# AGENDA

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|---|---|
| Meeting Type: | B |
| Date: | 05-28-1991 |
| SUBJECT | |

City of Charlotte, City Clerk's Office

CHARLOTTE

# Meetings in May '91

## THE WEEK OF MAY 1 - MAY 4

| | | |
|---|---|---|
| 1 | Wednesday, 9 00 a m | **CIVIL SERVICE HEARING** - CMGC, Meeting Chamber Conference Room |
| | Wednesday, 6 00 p m | **YOUTH INVOLVEMENT COUNCIL** - CMGC, Room 118 |
| 2 | Thursday, 4 00 p m | **CHARLOTTE-MECKLENBURG ART COMMISSION/County Detox Center Ad Hoc Art Advisory Committee** - CMGC, 8th Floor Conference Room |
| | Thursday, 7 00 p m | **CITY COUNCIL REGIONAL ISSUES COMMITTEE** - Mint Hill Town Hall, 7151 Matthews-Mint Hill Road |

## THE WEEK OF MAY 5 - MAY 11

| | | |
|---|---|---|
| 6 | Monday, 11 30 a m | **PLANNING COMMISSION/Planning Committee** - CMGC, 8th Floor Conference Room |
| | Monday, 12 Noon | **PLANNING COMMISSION/Work Session** - CMGC, 8th Floor Conference Room |
| 7 | Tuesday, 6 00 p m | **STORM WATER TASK FORCE** - CMGC, Meeting Chamber Conference Room |
| 8 | Wednesday, 8·00 a m | **CLEAN CITY COMMITTEE** - CMGC, Room 270 |
| | Wednesday, 8 30 a m | **CIVIL SERVICE BOARD** CMGC, 7th Floor Conference Room |
| | Wednesday, 4 00 p m | **HISTORIC DISTRICT COMMISSION** CMGC, 8th Floor Conference Room |
| 9 | Thursday, 5 00 p m | **CITY COUNCIL WORKSHOP/Budget Presentation** - CMGC, Conference Center (Televised on Channel 32) |

## THE WEEK OF MAY 12 - MAY 18

| | | |
|---|---|---|
| 13 | Monday, 8 00 a m | **QUARTERLY MEETING OF ELECTED AND CHAMBER OFFICIALS** - Charlotte Chamber, 129 West Trade Street |
| | Monday, 5 00 p m | **CITY COUNCIL/MANAGER DINNER** - CMGC, Conference Center |
| | Monday, 6 30 p m | **CITIZENS HEARING** - CMGC, Meeting Chamber (Televised on Channel 32) |
| | Monday, 7 00 p m | **CITY COUNCIL MEETING/Budget Public Hearing** - CMGC, Meeting Chamber (Televised on Channel 32) |
| | Monday, 7 00 p m | **HISTORIC LANDMARKS COMMISSION** - 1221 South Caldwell Street |
| 14 | Tuesday, 12 Noon | **POLICE COMMUNITY RELATIONS AWARDS CEREMONY** - CMGC, Outdoor Plaza Area, (Televised on Channel 32) |
| | Tuesday, 3 00 p m | **HOUSING APPEALS BOARD** - CMGC, 5th Floor Conference Room |
| | Tuesday, 4 00 p m | **AIRPORT ADVISORY COMMITTEE** - Charlotte/Douglas International Airport, Conference Room A, Main Terminal |
| | Tuesday, 4 00 p m | **CHARLOTTE-MECKLENBURG ART COMMISSION/Airport Ad Hoc Art Advisory Committee** - Charlotte/Douglas International Airport, Conference Room A |

(CONTINUED ON BACK)

*Public Service And Information Department*

*600 East Fourth Street*

*Charlotte NC 28202 2861*

*704/336-2395*

## THE WEEK OF MAY 12 - MAY 18 (continued)

| | | |
|---|---|---|
| 15 | Wednesday, 7 30 a m | CITY/COUNTY/CHAMBER BREAKFAST - Charlotte Chamber, 129 West Trade Street |
| | Wednesday, 2 30 p m | CHARLOTTE-MECKLENBURG ART COMMISSION/Executive Committee - CMGC, 8th Floor Conference Room |
| | Wednesday, 5·00 p m | CITY COUNCIL BUDGET WORKSHOP - CMGC, Meeting Chamber Conference Room |
| | Wednesday, 6 00 p m | YOUTH INVOLVEMENT COUNCIL - CMGC, Room 118 |
| | Wednesday, 7 00 p m | METROPOLITAN PLANNING ORGANIZATION - CMGC, Conference Center |
| 16 | Thursday, 7 00 p m | CHARLOTTE TREE ADVISORY COMMISSION - CMGC, Room 270 |
| 17 | Friday, 7 30 a m | PLANNING LIAISON COMMITTEE - CMGC, 8th Floor Conference Room |

## THE WEEK OF MAY 19 - MAY 25

| | | |
|---|---|---|
| 20 | Monday, 2·00 p m | HOUSING AUTHORITY - Hall House, 426 N Tryon Street |
| | 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 |
| 21 | Tuesday, 4 00 p m | PLANNING COMMISSION/Executive Committee - CMGC, 8th Floor Conference Room |
| | Tuesday, 4 30 p m | PLANNING COMMISSION/Zoning Work Session CMGC, 8th Floor Conference Room |
| | Tuesday, 5 00 p m | CITY COUNCIL BUDGET WORKSHOP - CMGC, Meeting Chamber Conference Room |
| | Tuesday, 6 00 p m | STORM WATER TASK FORCE - CMGC, Meeting Chamber Conference Room |
| | Tuesday, 6 00 p m | CHARLOTTE ADVISORY PARKS COMMITTEE - CMGC, Rooms 270 & 271 |
| 22 | Wednesday, 5 00 p m | YOUTH INVOLVEMENT COUNCIL/Youth Excellence Banquet - CMGC, Conference Center |
| 23 | Thursday, 5 00 p m | CITY COUNCIL BUDGET WORKSHOP - CMGC, Meeting Chamber Conference Room |

## THE WEEK OF MAY 26 - MAY 31

| | | |
|---|---|---|
| 27 | Monday, | MEMORIAL DAY - All City Offices Closed |
| 28 | Tuesday, 1 00 p m | CITY ZONING BOARD OF ADJUSTMENT - Hal Marshall Building, 700 N Tryon Street, Building Standards Training Room |
| | Tuesday, 5 00 p m | CITY COUNCIL/MANAGER DINNER - CMGC, Conference Center |
| | Tuesday, 6 30 p m | CITIZENS HEARING - CMGC, Meeting Chamber (Televised on Channel 32) |
| | Tuesday, 7 00 p m | CITY COUNCIL MEETING - CMGC, Meeting Chamber (Televised on Channel 32) |
| 29 | 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 |
| | Wednesday, 6 00 p m | YOUTH INVOLVEMENT COUNCIL - CMGC, Room 118 |
| 30 | Thursday, 5 00 p m | CHARLOTTE-MECKLENBURG ART COMMISSION - CMGC, 8th Floor Conference Room |
| | Thursday, 5 00 p m | CITY COUNCIL BUDGET WORKSHOP - CMGC, Meeting Chamber Conference Room |

These organizations will <u>not</u> meet in May
Advisory Energy Commission
Community Facilities Committee

Tuesday, May 28, 1991 City Council Agenda
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CHARLOTTE

*Mayor Sue Myrick* *Mayor Pro Tem Cyndee Patterson*

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

# *Council Agenda*

Tuesday, May 28, 1991

| | | |
|---|---|---|
| 5:00 PM | - | Council/Manager dinner (Meeting Chamber Conf. Room) . Realignment of Council Voting Districts |
| 6:30 PM | - | Citizens Hearing |
| 7:00 PM | - | Council Meeting |

ITEM NO.

1. Invocation by Rev. James Byer of St. Ann's Catholic Church.

2. Consider approval of Minutes of April 1 Workshop; April 8 Briefing and Meeting; April 15 Blue Ribbon Committee Report and April 15 Zoning Meeting.

