for the jail and Law Enforcement Center construction, and

(2) that staff proceed to investigate options for relocating the Law Enforcement Center.

If Council approves this recommendation staff will begin dialogue with the County and plan to bring options back to Council within two months. The County needs an answer from the City as quickly as is feasible.

Clearances Planning and Public Works Committee.

The Government Center Space Needs Study is available in the Council library. Attached is information given the Planning and Public Works Committee as well as an executive summary of the January 30 meeting.

Attachment No. 4

8. Adopt the Statesville Road Community Park Master Plan as presented with the understanding that it is the most desirable plan but cannot be implemented within currently budgeted funds. Direct the City Manager to develop an implementation plan within the $5 million allocated.

Edward D. Stone, Jr. and Associates, planners and landscape architects, have completed the Master Plan for development of Statesville Road Community Park. Action is needed by Council to review and either adopt the Plan as presented or to direct the development of an alternative Plan.

FACTS:

- The 1981 Harland Bartholomew Study identified a need for a major park in northeastern Mecklenburg County.
- In 1987, the City purchased 306 acres of land behind Ranson Jr. High School on Statesville Road for the development of a park. Cost of the land purchase was $3.6 million from Park Land Acquisition funds.
- In 1988, voters approved $5 million for the development of a park on the Statesville Road site. Those funds are to be appropriated in FY93.
- In December, 1989 Council authorized a contract with E.D. Stone to develop a Master Plan for the park. The cost of the contract was $126,945.
- The Master Plan proposed by E.D. Stone recommends the purchase of additional property to enhance the currently owned site and the development of a lake, time garden, trail system, ballfields, tennis and volleyball courts, and multipurpose facility as basic amenities of the park. The plan presumes that development of the Botanical Gardens would be assumed by the Charlotte Botanical Garden Society. Estimated costs for full implementation of the proposal totals $8.1 million. (See Attachment).
- Cost figures proposed in the Master Plan are $3.1 million greater than the $5 million allocated for the development of the park. The plan represents development of the most desirable facility including additional land purchases.
- It is possible to construct the park, within the $5 million allocated, presuming deletion of some amenities.
- The Parks Advisory Committee has reviewed and supports the Master Plan concept.

OPTIONS:

Questions:	ADOPT THE PLAN AS IS	ADOPT THE PLAN WITH MODIFICATIONS	RECOMMENDED: ADOPT THE PLAN WITH $5 MILLION EXPENDITURE CAP
What is the cost to the City?	$8,139,392	$5,000,000 to $8,139,392	$5,000,000
What amenities/ land purchases would have to be deleted from the plan?	None	$0 - $3,139,392	$3,139,392
What additional actions are needed?	Dedicate additional dollars to the project	Develop alternatives. Get Parks Advisory input. Dedicate additional dollars to the project.	Develop alternatives. Get Parks Advisory input.
What is the estimated annual operating expense?	$250,000	$175,000 to $250,000	$175,000

OTHER INFORMATION:

Funding: $5,000,000 - Statesville Road Park - FY93 CIP.

Department Responsible: Parks and Recreation and Engineering.

Clearances: Parks and Recreation, Engineering, Budget and Evaluation.

Attachment No. 5

BUSINESS

9. Purchase 4+ acres of land on Marsh Road for use as a neighborhood park for public recreation purposes.

Councilmember Hoyle Martin requested that staff present a request to Council for consideration of purchase of property on Marsh Road. This request appeared on Council's January 14 agenda but was deferred to allow Parks and Recreation staff time to seek and develop a cooperative use relationship between the Broadmoor Athletic Association and Charlotte Catholic High School.

FACTS:

- First Union has offered to sell the property to the City for $25,000 with the assurance that Broadmoor Athletic Association can continue to use the property.

- The property is currently zoned CD for recreation purposes with a site plan notation "for use by Broadmoor Athletic Association." The zoning or notation cannot be changed without action on the part of the City. However, the zoning and notation do not prohibit changes to facilities on the site so long as the site remains for recreation purposes.

- Broadmoor Athletic Association has utilized the property since 1955, maintains it, and would like to be assured use of two fields for little league play involving 350 youth annually.

- Charlotte Catholic would like to purchase the property and construct a baseball field for high school use. They are willing to work with the Broadmoor Athletic Association and schedule use of the property for Broadmoor after school hours.

- The mandatory referral process has been followed and purchase of the property is recommended to preserve open space. (See Attachment).

- The Parks Advisory Committee recommends purchasing the property for use as a neighborhood park. (See Attachment)

- It is not possible to construct two fields, one being the size needed by Charlotte Catholic, on the property. One large or the current two small fields are all that is possible.

- If the City were to purchase the property, improvements which might be necessary over the next few years include: resurfacing of tennis courts, regrading of playing fields, resurfacing of parking lots, and refurbishment of restroom facilities.

- The City Attorney's Office does not recommend purchasing the property with the present zoning restriction attached. (See Attachment).

- Facilities presently available on the site include two little league fields, tennis courts, a restroom facility, and parking area.

OPTIONS:

	RECOMMENDED:		
	PURCHASE AND MAINTAIN AS IS	PURCHASE AND IMPROVE TO CITY STANDARD	DO NOT PURCHASE
Questions:			
What is the cost to the City?	$25,000 Land $ 5,000 Maint.	$25,000 Land $ 5,000 Maint. $50,000 Improv.	$0
Is use by Broadmoor protected?	No*	No*	Yes**
Is the Broadmoor facility need met?	Yes	Yes	Yes***
Is the Charlotte Catholic facility need met?	No	No	No
Is public open space preserved?	Yes	Yes	No

*But can schedule use
**As long as zoning restrictions remains
***Until someone else buys the property and changes the facilities

OTHER INFORMATION:

Funding: $25,000 - Land (Park Land Acquisition - CIP)
$ 5,000 - Maintenance - (Parks and Recreation Operating Budget)

Department Responsible: Parks and Recreation

Clearances: City Attorney and Planning

Attachment No. 6

10. Recommend approval of the purchase of water and sewer mains in Trinity Park and Hyde Park from Utilities, Inc. at the requested new purchase price of $950,000 and authorize the City Manager to execute a purchase agreement.

Chronology

- On June 25, 1990, Council approved a contract with Carolina Water Service to purchase the Beatties Ford water/sewer system for a negotiated price of $850,000. This system serves Trinity Park and Hyde Park East subdivisions, which was part of the 1989 annexation area.

- Due to an October 16, 1990 ruling by the North Carolina Utilities Commission relating to how the gain on the sale of the Beatties Ford system was to be handled, Carolina Water increased the purchase price from $850,000 to $1,250,000, a $400,000 increase.

- On December 10, 1990, Council rejected purchase of the system.

Recent Negotiations

A follow-up meeting on January 15, 1991 with representatives of Carolina Water and City staff resulted in Carolina's verbal offer to reduce the sales price to $1,050,000. Staff rejected this offer by letter on January 24, 1991 reiterating to Carolina Water the original negotiated price of $850,000, and staff notified Council by memo.

On January 28 Council requested this item be placed on the agenda for consideration. On January 29, 1991, Carolina Water submitted a written offer to reduce the sales price from $1,050,000 to $950,000 with an indication that this was their final proposal.

Options

Two options that are now available to the City are:

1. Pay the additional $100,000 to Utilities, Inc. to make the total purchase price $950,000 instead of the negotiated price of $850,000.

   Advantages

   - Purchase of system would immediately add 500 customers to CMUD system.
   - Customers would automatically receive benefit of lower CMUD monthly rates.
   - Customers would have no expense for extending lines to their properties since Utilities, Inc. system already serves individual properties.

   Disadvantages

   - Purchase price of $950,000 is $100,000 more than justified cost.
   - Value of system offered for purchase is $305,000.
   - Other private systems have been purchased at value; purchase of this system at increased cost may set precedent for future negotiations.
   - Purchase of system provides level of service to these areas greater than in other areas being annexed; installed new mains provides same level as in other areas annexed.
   - Existing system is five to 25 years old and will require more maintenance than a new system.

2. Reject the purchase offer and install water and sewer mains as required by annexation at a cost of approximately $375,000. In addition, as required under current extension policy, the City would participate in 50/50 extensions, estimated to cost $475,000, for a total cost of $850,000.

The proposed new extension policy would result in CMUD paying 100% of the costs of extensions up to 1,000 feet, for all property owners who request the extensions. Under the proposed new policy, assuming all customers request extensions, the net cost to CMUD would be as follows:

New Annexation lines	$ 375,000
New Street Main Extensions Requested by Customers	921,000
Total Cost	$1,296,000
Less Tapping Privilege Fee Revenues	599,000
Net Cost	$ 697,000

Advantages

- City utility customers would not bear more expense than necessary to provide basic water and sewer service to newly annexed areas. The purchase price of $950,000 is more than the estimated cost to install required mains and extensions under either the current or proposed extension policy.

- City would have new system in place, with less need for maintenance.

Disadvantages

- The CMUD system would parallel existing mains in a fully developed subdivision, thus creating customer competition between CMUD and Utilities, Inc.

- New annexation water mains can be installed prior to June 1991 deadline; however, all new annexation sewer mains may not be installed prior to June 1991 deadline.

. Utilities, Inc. water/sewer rates are substantially higher than CMUD rates. However, under the present 50/50 cost sharing extension policy, it will cost property owners a minimum of $3100 for tapping privilege and connection fees in order for CMUD to serve their properties; in some cases, it could cost several thousand dollars if lines need to be extended. Property owners might find these costs a disincentive to connect, even with higher monthly Utilities, Inc. rates.

Under the proposed policy for CMUD to pay 100% of extension costs, property owners who request extensions will pay only the tapping privilege and connection fees.

Recommendation

It is recommended that Council approve the increase to the purchase price, and authorize the City Manager to execute a purchase agreement with Utilities, Inc. While the $950,000 purchase price is more than the original negotiated price of $850,000, we believe the advantages of purchasing the system outweigh the disadvantages and purchase is justifiable for customer service reasons. Purchase of the utility will immediately add 500 customers to the CMUD system, and avoid the disruption of constructing a parallel system. Rates for new customers will immediately drop and be on par with other CMUD users.

We have a concern that these negotiations may set a precedent for acquiring private water systems in future annexations. We believe any future proposed purchase of private utility systems should be evaluated separately and on their own merits.

11. APPOINTMENTS TO BOARDS AND COMMISSIONS

A. Citizens' Advisory Committee - Convention and Visitors' Bureau - One appointment beginning March 26, 1991. Terms are for two years. Nominees are as follows:

(1) Murray Bodner nominated by Councilmember Scarborough
(2) Tom Brown nominated by Councilmember Wheeler
(3) Freedom Bradley nominated by Councilmember Campbell

Attachment No. 7

CONSENT

BID LIST

12. 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. Atomic Absorption Spectrophotometer Utility Department

Recommendation: By Purchasing Director and Utility Director that the alternate bid, Perkin Elmer Corporation, Morrisville, N. C., in the amount of $84,950.00, be accepted for award of contract.

Alternate Bid Recommended
Perkin Elmer Corporation submitted two bids, a base bid and an alternate bid. Both bids were less than the third bid and met the City's specifications. The alternate bid exceeded the City's specifications by including an accessory for the analysis of mercury. The Utility Department has determined that this accessory is needed to allow it to perform in-house testing which is currently being performed by a commercial laboratory. This would save the City a projected $4,000.00 annually. Therefore the alternate bid is recommended.

A trade-in allowance of $12,939.00 has been allowed for the 12 year old equipment currently in use.

Project Description: The atomic absorption spectrophotometer will be used for analysis of toxic metals in water and wastewater. These analyses are required by State and Federal governments.

Source of Funding: Water and Sewer Capital Equipment Fund - (Irwin Creek Wastewater Treatment Plant).