VOTE ON CONSENT ITEMS

3. Agenda items 18 through 26 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: Julie Burch

ZONING DECISIONS

The following zoning decisions were deferred at the May 20, 1991 meeting.

4. (91-22) Decision on Petition No. 91-22 by The Leon B. Jordan Estate for a change in zoning from R-9 to B-1(CD) for a 4.55 acre site located on the southwest corner of Harris Boulevard and Idlewild Road.

A protest petition has been filed and is sufficient to invoke the 20% rule requiring affirmative votes of 3/4 of the Mayor and Council Members, not excused from voting, in order to rezone the property.

The Zoning Committee recommends that this petition be denied.

Attachment No. 1

5. (91-26) Decision on Petition No. 91-26 by Charlotte-Mecklenburg Planning Commission for a change in zoning from I-1 to B-2 and O-6 (East District Plan) for approximately 23.8 acres located along the south side of Albemarle Road between Winchester Lane and Wilgrove-Mint Hill Road.

A protest petition has been filed and found sufficient to invoke the 20% rule requiring affirmative votes of 3/4 of the Mayor and Council Members, not excused from voting, in order to rezone the property.

The Zoning Committee recommends that this petition be approved.

Attachment No. 2

6. (91-27) Decision on Petition No. 91-27 by Charlotte-Mecklenburg Planning Commission for a change in zoning from I-1 to O-6 (East District Plan) for several parcels located on the south side of Albemarle Road at Orchard Ridge Road and from B-1 to O-15 for two parcels located south of Albemarle Road east of Dwight Ware Boulevard.

A protest petition has been filed and is sufficient to invoke the 20% rule requiring affirmative votes of 3/4 of the Mayor and Council Members, not excused from voting, in order to rezone the property.

The Zoning Committee voted on the two portions of the petition separately and recommends the approval of both portions of the petition.

Attachment No. 3

POLICY

7. Recommend realignment of election district boundaries in order to maintain the required population balance. Realignment involves (1) the assignment of newly annexed residents to City Council districts and (2) the shifting of precincts to adjoining districts.

This subject will be discussed during the Council- Manager dinner. Council needs to take formal action by June 24 in order to meet deadlines. If Council needs more discussion time prior to making a final decision, Council could defer action and place this subject on the June 3 workshop agenda for further discussion.

Council Districts

The June 30, 1991 annexations and the increased population growth within districts as indicated by the 1990 census data will make it necessary to shift some City Council district boundaries in order to maintain the population balance required under one person, one vote ruling.

- The population differential between the largest and smallest City Council districts cannot exceed the maximum permitted deviation of ten percent.

Five Options

The attachment lists five options for meeting the required population balance among City Council election districts. In proposing these options, the following points were considered:

- it should result in a deviation of less than 10% between the largest and smallest districts;
- it should not dilute the voting strength of minority groups;
- it should not unnecessarily divide a neighborhood.
- The district boundary realignment must be completed before the July 22, 1991 filing date for Mayor and City Council.

Attached is:

- a list of options to meet the required population balance,
- a summary table of population data for each option, and
- a map showing the relative location of precincts and proposed precinct shifts.

Clearances

The City Manager's office, City Attorney's office, and County Elections Supervisor have been advised of the proposed realignments.

Staff Resource: Dick Black

Attachment No. 4

8. Consider a change in the Memorandum of Understanding for Transportation Planning for the Charlotte Urbanized Area and direct the City's representative to the Metropolitan Planning Organization on this matter.

This item was deferred at the May 13, 1991 Council meeting.

MPO Weighted Vote

The Charlotte-Mecklenburg Metropolitan Planning Organization (MPO) has discussed the origin of its weighted vote structure and other provisions of the Memorandum of Understanding at its February 20 and March 20 meetings. A chronology of key events preceding these discussions is attached.

Council Direction

The City's MPO representative will need Council direction to vote on the following motion at the MPO's June 19 meeting:

"That we (MPO) endorse a change to the voting process for the Charlotte- Mecklenburg Metropolitan Planning Organization, that any road alignment, road construction, interchange or addition to the thoroughfare plan that is within any municipal boundary or within the sphere of influence of any municipality in Mecklenburg County, and that jurisdiction opposes one or more alignments of that road or road plan, that in order to override that opposition a three-quarters (3/4) vote using the existing weighted vote be required."

An advantage of this motion's passage is:

- The City of Charlotte will have veto power on any project within its corporate limits or sphere of influence.

Disadvantages of the approval of the motion include:

- Segments of a key regional road could be omitted from the MPO-adopted Thoroughfare Plan if a municipality objects.

- Charlotte's influence on regional transportation issues will be reduced even further than what was provided under the compromise of Governor Hunt's weighted vote system.

Staff Resource: Julie Burch

Attachment No. 5

9. Recommend acceptance of recommendations of Manager's Ad Hoc Citizen Committee on Neighborhood Speed Control.

There will be a presentation at the beginning of this agenda item. If Council adopts the speed control recommendations, Council action on agenda item #10 will not be necessary.

Speeding in Neighborhoods

Because of an increasing number of requests for multi-way stops to control speeding in neighborhoods, the City Manager appointed an ad hoc citizens committee to take a new look at innovative traffic controls to address the problem. The committee consisted of neighborhood representatives, university advisors and City staff.

The committee:

- Reviewed speed control techniques used here and in other cities;
- Reviewed the advantages and disadvantages of each technique;
- Ranked the controls to identify a preference of control to be used, and identified the severity of problems for which each control may be appropriate. Factors considered in the ranking included effectiveness, acceptability, cost, and ease of implementation.
- Reviewed the Neighborhood Multi-Way Stop Policy and developed a proposed change in criteria to address speeding.

Committee Recommendations

The committee recommends that City Council adopt the following recommendations:

1. Accept the speed control strategies identified to be used as a menu of choices to consider to assist neighborhoods with speed problems. Strategies would be implemented based on the level of problem. The level of authority required to implement each technique, i.e. City staff or City Council, varies depending on the method chosen.

2. Consider seeking legislative approval for four controls: street design standards, lower City-wide statutory speed limit, camera surveillance of speeders and increased fines for citations.

   Council may wish to direct staff to prepare more detailed issue papers on these controls to assist in their discussion prior to making any decision.

3. Recognize need for additional or re-allocated resources for enforcement and public information. Enforcement was determined by the committee to be the most effective control in reducing speeding. Enforcement, however, did not receive the highest ranking due to the difficulty in implementing a higher level of enforcement due to current resources.

   Public information is also considered to have some impact to raise driver awareness of speed limits. Programs could be developed at varying levels, e.g. neighborhood-wide or City-wide, one-shot or continuing, depending on resources available.

   Council may wish to consider directing staff to prepare alternative enforcement and/or public information programs and associated costs to consider at a later date.

4. Request the Planning Commission to evaluate alternative street design standards. This was the highest ranked control primarily because it would prevent future neighborhood speeding problems. It could only be used with the construction of new streets. With acceptance of this recommendation, Planning would work with Engineering and CDOT staff to review neighborhood street standards and come back to Council with a recommendation for possible change.

5. Implement a new speed control criteria within the Neighborhood Multi-Way Stop Policy. Under the new policy, multi-way stops could be used where a moderate or high level speed problem is present and when supported by a 75% petition from the impacted area. T-intersections would be eligible, but mid-block locations would not be eligible. The new policy would go into effect immediately, and we anticipate it would allow staff to approve a majority of petitions submitted.

6. Direct the Manager to have the Charlotte Department of Transportation, Police, and Public Service & Information develop a Speed Watch Program. Similar to Neighborhood Crime Watch, the program would help neighborhoods develop ways to identify speeders and notify vehicle owners of violations. It would be a relatively inexpensive public information program for those neighborhoods who desired it.

The committee's report is attached. Chart #1 following page 8 of the attachment provides a summary of the controls identified, the recommended problem levels at which they could be applied and whether Council authorization would be required.

Clearances The final report has been reviewed by the committee.

Staff Resource: Julie Burch

Attachment No. 6

10. Consider petitions from the Sardis Neighborhood Association and Woodbridge Neighborhood Association for nine multi-way stops in the Sardis and Woodbridge Neighborhoods.

Multi-Way Stops Requested

Residents of the Sardis and Woodbridge neighborhoods petitioned for nine multi-way stops because of continuing problems with through traffic. The Department of Transportation met with the neighborhood associations on several occasions.

The neighborhood associations petitioned for the following multi-way stops:

Sardis Neighborhood
1. Covedale Road/Covewood Court
2. Covedale Road/Falls Church Road
3. Covedale Road/Longbrook Drive
4. Covedale Road/Riverwood Drive
5. Covedale Road/Wishing Well Lane

Woodbridge Neighborhood
1. Bobolink Lane/Crooked Oak Lane
2. Bobolink Lane/Wandering Way
3. Crooked Oak Lane/Shagbark Lane
4. Shagbark Lane/Wandering Way

None of these intersections meet the present criteria for Council-approved multi-way stops as shown in the attachment. Both associations request that Council consider an exemption and approve the installation of these nine multi-way stops.

Clearances

A petition signed by 75% of the households within a three-block radius of each proposed multi-way stop has been submitted and validated.

Staff Resource: Julie Burch

Attachment No. 7

11. City Council is asked to select one of the following options with regard to the Development Fees Report: (1) proceed in FY93 with the development of recommendations concerning infrastructure financing techniques, or (2) table the report.

Development Fees

November 14, 1989 - City Council approved James Duncan and Associates as the consultant team to conduct a technical examination of development fee options.

- The study evaluated five development fee options: exactions, land transfer tax, impact tax, special assessments, and impact fees.
- The scope of the study was county-wide.
- City Council requested the Planning Liaison Committee monitor the study process.

September 21, 1990 - The consultant's findings and recommendations were presented to the Planning Liaison Committee.

- The committee accepted the study and sent it to the elected officials for review and use.
- At the Planning Liaison Committee meeting of January 18, 1991, pursuant to Council's directive, Planning staff began discussing the process and schedule options for reaching consensus on the Development Fees Report.
- It was the consensus of the Planning Liaison Committee that development fees were a budget and finance issue, and therefore any future discussions should be coordinated by the respective City and County budget departments.

Council Action

City Council is asked to select one of the following options with regards to the Development Fees Report:

(1) proceed in FY93 with the development of recommendations concerning infrastructure financing techniques and implementation implications from City Budget and Finance for Council's consideration, or

(2) table the Development Fees Report.

In order for Council to develop a consensus on the report, approximately $10,000 in consultant fees may be required for technical assistance to facilitate review and discussion of the five fee systems.

The cost of implementing one of the development fee systems varies dramatically. The most significant costs are associated with the implementation of impact fees - $50,000 to $100,000 for a comprehensive impact fee study and $100,000 to $250,000 for administrative staffing.

Clearances Planning Liaison Committee

Staff Resource: Martin Cramton

12. Recommend approval of an agreement between the City of Charlotte and Mecklenburg County establishing CMUD Advisory Committee pursuant to recommendation of CMUD Review Committee and the implementation plan approved by Council 1/28/91.

CMUD Advisory Committee

As a result of the CMUD Review Committee recommendations and the implementation plan approved by Council, an agreement has been drafted to dissolve the Community Facilities Committee (CFC) and establish the CMUD Advisory Committee.

Key provisions of this agreement include:

- Changing CFC to CMUD Advisory Committee.
- Changing composition from five members with no particular representation to seven members representing specific areas of interest in the community.
- Updated roles and responsibilities.
- Make-up of committee to be three appointees by County, three by City, one by Mayor. One of City appointees to be from nominations from small towns.

This agreement is scheduled to be reviewed for approval by Mecklenburg County Commission June 3.

Upon approval by both boards, the process for nomination of members will be initiated. The goal is to have appointments made and committee activated in July, 1991.

Attached is a synopsis of the agreement along with the complete agreement.

Staff Resource: Julie Burch

Attachment No. 8

13. Recommend approval of workshop topics for the June 3, 1991 Council workshop.

The following topics are recommended for discussion at Council's workshop on Monday, June 3:

- Discussion of Council members serving on boards and commissions
- Cultural Action Plan
- State Fire Code and Fees

Staff Resource: Vi Alexander

BUSINESS

14. Recommend approval of the Community Development and Housing Committee's recommendation to amend Part I (Statement of Agreement) of the contract between the City of Charlotte and the Charlotte-Mecklenburg Housing Partnership to allow City funds to be used as second mortgages for families earning up to 80% of median income to purchase homes in the Greenville redevelopment area only.

Houses in Greenville — The City has a contract with the Charlotte-Mecklenburg Housing Partnership to build houses in the Greenville redevelopment area. Background information is attached.

Income Guidelines — The production of the houses in the Greenville area is ahead of the eligible pool of buyers. In order to sell the houses that have been constructed, there is a need to increase the income eligibility for the City funds on the second mortgages from 60% of the median income up to 80% so that more persons can be qualified.

Therefore, by letter dated April 2, 1991 to the City Manager, the Charlotte-Mecklenburg Housing Partnership requested that the maximum income for second mortgage assistance for the Greenville redevelopment area be raised to 80% for up to 20% of the families in each phase.

- The request was made due to the difficulties they were experiencing in finding qualified buyers at below 60% of median income.

- Many two-parent and two-income families are between 60% and 80% of median income even if both parents work at relatively low wages.

- It is the overall goal of the Partnership that the average median income for the housing being developed in the Greenville area be 67% and that 20% of the City funds would be used as second mortgages for families earning between 67% and 80% of the median income.

Recommendation: On May 13, 1991, the CD & Housing Committee approved this request from the Housing Partnership and recommended it be placed on the City Council agenda. Committee minutes will be sent to Council separately.

Clearances: CD & Housing Committee.

Staff Resource: Del Borgsdorf

Attachment No. 9

15. Recommend the first reading and approval of a non-exclusive cable television franchise agreement between Vision Cable of North Carolina, Inc. and the City of Charlotte.

Council Action: The recommended action grants a special franchise and pursuant to provisions of the City Charter, must be voted on and passed at not less than two regular meetings of the City Council. This item, therefore, will also be on the June 10, 1991 agenda.

Vision Cable

Vision Cable of North Carolina, Inc. operates within the City's corporate limits without a formal franchise agreement.

- It provides cable television services to recently annexed areas of the City.
- In 1985, because negotiations were underway with ATC-Cablevision of Charlotte for a renewal of its cable television franchise agreement, the City authorized Vision Cable by a letter of agreement to continue serving subscribers in annexed areas of the City.
- The letter agreement incorporated the terms of Vision's existing County franchise agreement.

Franchise

Franchise negotiations with Vision Cable were completed in April 1991. The basic Vision Cable document is very similar to the ATC-Cablevision of Charlotte franchise renewal agreement which was approved by City Council in late 1987. Variations in the agreements are the result of:

-- Vision Cable's technical system operates on 450 MGHz and Cablevisions's on 350 MGHz;

-- Each operator has different business practices.

Variations between the two documents are explained in the attached franchise agreement comparison summary.

Council approval of the franchise agreement will provide a legal agreement for Vision's operation within the City including formal customer service and technical standards, comparable to those currently in place for ATC-Cablevision of Charlotte.

- If this agreement is not approved, the City's two cable operators will not be operating under equivalent franchises or paying the City equivalent franchise fees.
- Cablevision, since its 1987 franchise renewal, pays 5% of gross revenues, while Vision, operating under the County franchise, pays only 3%.

- At 3%, Vision paid $29,658 in franchise fees for the first quarter of calendar year 1991. At 5%, that amount would have been $49,430 for this same quarter.