B. Parkwood Avenue Landscaping — Engineering

Recommendation: By the City Engineer that the low bid of $51,696.53, as submitted by Furr's, Inc., be accepted for award on a unit price basis.

Project Description: This project consists of planting trees, shrubs, and groundcover along the newly constructed Parkwood Avenue extension.

Source of Funding: General Capital Improvement Fund - (Parkwood Avenue Extension - Capital Reserve).

REJECT BID

13. A. Recommend that the low bid of $46,926.60 submitted by AAA Sand & Gravel be rejected due to the bidder being a non-responsible bidder.

B. Recommend bid award of $54,383.70 as submitted by the second low bidder, R & G Construction Company for the Earle Village park playground improvements.

Earle Village Park Playground — Engineering

Recommendation: By the City Engineer that the low bid submitted by AAA Sand & Gravel be rejected due to the bidder being a non-responsible bidder and the second low bid of $54,383.70, as submitted by R & G Construction, be accepted for award on a unit price basis.

Project Description: This project consists of improvements to an existing park. The work will be to provide and/or install playground equipment, recondition existing equipment, place 4" concrete sidewalk, timber border, seeding and mulching and related work.

The bid submitted by AAA Sand & Gravel is recommended for rejection because:

1. The bidder failed to complete the Freedom Park Hurricane Debris Cleanup project awarded in March 1990 and was subsequently terminated. The bidder still has approximately $7,400 in unpaid bills on the project.

2. The bidder had two irregularities in the bid submitted,

   a. The proposal was unsigned and
   b. The bidder failed to sign the M/WBE documentation submitted with the bid.

The City Attorney's office has reviewed the bid and concurs in this recommendation.

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

CONTRACT AMENDMENT

14. Recommend approval of Amendment No. 2 to Authorization No. 1 with Black & Veatch for professional services related to the upgrade and expansion of Mallard Creek and McDowell Creek Wastewater Treatment Plants at a cost not to exceed $847,000.00.

Original Contract:	Expansion and upgrade of Mallard Creek and McDowell Creek Wastewater Treatment Plants
Contractor:	Black & Veatch
Date of Award:	July, 1987
Amendment Amount:	Not to exceed $847,000

Reason for Amendment: Black & Veatch has designed the upgrade and expansion of the Mallard Creek plant. Construction is under way and the expansion will allow treatment of up to six million gallons per day.

The treatment of more flow and the removal of more pollutants will generate more solids for disposal. The solids handling facilities must be upgraded and expanded. This amendment will authorize Black and Veatch to provide design, construction, and resident services to add the solids handling facilities to the Mallard Creek plant.

Funding: Mallard Creek Wastewater Treatment Plant Expansion Capital Account (1990 Sewer Bonds).

Clearances: Utility Department Director.

ECONOMIC DEVELOPMENT LOAN

15. Recommend approval of a loan agreement with Ray Floyd Overcash d/b/a Southeastern Plumbing and Heating Co., Inc. for $70,000 to provide funds for the permanent financing of a new office/warehouse to be located at West 23rd and North Poplar Streets.

Project Description: Southeastern Plumbing and Heating Co., Inc. started in business in 1966.

- The company is a family-owned business and is licensed to do plumbing, heating, air conditioning, and residential electrical work.
- The business is presently located at 300 West 23rd Street.
- Southeastern owns the land adjacent to its present business and proposes to construct the new office/warehouse on it. This facility will increase the productivity of the company by allowing the storage of more equipment thereby enabling them to take larger jobs.
- The building to be located at West 23rd and North Poplar Streets will be a pre-engineered metal building and will have 7,824 square feet.

$70,000 Loan: The $70,000 loan is to assist in the permanent financing of the land and the building. The City's loan will be used in conjunction with an $87,500 loan from First Citizens Bank. Southeastern Plumbing and Heating Co., Inc. will contribute $17,500 as equity to the project.

See attached addendum for details regarding the project costs, source of funds, loan terms, security, and public purpose.

Public Purpose: The City loan will create at least ten new jobs for low/moderate income individuals from the City's Pocket of Poverty area with priority being given to those individuals residing in public housing, those on the Housing Authority waiting list, and persons on the Community Development Department's relocation workload.

One of the primary reasons the City established this loan program was to make available employment opportunities for individuals from low to moderate income households. The proposed loan request meets this public purpose objective.

Funding Economic Development Revolving Loan Fund

Clearances The Economic Development Revolving Loan Fund Committee approved the loan on January 4, 1991.

Attachment No. 8

HOUSING CODE ENFORCEMENT

16. Detailed information is attached. Funds are available and a lien will be placed against the property for the costs incurred.

Recommend adoption of an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling located at 4601 Wildwood Avenue (Thomasboro/Hoskins).

Attachment No. 9

SPEED LIMIT

17. Recommend adoption of an ordinance amending City Code Section 14-131(c) to change the speed limit on one Charlotte street.

The speed limit on Monroe Road between Conference Drive and Village Lake Drive was lowered to 35 miles per hour in order to provide a safer work area during construction. With the completion of construction, the street needs to be returned to 45 mph.

VOLUNTARY ANNEXATION

18. A. Receive the City Clerk's certificate of sufficiency on the annexation petition of Crown Point property.

B. Adopt a resolution setting a public hearing on the annexation petition for March 25, 1991.

Annexation The owner/developer of Crown Point is seeking annexation so that the entire Crown Point development will be within the City. The Council is also being requested to amend the annexation agreement with the Town of Matthews to transfer the property proposed for annexation to the City's sphere of influence. After that transfer has been made, the City can proceed with the statutory steps for annexation.

Clearances: City Attorney's Office, Planning.

A map is attached.

Attachment No. 10

SETTLEMENT TERMS

19. Recommend adoption of a motion entering into the minutes the general terms of the settlements reached in the Estate of Jake King lawsuit as required by the North Carolina Open Meetings law.

Open Meetings Law The North Carolina open meetings law provides that if a public body has considered a settlement of litigation in executive session, the terms of that settlement must be reported to the public body and entered into its minutes within a reasonable time after the settlement is concluded.

Council Action

Recommend that the City Council adopt the following motion:

"I move that the City Council accept a report from the City Attorney with regard to a settlement authorized in executive session held on January 7, 1991 in the lawsuit captioned Estate of Jake King v. Scott M. Pope, Samuel H. Killman and the City of Charlotte. A settlement of the lawsuit was achieved by payment by the City of $153,000 to Mrs. Lucille King, Administratrix of the Estate, payment of $16,275 to Hoover and Williams, and payment of $8,906 to James, McElroy and Diehl. Full and complete releases for all defendants from any further liability were received from the plaintiffs as a result of this settlement and the lawsuit has been dismissed.

Clearances City Council; City Attorney's office.

PROPERTY TRANSACTIONS

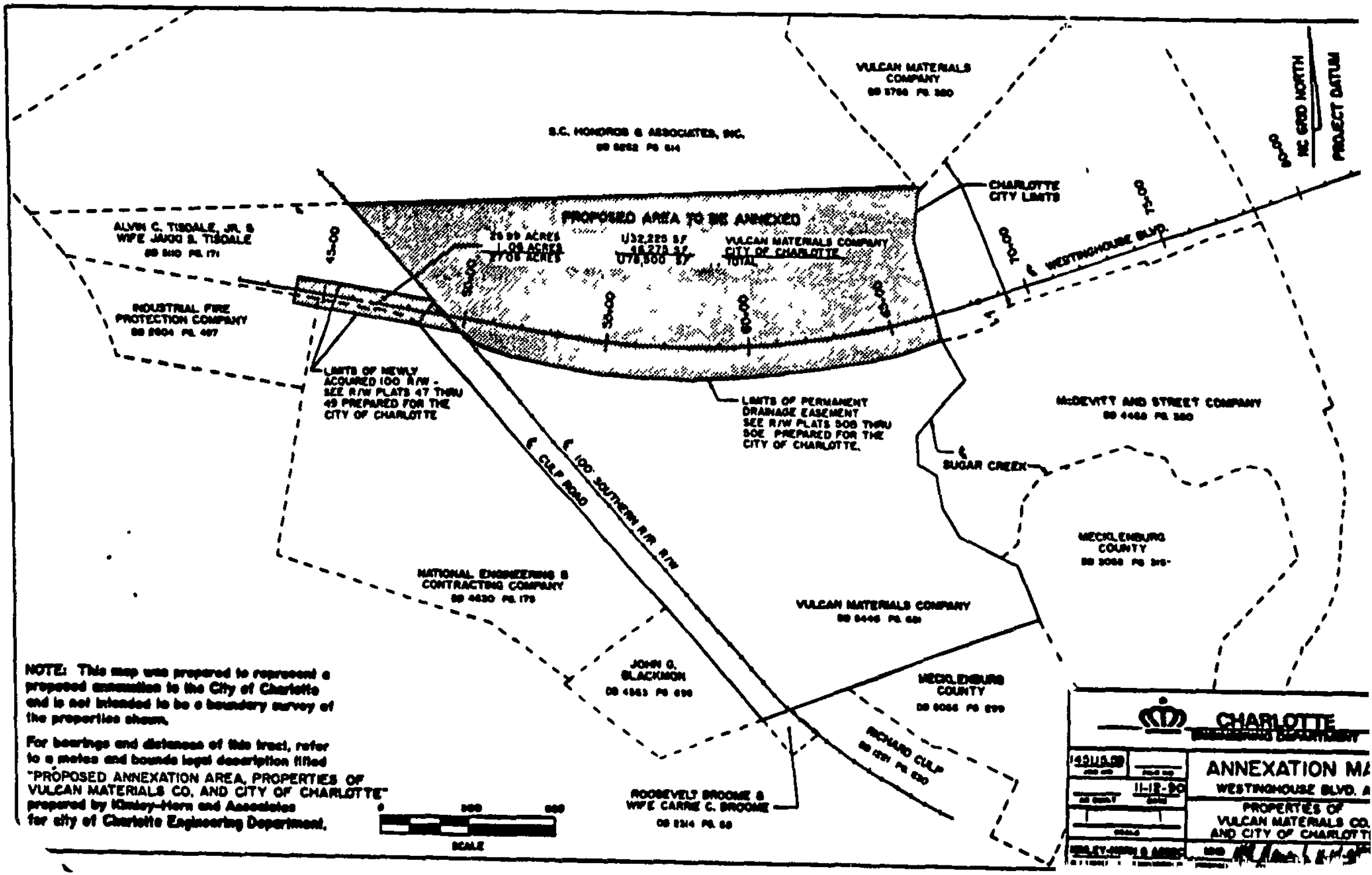
20. Recommend approval of the following property transactions and adoption of the condemnation resolutions.