Clearances: Document was negotiated by a City negotiating team consisting of General Services, Rice-Williams Associates (City consultant), City Attorney's Office, and Public Service and Information. The document was reviewed by The Citizens Oversight Committee on Cable Television; written comments are attached.

Staff Resource: Julie Burch

Attachment No. 10

16. Budget Wind-up Ordinance.

Information on this item will be sent to Council in the Friday, May 24, 1991 Council-Manager memorandum.

Staff Resource: Vi Alexander

CONSENT

GRANT APPLICATION

17. Recommend approval of a grant application to the Governor's Crime Commission to fund a Drug Interdiction Unit.

Drug Interdiction: The Police Department currently allocates manpower to the investigation of drugs and the disruption of street drug sales. One area where manpower constraints have forced the department to limit its efforts has been the interdiction of drugs as they come into Charlotte, thereby eliminating the possibility they will become available on Charlotte's streets. The Charlotte Police Department, along with the Mecklenburg County Police and the State Bureau of Investigation, has a small Airport Interdiction Unit which, in 1990, seized drugs with a street value of $8,229,250 and $267,267 in cash. This unit is not able to cover all shifts and is able to target only selected flights.

Council Action — Approval of the grant application to the Governor's Crime Commission which would fund a Drug Interdiction Unit for a period of two years.

- The grant would fund six new police officer positions whose activities would include drug interdiction at the airport, bus station, train station, private airfields, post office, hotels and motels.
- The grant would also fund related equipment and training and the costs of an additional drug dog.

Funding — The state share of the grant would be $319,764 for two years (July 1, 1991 - June 30, 1993). The City's 25% match ($79,941) would be taken from the Police Department's Assets Forfeiture Account. The funding will be appropriated in the FY91-92 annual budget ordinance.

Clearances — The City Manager's Office, Budget and Evaluation, and the Grants Review Committee have approved this request.

BID LIST

18. 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. 40 - 40' Transit Buses & Associated Spare Parts — D.O.T.

Recommendation: By Acting Purchasing Director and Director of Department of Transportation that the bid submitted by Flxible Corporation, Delaware, Ohio, in the amount of $7,878,115.00, be accepted for award of contract.

Project Description: This proposed purchase is for 40 - 40' transit buses that will replace buses that are 18 years old and older and to allow for future expansion.

Bid Summary:

| | | |
|---|---|---|
| Flxible Corporation | Delaware, Ohio | $7,878,115.00 |
| * Gillig Corporation | Hayward, Ca. | 7,845,855.00 |
| TMC | Roswell, N. M. | 7,969,111.82 |
| Bus Industries of of America | Oriskany, N. Y. | 7,977,885.00 |

* Bid determined on standardization cost.

| | | |
|---|---|---|
| Flxible Corporation | Delaware, Ohio | $7,898,809.00 |
| Gillig Corporation | Hayward, Ca. | 7,943,197.00 |
| TMC | Roswell, N. M. | 7,981,191.82 |
| Bus Industries of America | Oriskany, N. Y. | 8,072,873.00 |

Standardization Cost
This procurement was based on standardization cost due to having two bidders who had never bid to the City of Charlotte. Standardization costs are made up of three components:

1. The cost of spare parts to repair buses.

2. The cost of training drivers to operate the bus and the cost of mechanic training required to maintain.

3. The cost of special tooling.

The method used to obtain a spare parts inventory was arrived at by using parts required for a start-up inventory and contacting transit authorities that have the same size fleet as the City of Charlotte.

Source of Funding: Public Transportation Capital Improvement Fund - (25 Buses under Section 3 Grant - 75% UMTA, 12 1/2% State, and 12 1/2% City). Public Transportation Capital Improvement Fund - (15 Buses under Section 9 Grant- 80% UMTA, 10% State, and 10% City).

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B. Traffic Signal Controllers D.O.T.

Recommendation: By Acting Purchasing Director and Director of Department of Transportation that the only bid received, Southeastern Safety Supplies, Inc., Columbia, S. C., in the amount of $112,320.00, be accepted for award of contract.

Project Description: This proposed purchase is for 13 traffic signal controllers. Eleven controllers are funded under municipal agreements with the State; one controller is for Monroe Road; and one controller is for Park Road. The traffic signal controller will be used as parts of coordinated signal systems to decrease stops and delays for all vehicular traffic.

The current inventory of controllers totals 24, or 5% of the total number of controllers in use.

Source of Funding: General Capital Improvement Fund - (Monroe Road Widening, Park Road Widening, and Traffic Signal Improvements - 1987 and 1988 Street Bonds and State grants).

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C. Water Meters (7,000 - 5/8" Size) — Charlotte-Mecklenburg Utility Department

Recommendation: By Acting Purchasing Director and Utility Director that the low bid, Carolina Meter and Supply, Inc., Woodruff, S. C., in the amount of $145,390.00, be accepted for award of contract on a unit price basis.

Project Description: Water meters are used to measure volume of water used which determines water/sewer charges for each customer. Meters are needed for new service installations and as replacements for worn and obsolete meters.

Source of Funding: Water and Sewer Operating Fund - (Maintenance to Water Meters).

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D. Water Facilities Idlewild Road Booster Pumping Station - General Construction — Charlotte-Mecklenburg Utility Department

Recommendation: Director, Charlotte-Mecklenburg Utility Department recommends that the low bid by Hickory Construction Company of Hickory, North Carolina in the amount of $925,345.00 be accepted for award of contract on a unit price basis.

Project Description: Construction of this project would facilitate the distribution of water from the Rama Road water main to the Idlewild Road water main and it will meet projected demands in the eastern portion of the County.

| | |
|---|---|
| Estimated Cost: | $1,134,000 |
| Low Bid: | 925,345 |
| Difference: | $ 208,655 (18%) |

Source of Funding: Water and Sewer Capital Improvement Fund - (Booster Pump Station Idlewild and Independence).

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E. Water Facilities
Idlewild Road Booster
Pumping Station
Electrical Construction

Charlotte-Mecklenburg
Utility Department

Recommendation: Director, Charlotte-Mecklenburg Utility Department recommends that the low bid by Port City Electric Company of Mooresville, North Carolina in the amount of $91,875.00 be accepted for award of contract on a lump sum basis.

| | | |
|---|---|---|
| Estimated Cost: | $101,000 | |
| Low Bid: | 91,875 | |
| Difference: | $ 9,125 | (9%) |

Source of Funding: Water and Sewer Capital Improvement Fund - (Booster Pump Station Idlewild and Independence).

---

F. Old Concord Road & Orr Road
Intersection Improvements

Engineering

Recommendation: By the City Engineer that the low bid of $254,089.00, as submitted by Ferebee Corporation, Inc., be accepted for award on a unit price basis.

Project Description: This project will widen Old Concord Road and provide larger radii at the intersection of Old Concord Road and Orr Road. This project will include construction of curb and gutter and sidewalk on these roads and will resurface Orr Road.

| | | |
|---|---|---|
| Estimated Cost: | $318,000 | |
| Low Bid: | 254,089 | |
| Difference: | $ 63,911 | (20%) |

Source of Funding: General Capital Improvement Fund - (Intersection Improvements - Auto Privilege Tax).

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CONTRACT

19. Recommend (1) approval of an agreement with the U. S. Government providing reimbursement to the City for demolition of the Naval Reserve Center; (2) adoption of a budget ordinance appropriating Navy funds of $161,016.96; and (3) award a contract of $147,787.50 with D. H. Griffin Wrecking Co., Inc. for demolition of the Naval Reserve Center.

Naval Reserve Center History

On July 1, 1946, the U.S. Government (Department of the Navy) leased 1.34 acres from the City at what is now 725 West Sixth Street and constructed a Naval Reserve Center on the site.