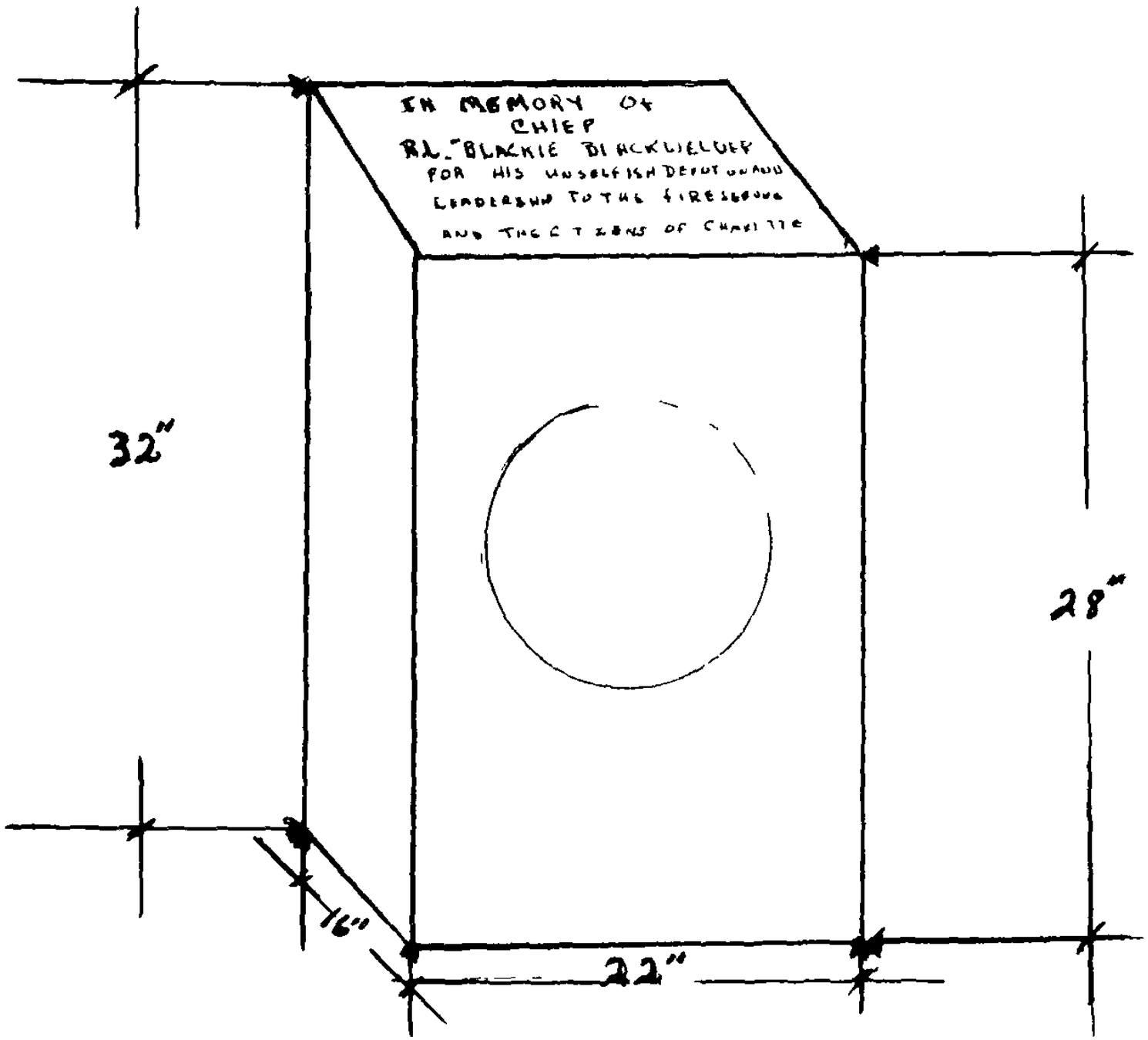
1. Project: South Boulevard/Hebron Street Improvement
   Owner(s): Norfolk Southern Corporation
   Property Address: South Boulevard south of Hebron Street
   Property to be acquired: Fee and Permanent Easements
   13,950 sq.ft. (.32 ac.) temporary construction easement
   9,470 sq.ft. (.217 ac.)
   Improvements: None
   Price: $21,705.50
   Remarks: Parcel acquisition needed for safety improvements to South Boulevard/Hebron Street Intersection.
   Use: R.R. R-O-W

2. Project: Park/Johnston Road Widening, Phase II, Segment II
   Owner(s): Southminster, Inc.
   Property Address: 8919 Park Road
   Property to be acquired: 2,561 sq.ft. (0.0588 ac.) temporary construction easement 14,469 sq.ft. (0.3322 ac.)
   Improvements: Sprinkler system, entrance median, signage, lighting, paved driveway, landscaped berm, chainlink fence, trees, shrubs, lawn
   Price: $23,850.00
   Remarks: Zoned: R15
   Use: Retirement home

CONDEMNATIONS

3. Project: Park/Johnston Road Widening, Phase II, Segment I
   Owner(s): Quail Hollow Homeowners Association No. 4, Inc.
   Property address: Sharon Road West
   Property to be condemned: Fee acquisition 3,547 sq.ft. (0.0814 ac.) temporary construction easement 4,375 sq.ft. (0.1004 ac.)
   Improvements: Lawn landscaping, entrance way, signage
   Price: $4,000.00
   Reason for condemnation: After lengthy negotiations, unable to get Homeowners Association to agree to terms. Condemnation recommended so that project will not be delayed.


VULCAN MATERIALS COMPANY
S.C. HONDROS & ASSOCIATES, INC.
CHARLOTTE CITY LIMITS
PROPOSED AREA TO BE ANNEXED
ALVIN C. TISDALE, JR. & WIFE JAKKI S. TISDALE
VULCAN MATERIALS COMPANY
CITY OF CHARLOTTE
TOTAL
WESTINGHOUSE BLVD.
INDUSTRIAL FIRE PROTECTION COMPANY
LIMITS OF NEWLY ACQUIRED 100' R/W - SEE R/W PLATS 47 THRU 49 PREPARED FOR THE CITY OF CHARLOTTE
LIMITS OF PERMANENT DRAINAGE EASEMENT SEE R/W PLATS 50B THRU 50E PREPARED FOR THE CITY OF CHARLOTTE.
McDEVITT AND STREET COMPANY
SUGAR CREEK
CULP ROAD
100' SOUTHERN R/R R/W
MECKLENBURG COUNTY
NATIONAL ENGINEERING & CONTRACTING COMPANY
VULCAN MATERIALS COMPANY
JOHN G. BLACKMON
MECKLENBURG COUNTY
RICHARD CULP
ROOSEVELT BROOME & WIFE CARRIE C. BROOME
NC GRID NORTH
PROJECT DATUM
NOTE: This map was prepared to represent a proposed annexation to the City of Charlotte and is not intended to be a boundary survey of the properties shown.
For bearings and distances of this tract, refer to a metes and bounds legal description titled "PROPOSED ANNEXATION AREA, PROPERTIES OF VULCAN MATERIALS CO. AND CITY OF CHARLOTTE" prepared by Kimley-Horn and Associates for city of Charlotte Engineering Department.
SCALE
CHARLOTTE
ANNEXATION MA
WESTINGHOUSE BLVD. A
PROPERTIES OF
VULCAN MATERIALS CO.
AND CITY OF CHARLOTT
11-12-90


IN MEMORY OF
CHIEF
RL "BLACKIE" BLACKWELDER
FOR HIS UNSELFISH DEVOTION AND
LEADERSHIP TO THE FIREFIGHTERS
AND THE CITIZENS OF CHARLOTTE
32"
28"
16"
22"

Recommend adoption of the Transportation Committee's recommendations to A) approve policy assumptions for transportation and design criteria for street construction and B) approve widening Eastway Drive to six lanes and the purchasing of additional property along the corridor to provide a compatible land use/transportation relationship.

History

When City Council adopted the 2005 Transportation Plan in September 1989, several Council members requested the Charlotte Department of Transportation (CDOT) review the City's existing transportation policies in light of the Plan's recommendations. CDOT also was asked to analyze current policies with regard to policy and funding changes at the national and state levels.

- During the past year - CDOT reviewed transportation policies issued by the United States and North Carolina Departments of Transportation and assessed the local impacts of changes in state and federal funding levels.

- In July and August 1990 - CDOT and Council's Transportation Committee reviewed the long-term funding requirements associated with the City's existing public transportation policies. This discussion led to Council's September 10, 1990 vote (in principle) to use all proceeds from the $20 auto privilege license fee to fund transit operations.

- November 1990 Council workshop - CDOT presented the opportunities for rail corridor protection provided by: the design of the Convention Center, the design of the NFL stadium parking garage, and the purchase of a portion of CSX's Cedar Yard. These issues were reviewed to clarify the city's policy on rail corridor protection for future light rail transit service.

Transportation Policy Assumptions

Transportation Policy Assumptions

Council is requested to adopt the Transportation Committee's recommendations for transportation policy assumptions and design criteria for street construction policy assumptions.

As shown by Attachment 1, all but one of the transportation policy assumptions recommended for Council approval come from existing policies, plans, or programs. The exception, assumption #11, is a change from the current road construction policy which specifies that only roads which are city responsibility will be constructed with city funds. Under the proposed policy, the city may fund all or part of the cost of constructing non- numbered State roadway projects in Charlotte which are on the local priority list.

On December 10, 1990 and January 14, 1991, the Transportation Committee discussed several key issues before re-adopting the road policy (city funding of improvements to state-system roadways) that was the basis for project funding for the 1987 Street Improvement Bonds. The new policy, although it adds six state projects to the city's roadway priority list (Attachment 2), ensures that needed transportation improvements are not delayed due to lack of state funds.

Design Criteria

Design Criteria

The only change in design criteria for street construction is Assumption #4 on Attachment 3, which was developed by Charlotte-Mecklenburg Planning Commission (CMPC) staff. This policy was prompted by the identification in the 2005 Transportation Plan of 19 projects (5 of which have residential frontage) which widen major thoroughfares to six lanes. At its January 14, meeting, the Transportation Committee agreed with the City Attorney's office that an amendment to the City Charter is needed to expand the city's condemnation authority to implement this policy.

The Transportation Committee directed staff to seek an amendment to the City Charter, expanding the city's condemnation authority. Such a bill would grant the city the power of condemnation for entire parcels of land where only portions are needed for street-widening purposes. Attachment 4 lists the conditions to be included in the state enabling legislation when it is prepared by the City Attorney. This bill would not be introduced until the 1993 session of the North Carolina General Assembly.

Eastway Drive

Eastway Drive

As part of the widening of Eastway Drive to six lanes between Independence Boulevard and Monroe Road, Council is requested to approve the Transportation Committee's recommendation to acquire additional property (through condemnation if necessary) in areas 1, 2 and 4 described in a land use analysis (Attachment 5) prepared by CMPC staff. Although the land use study (developed in accordance with the transportation/land use policy discussed above) recommends City acquisition of additional property in five areas along Eastway Drive, the City Attorney recommends delaying any purchase of extra property in areas 3 and 5 until state enabling legislation has been obtained.

The desireability of widening this segment of Eastway Drive to six lanes results from state plans to widen the Eastway Drive bridge over US 74 to eight lanes (six through lanes) as part of the Independence Freeway/ Expressway/High Occupancy Vehicle Facility project. After reviewing these plans in conjunction with the city's proposed improvements to the Eastway/ Monroe/Wendover intersection improvement project, the Transportation Committee approved widening Eastway Drive between the two projects in order to provide a continuous six-lane cross-section.

Executive summaries of the December 10, 1990 and January 14, 1991 Transportation Committee meetings are Attachments 6 and 7.

TRANSPORTATION POLICY ASSUMPTIONS

1. To evaluate capital project requests according to the following priority ranking system:

   1st Priority: Rehabilitation or Maintenance of Existing Facilities

   2nd Priority: Replacement of Existing Facilities

   3rd Priority: Expansion of Existing Facilities

   4th Priority: New Facilities

2. To ensure that existing infrastructure is maintained and replaced as needed.

3. Where feasible, improvements to the local thoroughfare system should be pursued through public/private cooperative efforts.

   Continue to encourage public/private cooperative efforts in the development and construction of the Westinghouse Boulevard system.

4. Continue to participate in State road projects by providing up to 25 percent of the right-of-way costs; and ensure that sidewalk and landscaping conform to City standards.

5. Continue to emphasize cost effective transportation system management intersection improvements.

6. Provide City funding to meet the local match requirements for an Independence Boulevard High Occupancy Vehicle (HOV) Lane.

7. Continue expansion of transit service to meet the needs of increased population and employment and the geographically expanding City.

8. Provide mobility for transportation-handicapped citizens of the City through provision of demand-responsive, special transportation service.

   (Source: FY 91-95 Capital Improvement Program)

9. Protection of existing rail corridors as rail companies seek abandonment should receive top City priority.

   (Source: 2005 Transportation Plan)

10. Actively pursue a transit rail and expanded bus system for the community and support the rail concept by encouraging higher density development.