- The lease, as subsequently amended, allows the U.S. Government to abandon the lease at any time with the City waiving any and all claims for restoration of the leased premises.
- The Navy recently vacated the premises and wishes to terminate the lease.
- Although not legally obligated under the existing lease to restore the premises to its original condition (which would involve demolishing the buildings), the Navy has agreed to amend the lease to require it to pay the City to have this work done.
- The Navy believes that the City can contract to do this work for about half of what it would cost the Navy to contract it themselves and complete the work much sooner.
- The Naval Reserve buildings are known to contain asbestos and are currently in a very poor state of repair.
- City departments were contacted and no City department has indicated they have any use for the buildings.
- Economic Development will work with Planning to look at possible uses for the site. A recommendation will be made to Council at a later date.

Terms of Agreement

The recommended agreement:

- terminates the Navy's lease and requires the Navy to pay $161,016.96 to the City in full satisfaction for asbestos removal and demolition of the Naval Reserve Center;

- provides for the possibility of an adjustment to the lump sum payment if unknown unusual physical conditions are encountered during demolition for which the Navy is responsible.

- The $161,016.96 includes the estimated cost of asbestos removal and demolition, City staff time, and environmental investigation, already conducted.

Funding

U. S. Navy contribution.

Clearances

The contract with the Navy has been reviewed by the City Attorney's Office. Land use issues will be reviewed by the Economic Development and Planning Departments. The bids for asbestos removal and demolition have been reviewed by the Engineering Department.

CONTRACT RENEWAL

20. Recommend renewal of a contract for $67,500 with Presbyterian Hospital (formerly Presbyterian Medical Facilities, Inc.) to administer an Employee Assistance Program for the City of Charlotte.

Employee Assistance Program

Since 1988, the City has contracted annually with Presbyterian Medical Facilities, Inc. to administer an Employee Assistance Program (EAP).

- The purpose of the EAP is to provide counseling for employees who have personal problems which adversely affect job performance. (The program also covers family members.)

- Among the problems covered under the EAP are alcoholism, drug addiction, emotional distress and marital/family problems.

- Many employers provide EAPs as a means for maintaining and/or restoring employee productivity.

Program Use: In 1990, 331 individuals used the EAP and there were 1,024 counseling sessions. Data provided by the contractor and feedback from both supervisors and employees indicates that the EAP objectives are being met.

Funding: There is no increase in the contract cost. Funding is included in the FY92 and FY93 budget.

Clearances: Human Resources Department.

21. Recommend approval of an agreement with East Coast Design, P.A. for architectural services for the new animal shelter facility project for $264,450.00.

Animal Shelter: In 1989, WKWW, Inc. conducted a space analysis on the existing animal shelter which identified the need for an additional 12,000 square feet.

- Expansion at the existing shelter is not feasible due to space limitations and zoning restrictions.
- The new animal shelter will be located on Byrum Drive.
- Using the Council-approved consultant selection process, East Coast Design, P.A. is recommended to perform architectural services for the new animal shelter facility.
- In March 1991, the City Manager approved an agreement with East Coast Design, P.A. for $12,650.00 to perform the following services: assessment of the proposed site; verification of the space needs assessment; preparation of a schedule for design and construction; and preparation of a comparative study of square foot areas of other animal control facilities.
- East Coast Design, P.A. will provide design services, bid phase, and construction administration for the project.

Funding: Animal Shelter Capital Account.

Clearances The contract has been reviewed by appropriate City Engineering Department staff and the City Attorney's Office.

CHANGE ORDER

22. Recommend approval of Change Order No. 1 for $100,000 to the contract with B.R.S., Inc.

Contract: Sanitary Sewer Street Main Extensions
Contractor: B.R.S., Incorporated
Date Awarded: January 28, 1991
Amount: $265,437.44
Change Order: $100,000

Purpose of Original Contract: Original contract was awarded based on recommendations of CMUD Advisory Committee to respond more quickly to customers' needs. The contract will extend unspecified sewer street mains in a timely, cost efficient manner without the normal time constraints of having to receive formal and/or informal bids for each street main extension.

Change Order: Change Order No. 1 will allow for construction of a sewer line to serve Long Creek Elementary School.

The sewer extension must be in service by the beginning of the new school year (August 1991). In order to meet this schedule, CMUD personnel reviewed all options and concurred that adding this project to the contract awarded to B.R.S. was the only way to insure service to the school by the August deadline.

Funding: Water and Sewer Operating Budget.

Clearances: Utility Director.

HOUSING CODE ENFORCEMENT

23. 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 422 N. Linwood Avenue. (Hoskins/Thomasboro)

Attachment No. 11

SPEED LIMIT

24. Recommend adoption of an ordinance amending City Code Section 14-131(c) to change the speed limit on Colony Road between Runnymede Lane and Myers Park High School to 25 miles per hour.

25 MPH — Colony Road between Runnymede Lane and Myers Park High School entrance is a neighborhood street and is presently 35 mph in accordance with municipal statutory requirements. This section of street has numerous curves and students frequently park along the edge of the roadway. A 25 miles per hour speed limit is recommended. The remainder of Colony Road in the residential area is already 25 miles per hour.

TAX REFUND

25. Recommend adoption of a resolution authorizing the refund of certain taxes in the total amount of $30,645.49 which were assessed through clerical error or illegal levy against 81 tax accounts.

PROPERTY TRANSACTIONS

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

1. Project: Sardis Road Widening
   Owner(s): Martha W. Cochran
   Property Address: 6211 Sardis Road
   Property to be acquired: 2,982 sq. ft. (.068 acres) of fee, plus 1,730 sq. ft. (.04 acres) of Temporary Construction Easement
   Improvements: Landscaping berm, trees and plantings, split rail fence and gravel pavement.
   Price: $12,550.00
   Remarks: ZONED: R-12 USE: Residential

2. Project: Seventh/Caswell/Pecan I/I
   Owner(s): Lottie K. Bennett
   Property Address: 360 N. Caswell Road
   Property to be acquired: 1,071 sq. ft. (0.025 acres) in fee, plus Temporary Construction Easement 2,027 sq. ft. (0.047 acres)
   Improvements: None
   Price: $17,700.00
   Remarks: ZONED: B-1 USE: Business & Residential

CONDEMNATIONS

1. Project: Seventh/Caswell/Pecan I/I
   Owner(s): Levi F. and Virginia B. Caldwell and any other parties of interest
   Property Address: 352 North Caswell Road
   Property to be condemned: 2,608 sq. ft. (0.059 acres)
   Improvements: Trees, shrubs, and brick sidewalk
   Price: $13,170.00
   Reason for condemnation: Property owner requested many changes in the proposed construction plans. The City agreed to all but one change and offered to further compensate the owner instead of that change. Property owner still refused to sign Option. RESIDUE: 9,647 sq. ft. (0.221 acres)

## - ANNOUNCEMENTS -

In its meeting on Monday, June 24, 1991, City Council will make nominations to fill vacancies on the following committees:

1. Airport Advisory Committee - Two appointments beginning July 31, 1991. Marvin B. Smith (West Side Resident) is eligible for reappointment and Donald G. Bryant (Aviation Affiliation) is not. Terms are for three years.

2. Art Commission - One appointment beginning July 31, 1991. Pam Patterson is eligible for reappointment. Terms are for three years.

3. Boxing Commission - Two appointments beginning July 31, 1991. Pete Scarborough is eligible for reappointment and Melvin T. Pinn is not. Terms are for three years.

4. Certified Development Corporation - One appointment which began April 30, 1991, to replace Warren Linde, Jr. in the Business Organization category. Mr. Linde was reappointed by Council on March 25, 1991, but has sent in his resignation letter. Terms are for three years.

5. Historic Landmarks Commission - Two appointments beginning July 16, 1991. Louis A. Bledsoe and Allen L. Brooks are both eligible for reappointment. Terms are for three years.

6. Spirit Square Board of Directors - One appointment which will begin June 30, 1991. Mr. Hugh Durden was reappointed by City Council on March 25, 1991, but does not want to serve a second term. Terms are for three years.

7. Taxicab Review Board - Two appointments beginning September 1, 1991. Robert Seals is eligible for reappointment and Jerry Gaudet is not. Terms are for three years.

8. Uptown Development Corporation - Two appointments beginning August 31, 1991. Tolly A. Kennon, Jr., in the Business Category, and William P. Wood, in the Non-Profit Organizations Category, are eligible for reappointment. Terms are for three years.

9. Youth Involvement Council Advisory Board - Two appointments beginning August 15, 1991. Randy G. Harris and Kevin L. Patterson are eligible for reappointment. Terms are for two years.

SCHEDULE OF MEETINGS
May 28, 1991 - June 3, 1991

| | |
|---|---|
| Thursday, May 30, 1991 | City Council Budget Workshop<br>Final Decisions<br>5:00 p.m., Meeting Chamber<br>Conference Room |

| | |
|---|---|
| DATE: | April 22, 1991 |
| PETITION NO.: | 91-22 |
| PETITIONER(S): | The Leon B. Jordan Estate |
| REQUEST: | Change from R-9 to B-1(CD). |
| LOCATION: | A 4.55 acre site located on the southwest corner of Harris Boulevard and Idlewild Road. |
| ACTION: | The Zoning Committee recommends that this petition be denied. |
| VOTE: Yeas: | Baucom, McClure, Mead, Motley and Thomasson. |
| Nays: | None. (Commissioner O'Brien abstained from voting. Commissioner Spencer was not present when vote was taken.) |

REASONS

This petition proposes the rezoning of 4.55 acres to allow the development of a 20,000 square foot strip commercial center facing Harris Boulevard with an outparcel at the corner of Harris Boulevard and Idlewild Road. The district plan recommends continued residential development in the area and recognizes that the existing neighborhood convenience center located on the southeast corner of this intersection adequately provides for the daily retail service needs of the nearby community. Therefore, the Zoning Committee recommends that this petition be denied.

STAFF OPINION

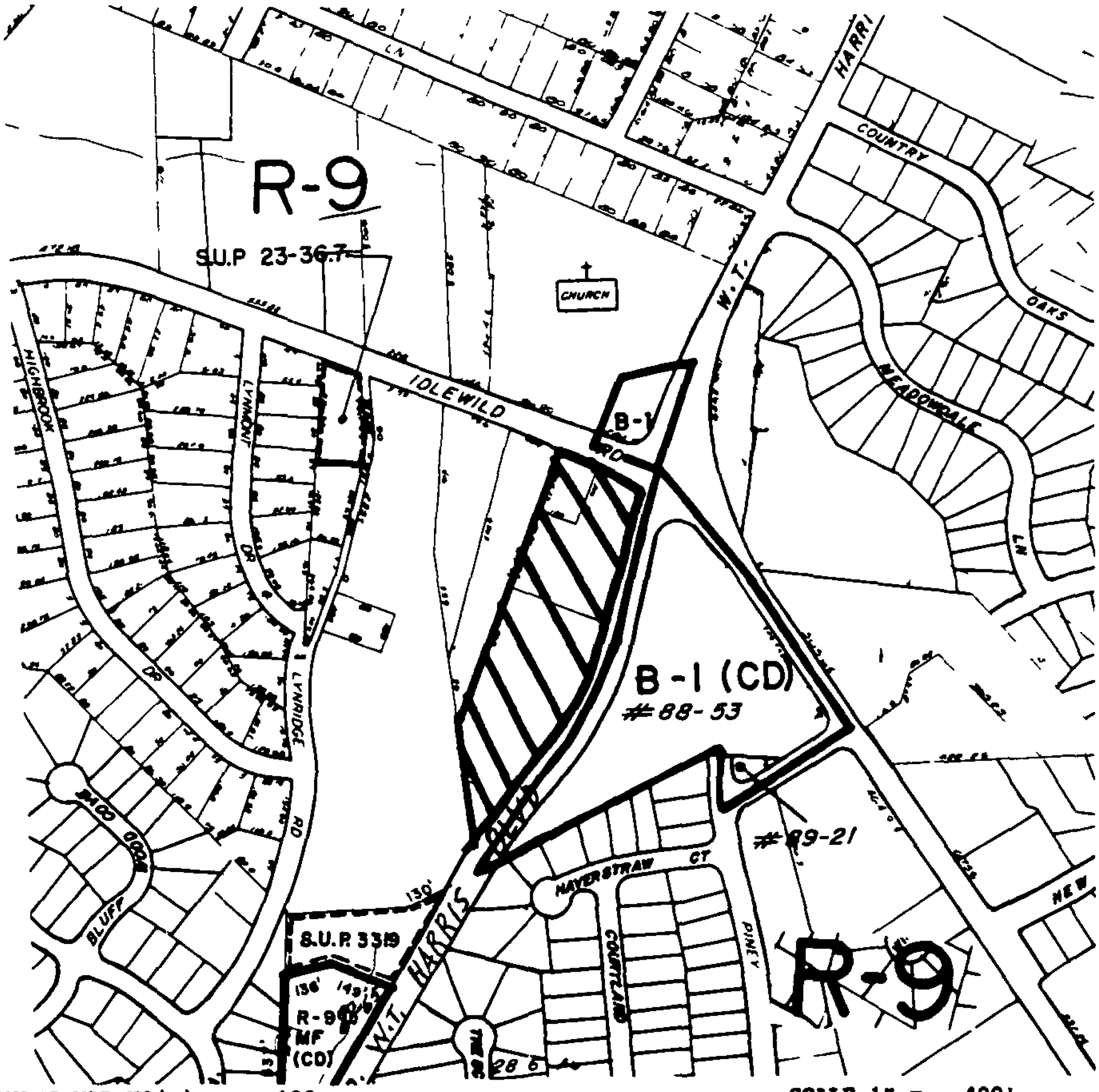
The staff agrees with the recommendation of the Zoning Committee.

PETITIONER: The Leon B. Jordan Estate

PETITION NO.: 91-22 HEARING DATE: April 15, 1991

ZONING CLASSIFICATION, EXISTING. R-9 REQUESTED: B-1(CD)

LOCATION: Approximately 4.55 acres located on the southwest corner of Harris Boulevard and Idlewild Road.




ZONING MAP NO(s).: 122 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

| | |
|---|---|
| DATE: | April 22, 1991 |
| PETITION NO.: | 91-26 |
| PETITIONER(S): | Charlotte-Mecklenburg Planning Commission |
| REQUEST: | Change from I-1 to O-6 and B-2 (East District Plan). |
| LOCATION: | Approximately 23.8 acres located along the south side of Albemarle Road between Winchester Lane and Wilgrove-Mint Hill Road. |
| ACTION: | The Zoning Committee recommends that this petition be approved. |
| VOTE: Yeas: | Mead, Motley, O'Brien and Thomasson. |
| Nays: | Baucom and McClure. (Commissioner Spencer was not present when vote was taken.) |

REASONS

This petition seeks rezoning from I-1 to B-2 and O-6 in accordance with the East District Plan. The East District Plan recommends retail and office uses for this area of Albemarle Road. The Zoning Committee discussed the nonconforming uses created by the portion of the petition which seeks rezoning to O-6 noting that several uses, some of which have been created since the district plan was adopted, would be made nonconforming by a rezoning to O-6. However, the majority of the Zoning Committee viewed the petition as appropriate for approval. The minority opinion expressed concerns about the portion of the petition being requested for rezoning to O-6 and viewed a B-2 district as appropriate for the entire petition.

STAFF OPINION

The staff agrees with the recommendation of the Zoning Committee.