    (Source: District Plans General Policies)

11. Construct local roads identified in the 1997 major roadway projects ranking and accelerate, through City funding, the construction of non-numbered arterial roadways in Charlotte which are the responsibility of the North Carolina Department of Transportation (NCDOT).

Attachment 3

PROJECT LIST UNDER RECOMMENDED POLICY
(Based on 1997 Roadway Improvement Needs)

TIP (a) PRIORITY*	PROJECT	TOTAL COST (b) (MILLIONS)	AMOUNT INCLUDED IN FY 91-95 CIP (MILLIONS)
4,5	Fairview and Sharon Roads Widening (Park to Colony and Sharon View to Sharon)	10.9	4.6
6	Westinghouse Boulevard Widening to 4 Lanes (NC 49 to Granite)	6.0 (New)	---
7	Beatties Ford Road Widening to 5 Lanes (LaSalle to I-85)	1.6	1.6
9	Fairview Road Widening to 6 Lanes (Carmel to Providence)	1.3	1.3
10	Statesville Avenue Widening to 4 Lanes (Newland to Hickory)	5.1 (New)	---
11	Eastway Drive Widening to 6 Lanes (Sugar Creek to Kilborne)	7.0 (New)	---
13	Statesville Road Widening to 4 Lanes (Starita to Keith)	11.0 (New)	---
17	Colony Road Extension (Carmel to Rea)	8.0	---
18	Beatties Ford Road Widening to 4 Lanes (Capps Hill Mine to Lakeview)	11.0 (New)	---
20	Sharon Amity Road Median (Providence to Addison)	2.1	0.4
22	Lawyers Road Widening to 4 Lanes (Albemarle to City Limit)	9.0 (New)	---
28	Hoskins Road Widening to 4 Lanes (Brookshire to Rozzelles Ferry)	3.0	0.4
30	Cindy Lane Extension (Statesville to Nevin)	5.4	---
31	Seventh Street Widening to 4 Lanes (Independence to Laurel) (c)	5.0	---
TOTAL		86.4	8.3

(a) From FY 1991-95 Charlotte-Mecklenburg Transportation Improvement Program (TIP)
(b) 1991 cost estimates (costs are rough and should not be used for budgeting)
(c) The need for and scope of this project will be evaluated in light of the impact of completion of the Independence Freeway project and results of the reversible lane program implemented in November, 1989.
* CIP priority may differ due to City's higher commitment to local system needs.

Attachment 3

POLICY ASSUMPTIONS FOR DESIGN CRITERIA FOR STREET CONSTRUCTION

1. Chapter 18 (now 20) of the City Code (Subdivision) requires sidewalks to be constructed on both sides of all major streets.

2. In 1970, as part of the Capital Improvement Program (CIP), Council adopted a budget for an Urban Beautification Program which provided funds for planting street trees throughout the City. The program was expanded later to include street trees as part of all street improvement projects.

3. Chapter 21 of the City Code provides that the City Arborist is responsible for a master street tree plan.

4. The implementation of any roadway widening project should be paired with a strategy to ensure the viability of the adjacent land use or to eliminate land use conflicts. This could be accomplished through appropriate zoning designation or by public purchase of the adjacent properties to be maintained as a parkway or assembled for redevelopment.

Attachment 4

MEMORANDUM

January 4, 1991

TO: Transportation Committee

FROM: Laura A. Kratt
Senior Assistant City Attorney

RE: January 14, 1991 Committee meeting concerning State enabling legislation required to provide compatible transportation / lane use relationship for four lane or greater roadway projects

In order for the City to have clear authority to condemn entire parcels of land where only portions are needed for street-widening purposes, the City could seek an amendment to its Charter, expanding upon its condemnation authority. Such a bill would seek to grant the City the power of condemnation where there have been certain determinations by the City Council. I would suggest those include findings that the road project involves an expansion to four or more lanes; that there has been a study of the impact of the proposed widening on the adjacent land use and it has been found to no longer be suitable for its present purposes; that a plan for the reuse of the land has been developed based upon said study, following public hearings and opportunities for public comment; and, that the City intends to acquire certain parcels of land for reuse pursuant to the plan. I believe it would be well to include some kind of due process procedure for public input. Additionally, we might consider tying such a plan into any existing small area plans.

The City Attorney's Office is not aware of any similar legislation having been considered by the Legislature or reviewed by the courts of North Carolina; therefore, we are in "uncharted waters." For this reason, even if the legislature were to give us expanded condemnation authority as described above, we might still be challenged in court. We cannot say at this time whether or not such legislation could withstand such a challenge.

LAK:bd

ATTACHMENT 5

EASTWAY DRIVE LAND USE ANALYSIS

Introduction

The City of Charlotte is currently designing an intersection improvement at Monroe Road and Eastway Drive. Concurrently the state is also planning improvements to the Eastway Drive bridge over U.S. 74. The proximity of these two projects, coupled with projected traffic volumes, justify the need to widen Eastway Drive to six lanes between Monroe Road and U.S. 74. The widening of Eastway Drive is also recommended in the 2005 Transportation Plan.

Widening Eastway Drive to six lanes will create transportation/land use conflicts. Existing single family homes will remain within a few feet of the widened roadway. The livability of these homes and the long term viability of these properties are the question.

Background and Issue Identification

The further widening of Eastway Drive to six lanes will leave most of the single family homes within a few feet of the roadway. Those homes that currently have an "adequate" setback from a four lane arterial will have an "inadequate" setback from a six lane thoroughfare and will be in violation of the zoning ordinance. The widening will require the razing of some homes and will eliminate most of the existing vegetation in the front yards.

In addition to leaving many homes in violation of setback requirements, many of the parcels are not left with adequate depth for moving the houses deeper into the lot or any redevelopment. Leaving the homes within a close distance of the road is possible but will inevitably lead to a deterioration of those properties.

Proposed land use for the corridor is to remain residential. Nonresidential uses would impact the operation of Eastway Drive and may lead to further decline in surrounding single family areas. In addition, an abundance of retail uses and nonresidential zoning exist in the area.

Recommendations

The recommendations for mitigation of the Eastway Drive widening on adjacent land use have been subdivided into areas as shown on the attached map. In summary, they are as follows.

Area 1

- Purchase all properties and maintain as linear parkway.
- Combine the two parcels closest to June Street for potential redevelopment with access to June Street.
- Adequate street frontage should be retained for extensive plantings and sidewa'k.

Area 2

- Purchase all four properties and reassemble into two parcels for potential redevelopment with frontage on June Street and Coldstream Lane.
- Adequate street frontage should be retained for extensive plantings and sidewalk.

Area 3

- Maintain existing land use by providing planted buffers along Eastway Drive.
- Future land use should be high density multi-family.

Area 4

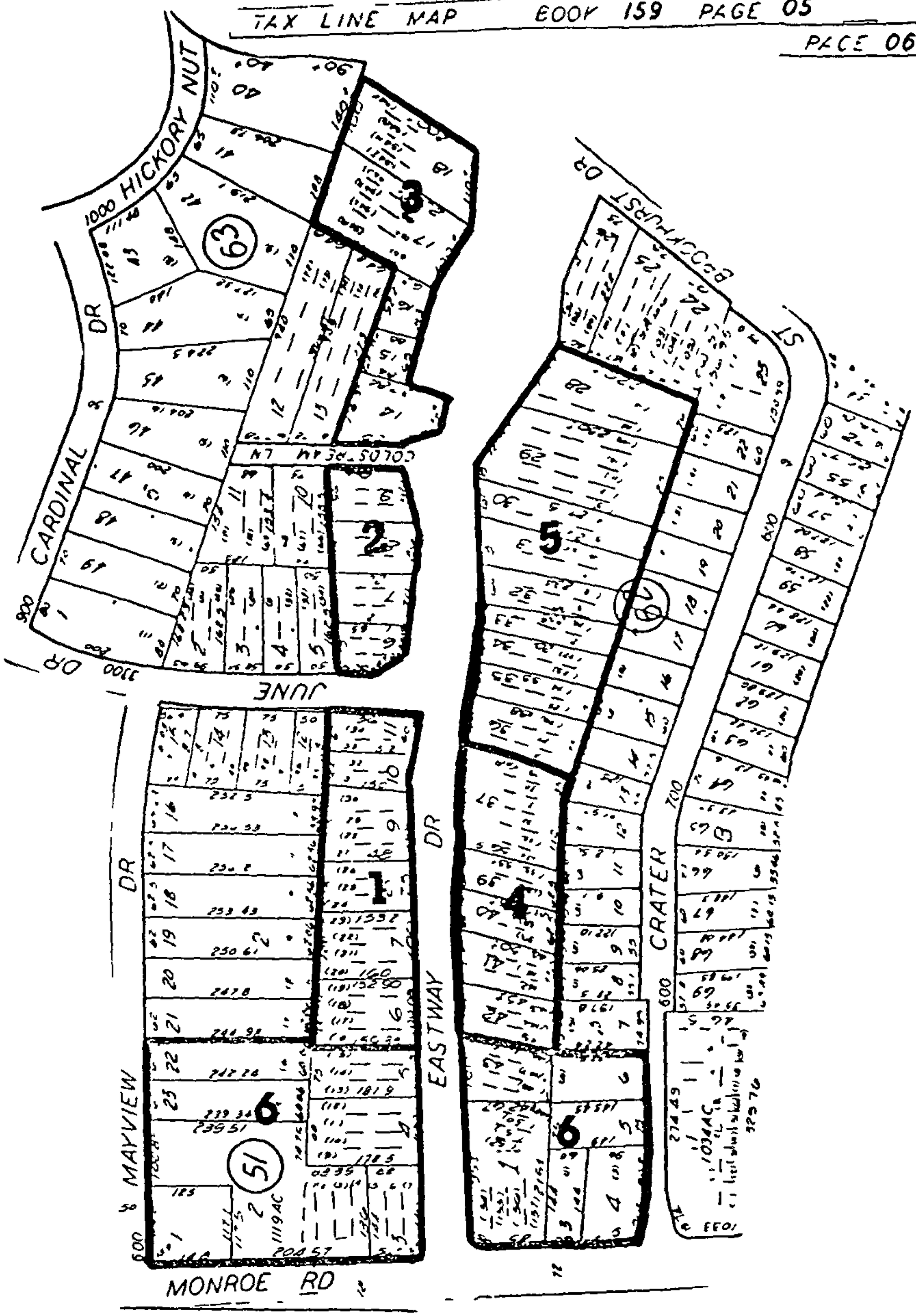
- Purchase all properties and maintain as linear parkway.

Area 5

- Purchase all properties and assemble for potential redevelopment as high density multi-family.
- Adequate street frontage should be retained for extensive plantings and sidewalk.

Area 6

- Neighborhood business uses (B-1) are designated for this area.



Eastway Drive Planning Areas

TRANSPORTATION COMMITTEE
December 10, 1990
EXECUTIVE SUMMARY

The City Council Transportation Committee met at 12:00 noon, on December 10, 1990, in room 270-271 of the Charlotte-Mecklenburg Government Center, with Chairman Richard Vinroot presiding. Committee members Ann Hammond, Roy Matthews and Tom Mangum were present. Committee member Stan Campbell was absent.

Staff members present were: Bob Pressley, Bill Finger and Lynn Purnell-CDOT; Martin Cramton, Dave Howard and Joe Lesch-Planning; Laura Kratt-City Attorney's Office; Pam Syfert, Julie Burch and Darlene Shrum-City Manager's Office

Review of 2005 Transportation Plan

Discussion: The committee met to review the current transportation policies as presented in the FY91-95 Capital Improvement Program, 2005 Transportation Plan, and District Plans General Policies, as well as present policies outlining design criteria for street construction.

The committee discussed a proposed change in the City's road construction policy which would accelerate construction of non-numbered State roadways through City funding. This would ensure that higher-priority projects are undertaken sooner and would provide a more equitable distribution of projects throughout the City. Concerns were expressed about the need for additional local road construction funds if the City assumes responsibility for State roads. Estimated funding required for projects needed by 1997 increases from $30 million to $72 million with the inclusion of 6 new State projects.

A proposed policy was discussed requiring a governmental strategy to address the land use impacts associated with widening a major thoroughfare to six lanes. Questions were raised about the City's authority to acquire property through condemnation to implement the desirable land use relationships along the six-lane roadway corridor; whether the City has committed to widening the thoroughfares selected in the 2005 Transportation Plan to six lanes (and would damages associated with the projects be worth the benefits achieved); if enabling legislation from the State would be needed and would the new legislation withstand judicial challenge; if compatible transportation/ land use relationships being sought for six-lane widening projects apply equally to some four-lane improvement projects (and if enabling legislation should be worded to cover both cases); and alternatives to widening thoroughfares to six lanes, such as the construction of interchanges at major congested intersections.

The committee indicated that there is no need for staff to develop further information at this time on designing radial thoroughfares with a five, six or seven-lane cross-section to facilitate reversible lane operation.

Action Taken: The committee will resume their discussion on January 14, 1991. Staff was requested to report on the following at the January 14 meeting:

- Projects on the City's priority list which are likely to be completed by 1997 assuming current funding.

- Possible funding sources which would ensure funding by 1997 of the City roadway priority list. Does the funding source change if the City assumes responsibility for non-numbered NCDOT roadways?

- Research by the City Attorney's office on the type of State-enabling legislation required to provide a compatible transportation/lane use relationship for not only six-lane, but also four-lane roadway projects.

Meeting adjourned at 1:20 p.m.

Attachment 4

TRANSPORTATION COMMITTEE
January 14, 1991
EXECUTIVE SUMMARY

The City Council Transportation Committee met at 12:00 noon, on January 14, 1991, in room 270-271 of the Charlotte-Mecklenburg Government Center, with Chairman Richard Vinroot presiding. Committee members Ann Hammond, Roy Matthews and Tom Mangum were present. Committee member Stan Campbell was absent.

Staff members present were: Bob Pressley, Bill Finger and Lynn Purnell-CDOT; Martin Cramton, Dave Howard and Joe Lesch-Planning; Laura Kratt-City Attorney's Office; Vi Alexander-Budget and Evaluation; Pam Syfert, Julie Burch, Del Borgsdorf and Darlene Shrum-City Manager's Office

Transportation Policies

Discussion: The committee met to reaffirm current transportation policies as presented in the FY91-95 Capital Improvement Program, 2005 Transportation Plan, and District Plans General Policies, along with present policies outlining design criteria for street construction.

A revised road construction policy to include non-numbered State roads was also discussed. Cost savings from projects being financed with 1988 road bonds may be available to fund projects on the City's current priority list. The reallocation of these funds will be considered by Council during development of the FY92-96 Capital Improvement Program. The availability of City funding becomes important in determining how many of the City's priority projects can be constructed by 1997. Committee members did not desire a priority list which is much longer than what can be built with available funding. The committee preferred a realistic priority list which includes State projects unlikely to be funded by the NC Department of Transportation (NCDOT). They did not wish to preclude the State's assuming responsibility for these projects on the State system if future conditions warrant an expanded NCDOT construction program.

Committee members recognized the need for acquiring additional property to address the land use impacts of widening Eastway Drive to six lanes. They regarded this situation to be comparable to Independence Blvd. improvements where additional land was purchased for the protection of residential neighborhoods adjacent to NC74. Laura Kratt discussed the public purposes for which the land in areas 1, 2 and 4 could be acquired through negotiated purchase or condemnation. She expressed her opinion about defending a legal challenge to the City's taking the property through condemnation. Redevelopment of other areas was discussed. Delaying action was advised until obtaining State enabling legislation to provide the City with clear authority for condemning entire parcels of land. Some committee members were

concerned about the political precedent established in acquiring entire parcels along Eastway Drive to achieve compatible transportation/land use relationships. It was stressed that each widening project would have to be evaluated independently.

The Committee agreed that City staff should draft the required enabling legislation which would help clarify the City's authority in purchasing land in excess of the amount required for roadway widening. They recognized that such legislation would not establish whether the public purposes specified for a acquiring the additional property could withstand legal challenge.

Action Taken: The committee approved motions recommending that Council:

(1) Approve the policy assumptions included in tables 1 and 2.

(2) Approve a revised road construction policy to include non-numbered State roadways on the City's roadway priority list for 1997 construction in order to accelerate their construction.

(3) Approve widening the section of Eastway Drive between Monroe Road and Independence Blvd. to six lanes as identified by the Eastway/Monroe/Wendover intersection improvement project. City staff is directed to use condemnation if necessary to acquire additional property in areas 1, 2 and 4 for implementation of the recommended land use strategy adopted for this segment of Eastway Drive.

(4) Approve a new policy which requires each roadway widening project over two lanes to include a land use plan that (a) ensures the viability and livability of adjacent land uses, or (b) eliminates land use conflicts.

Staff directed to seek an amendment to the City Charter which would expand the City's condemnation authority to permit full implementation of this policy.

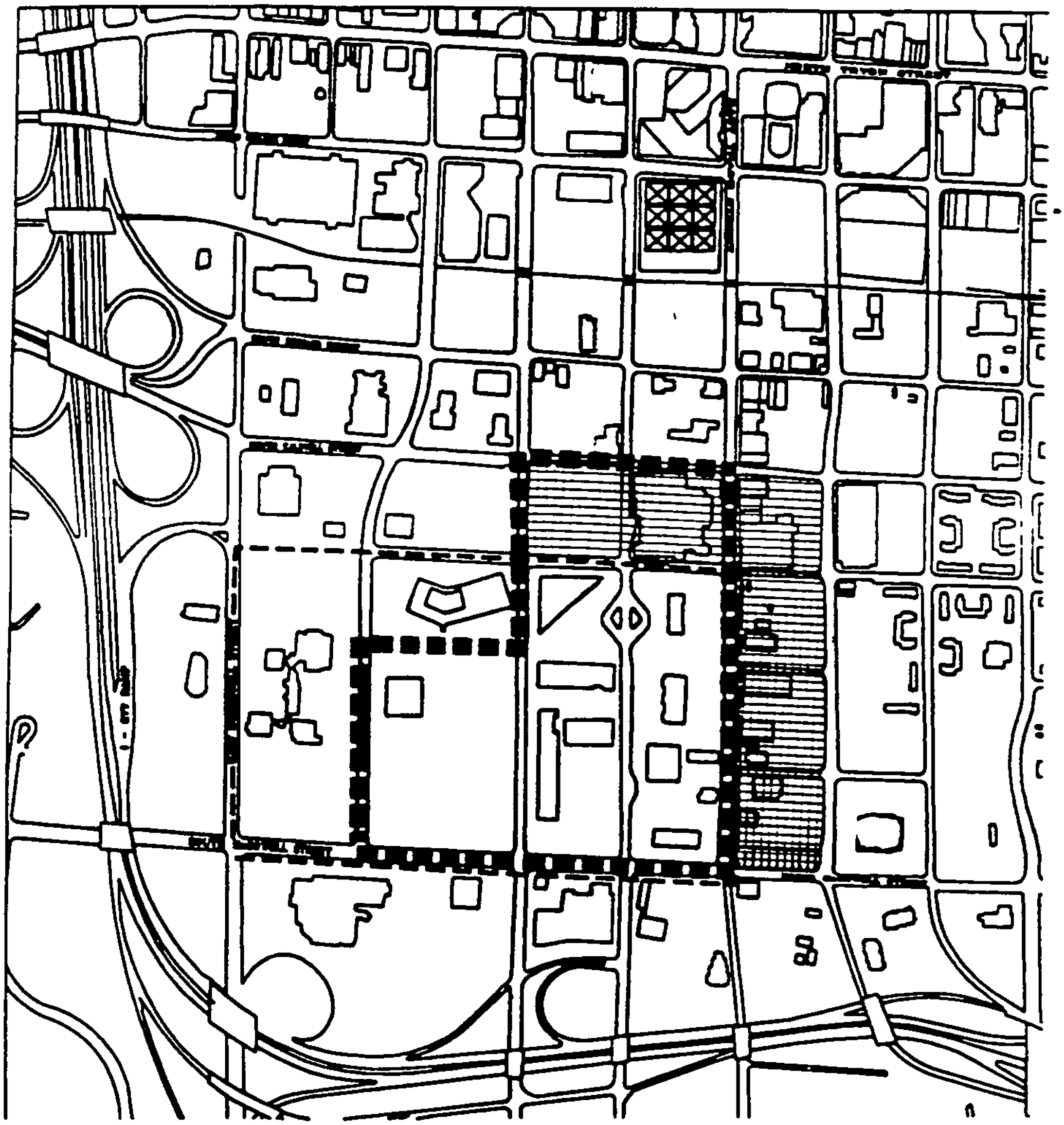
Meeting adjourned at 1:20 p.m.

Government Center Area

1965 Governmental Center Master Plan Area

1975 Master Plan Update Proposed Expansion Areas

Existing Government Center Area



I. Government Center Development Context

1965 Plan:

- In the design of a Government Center to be built in progressive stages over a period of many years, it is essential that a decisive plan be established which not only states in eloquent terms the solution to immediate needs, but also makes provisions for orderly expansion in the future.

Subsequent Plans:

- 1975 Master Plan Update
- 1980 Charlotte Central Area Plan
- 1989 Urban Design Plan, Center City Charlotte

  Each plan reinforced the concept of government services being provided within a "Government Center" and expansion areas are highlighted for the Government Center.

- 1990 Government Center Space Needs Study defined and evaluated space needs and development possibilities.

II. Orderly Expansion

Immediate Needs:

- 1000 Bed pretrial facility
- 330 Bed work release facility
- 600 Bed detention facility (suburban location)
- 275 Parking spaces plus needs from above expansions
- 50,000+ Square foot expansion for existing LEC
- Land acquisition for future needs

Long Term Needs:

- 200,000 Sq. feet office space by 2006
- Additional parking various with assumptions

Issue Focus:

- Challenge to see long term development possibilities as the framework for meeting immediate needs.
- Optimum location for centralized county jail facilities (Pretrial and Work Release) at existing jail site. This requires City LEC site.
- Review location of City and County Police Services impacted by LEC expansion or new construction strategies.
- Need for a comprehensive, long-range parking policy prior to additional parking construction.

Site Options:

- Pretrial facility - 2 sites.
- Work Release facility - 2 sites.
- Pretrial and Work Release facilities - 2 sites.
- Law Enforcement Center - 7 sites.
- Office Building - 6 sites.

Points of Negotiation

Finance:

1) Provision of a 2.75+ acre site for a new LEC in close proximity to current site.

2) Provision for an up front cost allowance payment for replacement value of current LEC building.

3) Provision through up front cost allowance payment for space to be occupied by County Police in the new LEC.

Construction:

4) Construct a new LEC on site of sufficient size to accommodate joint needs of City and County Police projected to 2010. Colocated and operated support services would be provided. (communication, evidence, lab, etc.).

5) Expand current LEC parking deck to serve needs of new LEC and new detention facilities. Costs to be shared by City and County based upon zoning requirements and occupancy ratio-similar to CMGC parking Deck Agreement.

Ownership:

6) Interests in new LEC and expanded parking deck as well as land to be held as "Tenants in Common."

7) Current LEC site and plaza deeded (2.1+ acres) to County.

Timing:

8) Agreement on a schedule for vacating existing LEC including provisions for phased transfer of current LEC site and building from the City to the County.

Other:

9) There will likely be other details that will emerge once detail negotiations are begun.