PETITIONER Charlotte-Mecklenburg Planning Commission

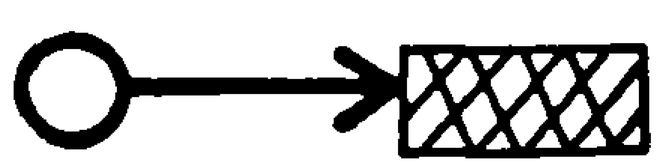
PETITION NO.: 91-26 HEARING DATE: April 15, 1991

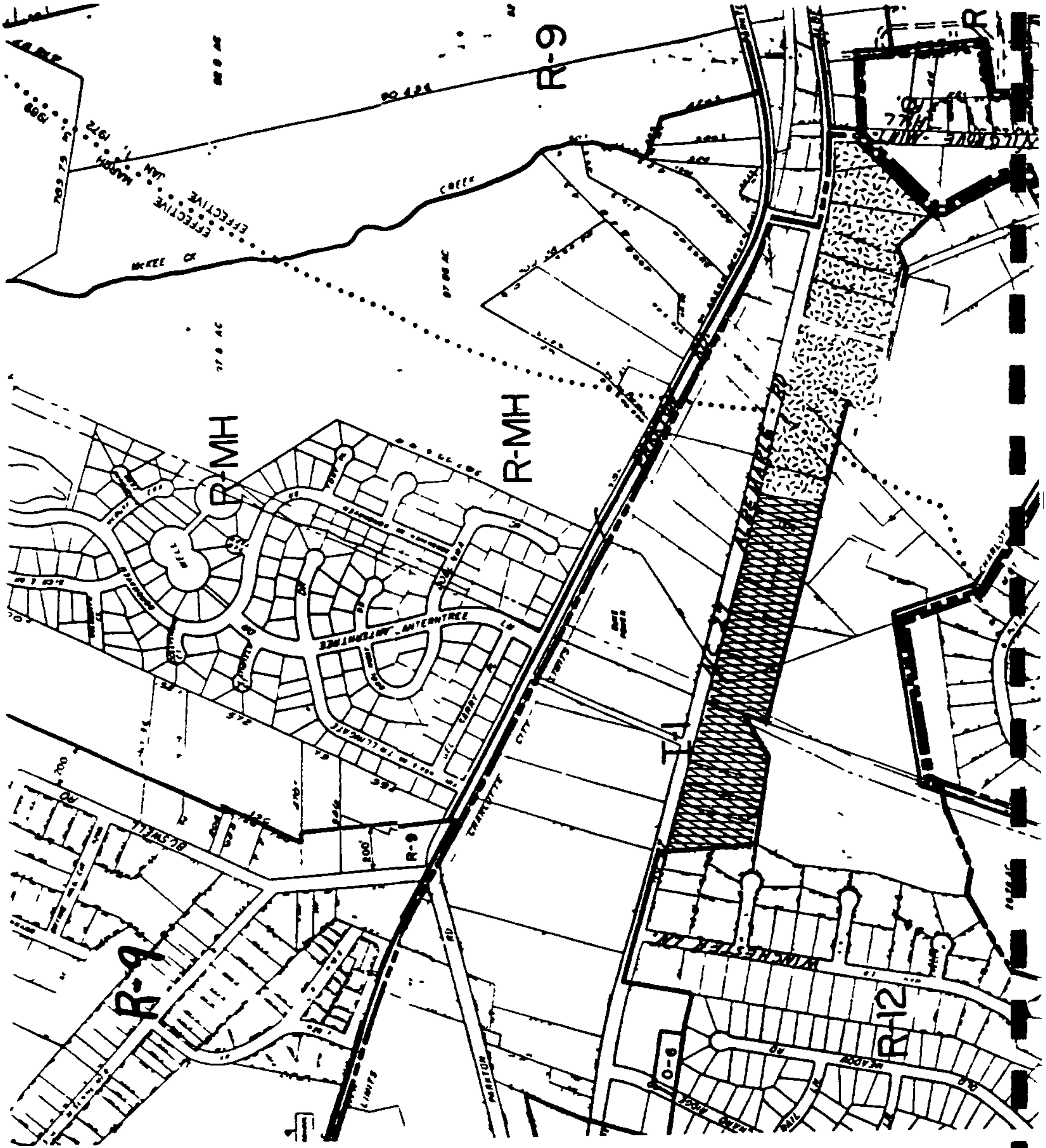
ZONING CLASSIFICATION, EXISTING I-1 REQUESTED: O-6 & B- 2

LOCATION Approximately 23.8 acres located along the south side of Albemarle Road between Winchester Lane and Wilgrove-Mint Hill Road.

SEE ATTACHED MAP

ZONING MAP NO(s).: 98 & 115 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE 




I-1 TO O-6

I-1 TO B-2

| | |
|---|---|
| DATE: | April 22, 1991 |
| PETITION NO.: | 91-27 |
| PETITIONER(S): | Charlotte-Mecklenburg Planning Commission |
| REQUEST: | Change from I-1 to O-6 for several parcels located on the south side of Albemarle Road at Orchard Ridge Road and change from B-1 to O-15 for two (2) parcels located south of Albemarle Road east of Dwightware Boulevard. |
| ACTION: | The Zoning Committee voted on the two portions of the petition separately and recommends approval of both portions of the petition. |
| VOTE PART A: | I-1 to O-6 along Orchard Ridge Road. |
| Yeas: | McClure, Mead, Motley, O'Brien and Thomasson. |
| Nays: | None. (Commissioner Baucom abstained from voting. Commissioner Spencer was not present when vote was taken.) |
| VOTE PART B: | B-1 to O-15 east of Dwightware Boulevard. |
| Yeas: | McClure, Mead, Motley and Thomasson. |
| Nays: | Baucom and O'Brien. (Commissioner Spencer was not present when vote was taken.) |

REASONS

This petition proposes rezoning of properties from I-1 to O-6 and B-1 to O-15 in accordance with the East District Plan. The East District Plan recommends these properties develop as, or continue to be used for, office uses due to the significant amount of commercial zoning in the area. The plan recognizes a community mixed use center at the intersection of Albemarle Road and Harrisburg Road and the amount of existing commercial zoning combined with the commercial zoning proposed in Petitions 91-25 and 91-26 allow far beyond the recommended 250,000 square feet of retail space. The plan recognizes that the area is lacking the office component of the community center. The Zoning Committee voted on the two portions of the petition separately. The portion of the petition which seeks rezoning from I-1 to O-6 along Orchard Ridge Road was recommended for approval unanimously. Some members of Zoning Committee viewed the properties included in the portion of the petition which seeks rezoning from B-1 to O-15 as an ideal commercial site due to its location and configuration. However, the majority of the Zoning Committee viewed the petition as appropriate for approval. Therefore, the Zoning Committee recommends approval of the petition as submitted.

*STAFF OPINION*

The staff agrees with the recommendation of the Zoning Committee.