PLANNING AND PUBLIC WORK COMMITTEE
January 30, 1991
EXECUTIVE SUMMARY

The Charlotte City Council Planning and Public Works Committee met on January 30, 1991, at 5:15 pm, in room 270-271 of the Charlotte-Mecklenburg Government Center with Chairman Dan Clodfelter presiding. Committee members Lynn Wheeler, Pat McCrory, Ella Scarborough and Tom Mangum were present. Council members Hoyle Martin and Roy Matthews were also in attendance.

Staff members in attendance were: Martin Cramton, Walter Fields and Dick Black-Planning; Vi Alexander-Budget; Wendell White, Pam Syfert, Del Borgsdorf and Darlene Shrum-City Manager's Office.

Assistant County Manager Ed Chapin was also in attendance

Rezoning Petitions

Discussion: The committee discussed whether there is a need to delegate decision-making and hearing responsibilities for rezoning petitions. There was general consensus that many rezoning decisions have policy implications, and that rezoning matters are some of the most important issues to citizens.

The committee also discussed the feasibility of several changes to the existing rezoning process outlined in Dan Clodfelter's January 7 memo. They agreed that certain changes may reduce the time Council devotes to rezoning hearings, but did not feel that scheduling hearings every other month was feasible.

Action Taken: Motion was approved unanimously to leave the rezoning process as is and not to delegate decision-making and hearing responsibilities to the Planning Commission.

Another motion was approved unanimously to incorporate (1) a written response from the petitioner to the prehearing staff analysis in the Council's prehearing packet; and (2) elimination of the staff and petitioner presentation during the hearing in the event no one has signed up to speak in opposition and there are no questions from Council. Staff was directed to circulate the recommendations to interested parties for comments.

The committee directed staff to have Council evaluate the changes after a six month period.

Government Center Space Needs

Discussion: Martin Cramton provided the committee with background on the Government Center Space Needs Study. He indicated that direction needs to be provided by Council in order to proceed with the immediate needs for space and sites for jails (pretrial and work release) and law

enforcement center (LEC) expansion. Negotiations need to be initiated with the County concerning available options for relocating the LEC in order for the site to be made available to the County. The site has been identified by the County as their first choice for location of additional detention facilities.

Action Taken: Motion approved unanimously to continue the dialogue between City and County on a cooperative strategy for jail and law enforcement center construction, and that staff proceed to investigate available options for relocating the law enforcement center.

Meeting adjourned at 7:00 pm

STATESVILLE ROAD COMMUNTIY PARK PROPOSED MASTER PLAN COST

GENERAL CONSTRUCTION

ROADWAY/OVERALL SITE PREPARATION	$2,324,397
MAINTENANCE AREA	$200,393
MULTI-PURPOSE FACILITY	$971,261
LITTLE LEAGUE FACILITY	$325,891
TENNIS COMPLEX	$365,441
TRAIL SYSTEM	$396,060
LAKE/PAVILION AREA	$898,403
VOLLEYBALL COMPLEX	$72,450
TIME GARDEN	$381,317
SOFTBALL COMPLEX	$319,204
SOCCER FIELD FACILITY	$180,435
BASKETBALL/YOUTH SOCCER	$191,440
SUB TOTAL	$6,626,692

CONSTRUCTION ADMINISTRATION/OTHER

DESIGN/DEV CONSTRUCTION DOC FEES	$215,000
CONSTRUCTION ADMINISTRATION FEES	$22,500
REIMBURSEABLES	$20,000
1% FOR PUBLIC ART	$33 500
SUB TOTAL	$291 000

SUGGESTED ADDITIONAL LAND PURCHASES

PROPERTY ACQUISITION HUTCHINSON	$440,500
PROPERTY ACQUISITION BIGGAR	$237,000
PROPERTY ACQUISITION CROW/FREEMAN	$544,200
SUB TOTAL	$1,221,700
GRAND TOTAL	$8,139,392

MASTER PLAN FEES (already paid for)	$126,945

CHARLOTTE-MECKLENBURG
PLANNING COMMISSION

INTER-OFFICE COMMUNICATION

DATE January 24, 1991

TO Mr. Marvin Billups,
Park and Recreation Dept

FROM Martin R. Cranton, Jr.,
Planning Director

SUBJECT - Mandatory Referral Report No. 91-1 -

Attached is a copy of Mandatory Referral Report No. 91-1 for the purchase of two ballfields located on Marsh Road.

The Planning Committee of the Planning Commission unanimously approved the report at a meeting on January 22, 1991.

If additional information is needed, please let us know.

mmc

cc Tom McDermott,
Park and Recreation Dept.

MANDATORY REFERRAL REPORT NO. 91-1
CHARLOTTE-MECKLENBURG PLANNING COMMISSION

PROJECT PROPOSAL AND JUSTIFICATION

This proposal provides for the purchase of 4± acres of land located on Marsh Road Bordered by the Savannah Woods, Selwyn Farms and Sedgefield neighborhoods, this parcel presently has two softball ballfields, two tennis courts, a concession/bathroom building and parking lot This facility currently provides recreational opportunities solely for the Selwyn Farms Homeowners Association which owns the parcel and the Broadmoor Athletic Association Under the provisions of this acquisition the park would become available for use by the surrounding community. The Charlotte Parks and Recreation Department would take over all maintenance responsibilities for the park and it would function primarily as a Neighborhood Park.

PROJECT IMPACT

The land proposed for this project is currently reserved for the Broadmoor Athletic Association. The acquisition of this land would help to preserve open space within this area and continue to provide recreation for the Broadmoor Association as well as the surrounding community. In addition, much needed maintenance and upkeep or other improvements could be done on a regular basis and as funding permits. These improvements include

- Erosion control
- Pedestrian circulation and paving
- Building and drainage improvements
- Spectator seating
- Landscaping
- The possible addition of a playground, jogging trail, Park ID signage and a pedestrian linkage with Cambridge Road and the Sedgefield neighborhood.

It is anticipated that the purchase of this facility would have a positive impact on the surrounding community.

RELATIONSHIP TO OTHER PUBLIC AND PRIVATE PROJECTS

The purchase of this parcel for use as a park is compatible with the Park Road/Marsh Road Small Area Plan and is designated for park use by the approved Selwyn Farms site plan document and is currently noted on this plan as "Reserved for the Broadmoor Athletic Association." Planning staff recommends this plan and notes be changed to read "Public Open Space," possibly through an administrative change to secure the facility's future use as a public park. The Parks and Recreation Department has obtained approval from the Broadmoor association to establish this site as a neighborhood park.

The Charlotte-Mecklenburg Parks Master Plan classifies a neighborhood park as a parcel consisting of 15 to 25 acres. Although this

particular park would not meet this criteria, Planning staff does recommend acquisition in that it would provide and preserve valuable open space for use by the community.

PROJECT COST

The purchase price for this parcel is $25,000 00 which is to be funded by Park Land Acquisition Account Funds

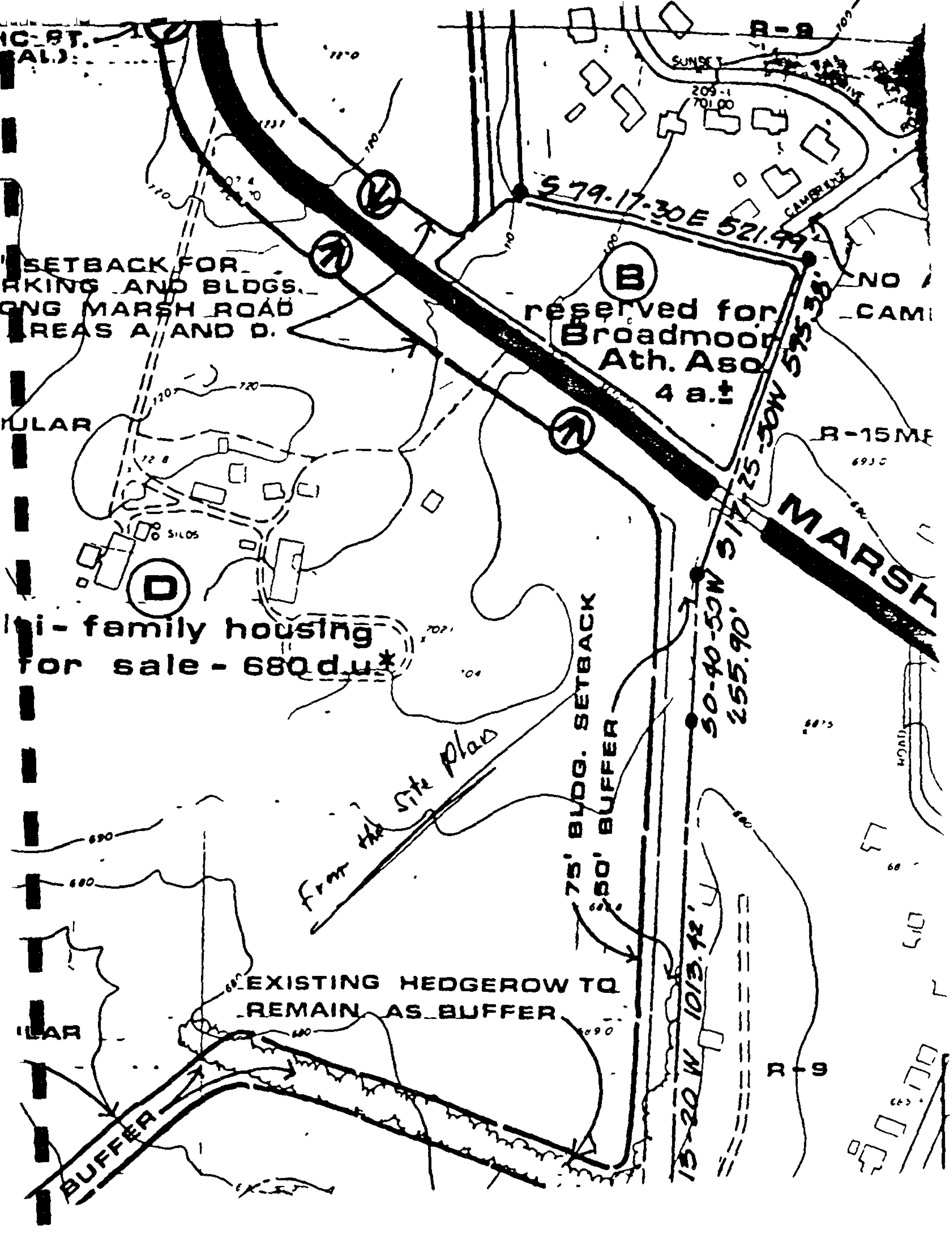
PLANNING STAFF RECOMMENDATION

Planning staff recommends acquisition of this facility and improvements be made consistent with City standards Planning staff supports Parks and Recreation recommendation to purchase this parcel for use as a neighborhood park The park should be retained long term under City ownership.

PLANNING COMMITTEE RECOMMENDATION

Planning Committee unanimously approved staff recommendation.

* The property is owned by First Union National Bank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BUFFER
R-9

MEMORANDUM

January 17, 1991

To. See Distribution List

From. Mahlon Adams, Chair
Charlotte Advisory Parks Committee

Mahlon Adams

Subject· Purchase of land for a neighborhood park off Marsh Road

The Charlotte Advisory Parks Committee, at the January meeting, was briefed on the proposal to purchase a site on Marsh Road to be used by the public as a neighborhood park.

Having been advised that Council would be considering a proposal to purchase, an inspection was made of the site by members of our Siting and Design Subcommittee. As I have been involved with this community project and the zoning thereof, I was able to share a great deal of background information with the Committee.

It was the unanimous recommendation of the Committee that Mayor and Council be advised of the following:

1. That Council should proceed to acquire the four acre site to be used as a neighborhood park.

2. The Committee strongly believes that the highest and best use of the property is to serve the recreational needs of the broader community.

3. The Committee does not recommend that Council attempt to provide exclusive use to any group at the exclusion of another. The Parks and Recreation Department staff is very experienced in meeting the needs of a number of athletic associations all over the City without such guarantees.

Again, the Committee strongly supports the acquisition of the property by the City as a neighborhood park for the long term recreational value

to the community. The support for this recommended course of action is based upon the above rationale.

Please feel free to give me a call if additional information regarding this recommendation is needed.

Distribution List:

Mayor Sue Myrick
Cyndee Patterson, Councilmember
Ann Hammond, Councilmember
Richard Vinroot, Councilmember
Pat McCrory, Councilmember
Daniel Clodfelter, Councilmember
Hoyle Martin, Councilmember
Ella Scarborough, Councilmember
Roy Matthews, Councilmember
Stanley Campbell, Councilmember
Lynn Wheeler, Councilmember
Tom Mangum, Councilmember
O.W. White, City Manager
Julie Burch, Assistant City Manager
Charlotte Advisory Parks Committee Members
Marvin F. Billups, Jr., Director, Parks and Recreation

MEMORANDUM

TO: Marvin F. Billups, Jr., Director
Parks and Recreation Department

FROM: F. Douglas Canty
City Attorney's Office

DATE: January 30, 1991

RE: Marsh Road Property

You have asked several questions regarding a proposal that the City purchase a tract of land for use as a park. The developer of the property secured a conditional land-use permit that designated the property as "reserved for Broadmoor Athletic Association."

The City's Zoning regulations provide that use conditions in this situation are binding on the property, and, "All subsequent development and use of the property must be in accordance with the approved plan and conditions." Zoning Code §3202.4. In effect, the Zoning regulations grant to Broadmoor essentially all the rights it would have in the property if there were a deed provision reserving to it the use of the property. In my opinion, Broadmoor may decide what facilities will be on the property and when and how it will be used, within the limits of the zoning for the area.

In my opinion, the City cannot legally purchase the property with this restriction upon it. Art. I., §32 of the North Carolina Constitution prohibits governmental agencies from using public funds to confer exclusive benefits and privileges upon individuals and specified classes of people, except in return for public service or to promote the general welfare. Granting exclusive use of the property to Broadmoor would not appear to me to promote the general welfare. In addition, such a restriction upon City-owned property probably would run afoul of the equal protection provisions of the federal and state constitutions.

The reservation of the property for Broadmoor's exclusive use can be removed only through a petition by the current owner or the owner's agent. City Council would decide whether to remove the restriction.

A possible solution to the problem, if the City wishes to purchase the property, would be for the City and the owner to enter into a contract providing that the City will purchase if the owner has the reservation removed by a specified date. When the reservation is removed, the contract would become operative and the transaction would be completed.

FDC/krb

N/O

9 Appointed by Mayor
16 Appointed by City Council

CITIZENS ADVISORY COMMITTEE - CONVENTION & VISITORS BUREAU

(25 Members)

Membership - Original appointments were made to expire on a staggered basis - one and tw year terms.

Responsibilities - Established in conjunction with the Convention & Visitors Bureau t develop community awareness and to assist in developing community involvement and pride i Charlotte as a convention and travel destination.

MEMBER	DIST.	BUSINESS/ PROFESSION	ORIGINAL APPTMT.	RE-APPTMT.	TERM	EXPIRATION
(C)Joan P. Maultsby W/F	6	Exe. Dir./Nat'l Conf. Christains & Jews	9/08/86	1/08/90	2 yrs.	3/26/92
(M)Lucille Black B/F	2		3/26/84	5/19/86	2 yrs.	3/26/88
(M)Brenda Cage W/F		Asso. w/ J. Crosland	1/03/86	5/19/86	2 yrs.	3/26/88
(M)Yvette Alston B/F		Yvette Productions	5/19/86		2 yrs.	3/26/88
(M)Linda Kopel W/F	7		5/19/86		2 yrs.	3/26/88
(M)Floyd Young	2		3/26/84	5/19/86	2 yrs.	3/26/88
(M)Evelyn Welch W/F		Adv./Mkt.(Castleberry)	1/03/86	8/06/87	2 yrs.	3/26/89
(C)Jan Beck W/F	5	Science Museums	5/11/87	1/08/90	2 yrs.	3/26/92
(C)Cyrus M. Johnson, Jr. W/M	7	Womble Carlyle Sandridg	10/23/89	1/08/90	2 yrs.	3/26/92
(C)Tracy R. MorrisW/F	7	Pres./ MeteoSpirit	1/22/90		2 yrs.	3/26/92
(C)Eugene M. Davant W/M	6	Owner/Davang Realty.	1/22/90		2 yrs.	3/26/92
(C)Angela Cureton B/F	1	Mkt. Research Conslt.	9/26/88	4/10/89	2 yrs.	3/26/91
(C)George Westerfeld W/M	7	Human Potential Dev. Consultant	3/24/86	3/14/88	2 yrs.	3/26/90
(C)Cameron Keyser W/M	5	Pres./Visitor Info. TV Network	3/24/86	3/09/87		
				4/10/89	2 yrs.	3/26/91
(C)Elizabeth Kandler W/M	6	Former Hotel Sales Mgr.	3/24/86	3/09/87		
				4/10/89	2 yrs.	3/26/91
(C)Joyce D. Rice	6	V.P.-Roswell Group	9/26/88	4/10/89	2 yrs.	3/26/91
(C)Joe Goodpasture W/M	4		3/09/87	4/24/89	2 yrs.	3/26/91
(C)Cathy W. Jones B/F	5	Counsellor - CPCC	10/24/88	4/10/89	2 yrs.	3/26/91
(C)Austin Sapp W/F	4	Marketing Director	3/09/87	4/10/89	2 yrs.	3/26/91
(M)Linda Hammond W/F	7	Real Estate Sales	8/06/87		2 yrs.	3/26/89
(M)Jacqueline Edwards B/F	5		8/06/87		2 yrs.	3/26/89
(M)Penny Moore W/F	2	Real Estate Sales	8/06/87		2 yrs.	3/26/89
*(C)Cathy Thompson W/F	2	Special Events Conslt.	3/28/88	1/08/90	2 yrs.	3/26/92
(C)Fran I. Juneau W/F	7	Sr. Accounting Clerk	3/28/88	1/08/90	2 yrs.	3/26/92
(C)Betty Pride B/F	3	Travel Manager	4/24/89		2 yrs.	3/26/91

Revised 2/8/90

*Chairman

APPLICATION FOR BOARDS, COMMISSIONS AND COMMITTEES
CHARLOTTE CITY COUNCIL

FOR OFFICE USE ONLY

Appointed to

Date

Please complete each section.

FULL NAME MURRAY BODNER (please print or type) Mr ✓ Mrs ____ Ms. ____ Miss ____

HOME ADDRESS 800 BRAXFIELD DR CHARLOTTE ZIP 28217

BUSINESS ADDRESS RETIRED ZIP ____

HOME PHONE (704) 525-6807 BUSINESS PHONE ( ) ____

SPOUSE'S NAME LORETTA SPOUSE'S EMPLOYER HOME MAKER

SPOUSE'S TITLE ____

PLEASE INDICATE: Voting Precinct # 3 District # 55 Date of Birth 8-22-30

MALE ✓ BLACK ____ BOARDS/COMMISSIONS/COMMITTEES I AM MOST INTERESTED IN

FEMALE ____ WHITE ✓ CONVENTION - VISITORS BUREAU

SINGLE ____ INDIAN ____

MARRIED ____ HISPANIC ____

OTHER ____

EDUCATION (including degrees completed) 2 Years College

CURRENT EMPLOYER ____

TITLE ____ YEARS IN CURRENT POSITION ____

DUTIES ____

OTHER EMPLOYMENT HISTORY Worked for 20 years NCNB Financial Svcs Was Mgr of a Dep't

(over)

INTERESTS/SKILLS/AREAS OF EXPERTISE I have traveled to all the major Cities of the U.S - Attended many conventions - On committees for Dinners - L A Ca New Orleans etc

CURRENT PROFESSIONAL ORGANIZATIONS, CIVIC, RELIGIOUS AND POLITICAL ACTIVITIES

Mbr Temple Israel - Served as Board mbr 10 years - Was also Pres Mens Club on 2 Occasions

PAST PROFESSIONAL ORGANIZATIONS, CIVIC, RELIGIOUS AND POLITICAL ACTIVITIES

Past Pres - Mens Wear Credit Assoc - Past Pres + Chairman of Board Edge-Vern Jewish Ctr in N.Y.C.

COMMENTS. I feel that I can contribute to the Convention Business based on 1st hand experiences

AFFIRMATION OF ELIGIBILITY·

To your knowledge, has any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction?

Yes_____ No ✓ If Yes, please attach explanation.

Is there any possible conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the City Council?

Yes_____ No ✓ If yes, please attach explanation of the nature of the conflict.

I certify that the facts contained in this application are true and correct to the best of my knowledge. I authorize investigation of all statements contained herein and the references listed above to give you any and all information concerning my qualifications and any pertinent information they may have, personal or otherwise, and release all parties from all liability for any damages that may result from furnishing the same to you.

This form will be retained on file for one year and must be updated after that; otherwise, it will be removed from the active file.

A personal contact with a City Councilmember is recommended.

RETURN COMPLETED FORM TO:

Office of the City Clerk
600 East Fourth Street
Charlotte, NC 28202-2857

Signature: Alfred Berk

Date: 1-1-91

PLEASE DO NOT SUBMIT RESUMES

RECEIVED
JAN 3 1991
OFFICE OF CITY CLERK

APPLICATION FOR BOARDS, COMMISSIONS AND COMMITTEES
CHARLOTTE CITY COUNCIL

FOR OFFICE USE ONLY

Appointed to

Date

Please complete each section.

FULL NAME Thomas E. Brown (please print or type) Mr X Mrs ____ Ms ____ Miss ____

HOME ADDRESS 5854 Wedgewood Drive, Charlotte, NC ZIP 28210

BUSINESS ADDRESS 201 South Tryon Street, Charlotte, NC ZIP 28231

HOME PHONE (704) 527-6808 BUSINESS PHONE (704) 339-5782

SPOUSE'S NAME Margaret J. Brown SPOUSE'S EMPLOYER Kennedy Covington

Lobdell & Hickman SPOUSE'S TITLE Paralegal

PLEASE INDICATE: Voting Precinct # 37 District # 6 Date of Birth 7/22/64

MALE X BLACK ____ BOARDS/COMMISSIONS/COMMITTEES I AM MOST INTERESTED IN

FEMALE ____ WHITE X 1. Citizens Advisory Committee of the Convention and Visitors Bureau

SINGLE ____ INDIAN ____

MARRIED X HISPANIC ____

OTHER ____

EDUCATION (including degrees completed)

M.B.A.- University of North Carolina at Charlotte

B.S.- Clemson University

CURRENT EMPLOYER Barclays Commercial Corporation

TITLE Associate Business Development Officer YEARS IN CURRENT POSITION 5 months

DUTIES Marketing and financial analysis related to securing new clients for the company.

OTHER EMPLOYMENT HISTORY Skyline Transportation (trucking), 3 years, 1987-1990, Sales Representative

(over)

INTERESTS/SKILLS/AREAS OF EXPERTISE Finance, Marketing

CURRENT PROFESSIONAL ORGANIZATIONS, CIVIC, RELIGIOUS AND POLITICAL ACTIVITIES

Student Mentor, Cities-In-Schools; Lector and 1991 Jr. High Religous Education Teacher, St. Patrick's Cathedral; GOP Precinct Chairman #37; Clemson Club of Charlotte, V.P. of Young Alumni

PAST PROFESSIONAL ORGANIZATIONS, CIVIC, RELIGIOUS AND POLITICAL ACTIVITIES

Delta Nu Alpha Professional Transportation Fraternity

COMMENTS:

AFFIRMATION OF ELIGIBILITY·

To your knowledge, has any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction?

Yes_____ No__x__ If Yes, please attach explanation.

Is there any possible conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the City Council?

Yes_____ No__X__ If yes, please attach explanation of the nature of the conflict.

I certify that the facts contained in this application are true and correct to the best of my knowledge. I authorize investigation of all statements contained herein and the references listed above to give you any and all information concerning my qualifications and any pertinent information they may have, personal or otherwise, and release all parties from all liability for any damages that may result from furnishing the same to you.

This form will be retained on file for one year and must be updated after that; otherwise, it will be removed from the active file.

A personal contact with a City Councilmember is recommended.

RETURN COMPLETED FORM TO:

Office of the City Clerk
600 East Fourth Street
Charlotte, NC 28202-2857

Signature: Howard E. Brown

Date: 12/28/90

PLEASE DO NOT SUBMIT RESUMES

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DEC 31 1990
OFFICE OF CITY CLERK

APPLICATION FOR BOARDS, COMMISSIONS AND COMMITTEES
CHARLOTTE CITY COUNCIL

FOR OFFICE USE ONLY
Appointed to
Date

Please complete each section

FULL NAME "Freedom" Susan E Bradley (please print or type) Mr ____ Mrs ____ Ms. ____ Miss ✓

HOME ADDRESS 3447 N. Sharon Amity Rd. Apt. E-2 Charlotte Teal Point ZIP 28205

BUSINESS ADDRESS ____ ZIP ____

HOME PHONE (704) 568-4925 BUSINESS PHONE ( ) ____

SPOUSE'S NAME ____ SPOUSE'S EMPLOYER ____

SPOUSE'S TITLE ____

PLEASE INDICATE. Voting Precinct # ~~29~~ 33 District # 5 Date of Birth 5/9/67

MALE ____ BLACK ____ BOARDS/COMMISSIONS/COMMITTEES I AM MOST INTERESTED IN

FEMALE ✓ WHITE ✓ [redacted]

SINGLE ✓ INDIAN ____ The Advisory Commission

MARRIED ____ HISPANIC ____

OTHER ____

EDUCATION (including degrees completed) University of North Carolina at Charlotte Graduate May 1990; B.S. in Criminal Justice.

CURRENT EMPLOYER ____

TITLE ____ YEARS IN CURRENT POSITION ____

DUTIES ____

OTHER EMPLOYMENT HISTORY 13·13 Club and Pterodactyl Club, job duties included door cashier. The Limited, Eastland and Southpark Mall, job duties included checking merchandise into stock.

(over)

INTERESTS/SKILLS/AREAS OF EXPERTISE

CURRENT PROFESSIONAL ORGANIZATIONS, CIVIC, RELIGIOUS AND POLITICAL ACTIVITIES

PAST PROFESSIONAL ORGANIZATIONS, CIVIC, RELIGIOUS AND POLITICAL ACTIVITIES

Student Government Representative for two years at UNCC. Office held in Student Govt: Chair of Academic Affairs for 6 months.

COMMENTS. Special study: Completed a college internship at the Tom Ray Resident treatment center, Charlotte, working with Willie M's, commencing May, 1990.

AFFIRMATION OF ELIGIBILITY:

To your knowledge, has any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction?

Yes_____ No ✓ If Yes, please attach explanation.

Is there any possible conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the City Council?

Yes_____ No ✓ If yes, please attach explanation of the nature of the conflict.

I certify that the facts contained in this application are true and correct to the best of my knowledge. I authorize investigation of all statements contained herein and the references listed above to give you any and all information concerning my qualifications and any pertinent information they may have, personal or otherwise, and release all parties from all liability for any damages that may result from furnishing the same to you.

This form will be retained on file for one year and must be updated after that; otherwise, it will be removed from the active file.

A personal contact with a City Councilmember is recommended.

RETURN COMPLETED FORM TO:

Office of the City Clerk
600 East Fourth Street
Charlotte, NC 28202-2857

Signature: Freedom SE Bradley

Date: JAN. 3, 1990

PLEASE DO NOT SUBMIT RESUMES

RECEIVED
JAN 4 1991
OFFICE OF CITY CLERK

Addendum to Request for Council Action

Project Costs:

Land and Building	$175,000

Source of Funds

First Citizens Bank	$ 87,500
City of Charlotte	70,000
Owner Equity	17,500
	$175,000

Terms of Loans:

1) First Citizens Bank:
   - Rate - 12%
   - Term - 10 years

2) City of Charlotte:
   - Rate - 6%
   - Term - 10 years

Security:

1) First Citizens Bank - A first deed of trust on the land and building, which has been appraised at $158,000. Also the bank will require assignment of the construction contract, financing statements (covering building materials), security agreement, and guarantees of officers and directors of the corporation.

2) City of Charlotte - A second deed of trust on the land and building. The City's margin of security is as follows:

Appraised Value	$158,000
First Citizens Loan	< 87,500>
	$ 70,500
City Loan	< 70,000>
Collateral margin over loans	$ 500

The City will also require guarantees of the officers and directors of the corporation.

Public Purpose:

It has been determined that the project is eligible for City financed participation as it meets the program objectives of low/moderate income job creation. It also meets the "Necessary and Appropriate" regulations required by HUD for the use of Community Development Block Grant funds.

HOUSING CODE ENFORCEMENT

Recommend adoption of an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling located at 4601 Wildwood Avenue (Thomasboro/Hoskins).

(PROPERTY ADDRESS: 4601 Wildwood Avenue; Census Tract #43.02; Council District #2; Neighborhood: Thomasboro/Hoskins)

BACKGROUND Date of Inspection: 11/14/89
Reason for Inspection: Field Observation
(Concentrated Code Enforcement)
Owner(s) Notified of Hearing: 11/21/89
Hearing Held: 12/6/89
Owner(s) Ordered to Demolish Dwelling By: 1/6/90

The owner requested additional time in which to repair the dwelling and two extensions of time were approved with the second extension date for the demolition to be completed by March 7, 1990. The dwelling was not demolished, therefore, a title search was ordered and received on August 31, 1990. The title search revealed that there were no parties in interest to the property.

This case was reassigned after the title search was received to another inspector and the new inspector failed to follow-up on the case in a timely manner.

Estimated Value of Dwelling: $3820
Estimated Repair (Which is More than 65% of Estimated Value): $4522

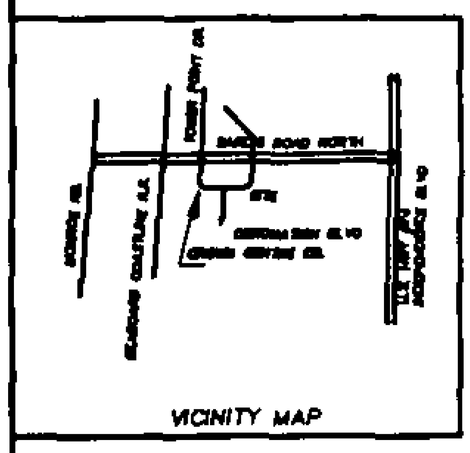
The repairs include: major repairs to the interior and exterior of the dwelling. The dwelling is unoccupied.

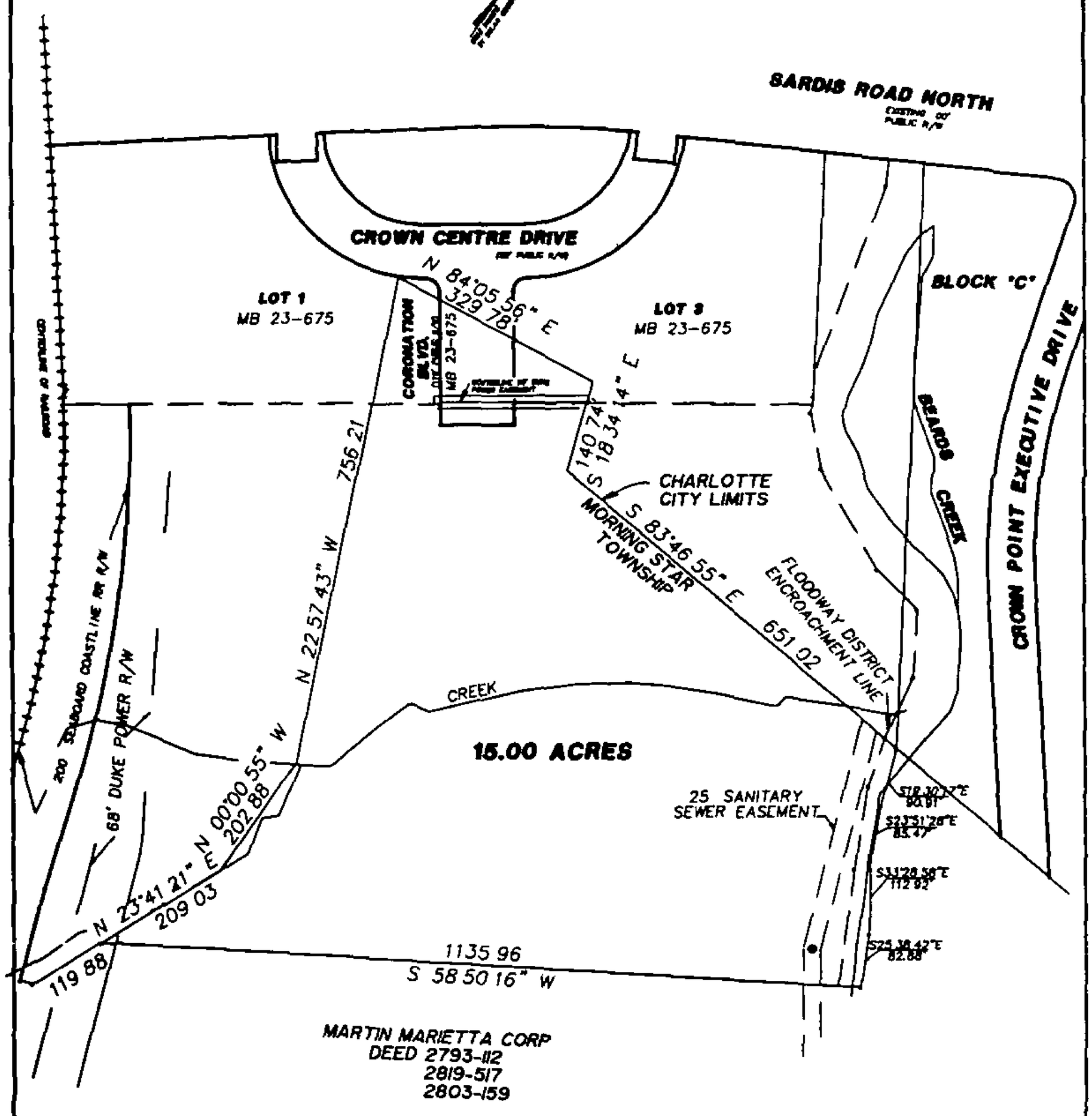
The owner was notified of a Civil Penalty on March 9, 1990. The total penalty as of February 11, 1991 amounts to $3500. The owner has been notified of this February 11, 1991 Council action.

THIS IS TO CERTIFY THAT ON THE 23RD DAY OF AUGUST 1990 I SURVEYED THE PROPERTY SHOWN ON THIS PLAT AND THAT THE TITLE LINES AND THE WALLS OF THE BUILDINGS IF ANY ARE SHOWN HEREON

SIGNED Jack R Christian
REGISTERED SURVEYOR
JACK R CHRISTIAN & ASSOCIATES
413 1/2 N TRYON ST CHARLOTTE, N C.

NORTH CAROLINA REGISTERED SEAL L-2624 LAND SURVEYOR JACK R CHRISTIAN





BOUNDARY SURVEY

OF

A PORTION OF CROWN POINT

SCALE 1"=200

CITY OF CHARLOTTE, MECKLENBURG COUNTY NORTH CAROLINA

THE PROPERTY OF SARDIS NORTH ASSOCIATES LTD
MAP RECORDED IN BOOK AT PAGE DEED RECORDED IN BOOK PAGE