PETITIONER: Charlotte Mecklenburg Planning Commission

PETITION NO.: 91-27 HEARING DATE: April 15, 1991

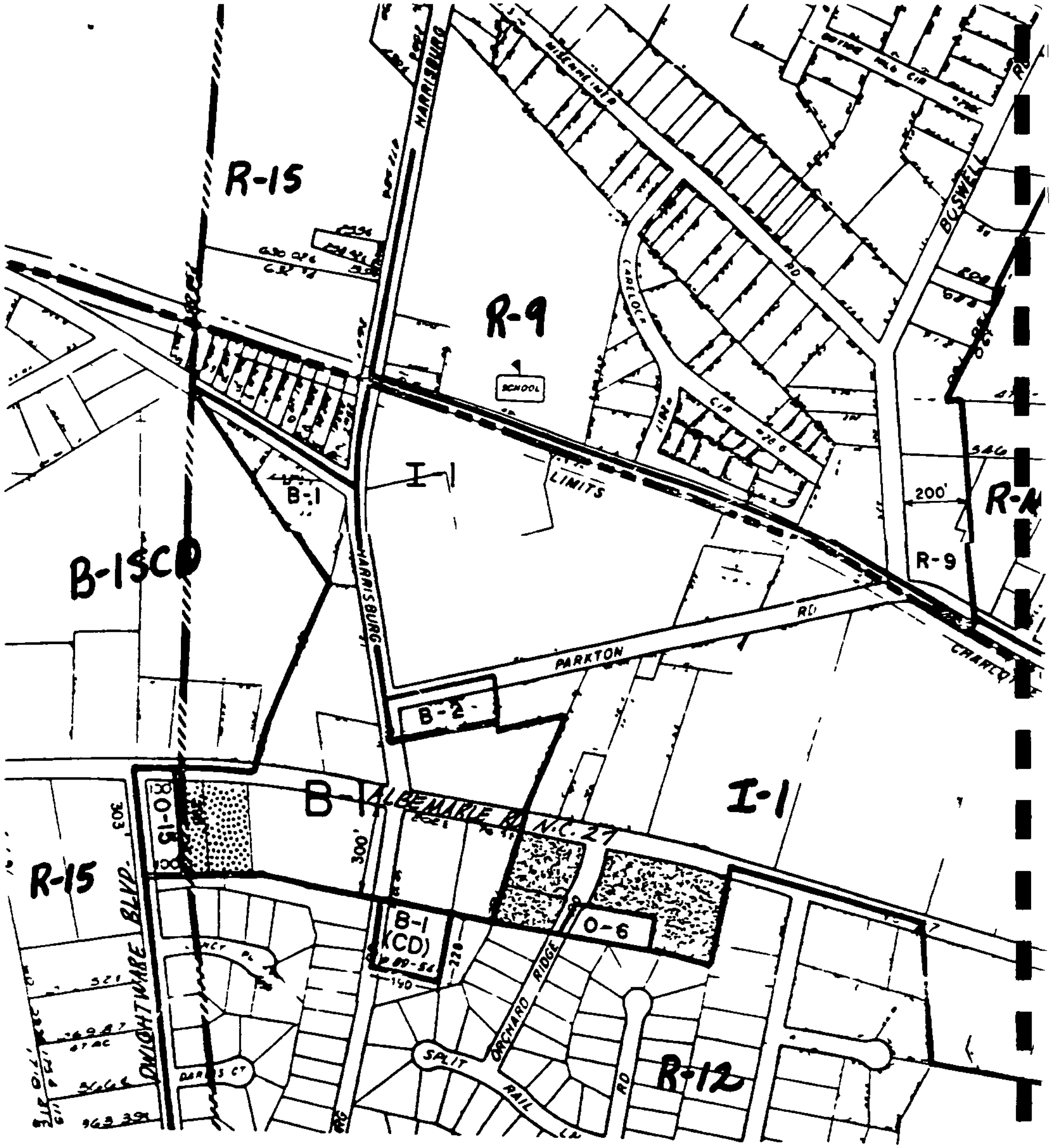
ZONING CLASSIFICATION, EXISTING B-1 & I-1 REQUESTED: O-15 & O-6

LOCATION. Several parcels totaling approximately 4.6 acres located on the south side of Albemarle Road east of Dwightware Boulevard.

SEE ATTACHED MAP

ZONING MAP NO(s).: 98 & 115 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE




I-1 TO O-6

B-1 TO 0-15

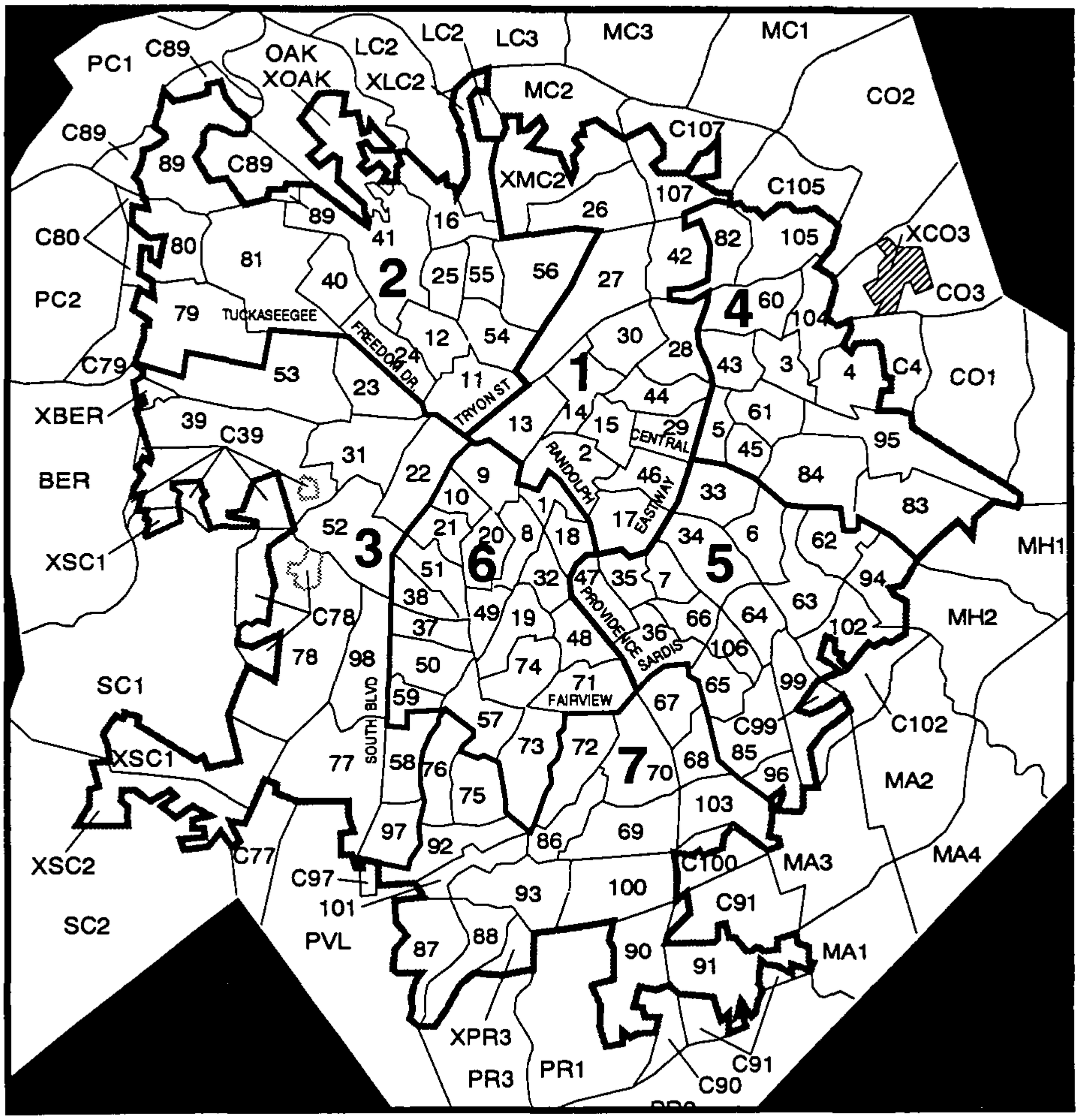
# CITY OF CHARLOTTE
# VOTING DISTRICTS AND PRECINCTS

ANNEXATIONS

EXISTING CITY LIMITS

VOTING DISTRICT BOUNDARIES

SATELLITE ANNEXATION



## City of Charlotte
## Current District Alignment

| Voting Districts | Total Population | % Black |
|---|---|---|
| 1 | 56,607 | 50.57 |
| 2 | 55,853 | 63.50 |
| 3 | 51,834 | 60.04 |
| 4 | 58,737 | 32.36 |
| 5 | 58,451 | 11.33 |
| 6 | 53,515 | 5.72 |
| 7 | 61,027 | 3.21 |
| Charlotte Total | 396,024 | 31.78 |

Largest District (7) - Smallest District (3) = 9,193 persons

Population Differential = 16.25%

Maximum Population Differential Permitted = 10%

## June 30, 1991 Annexations

| | | |
|---|---|---|
| Prosperity Church | 5,826 | 7.90 |
| Old Concord | 9,410 | 16.25 |
| Plott Road | 1,158 | 19.56 |
| Margaret Wallace | 4,658 | 8.67 |
| Beam Road | 635 | 2.42 |
| Total for Areas | 21,687 | 15.31 |

**Current District Alignment**
**With June 30, 1991 Annexations***

| Voting Districts | 1990 Population | + | Annexation Population | = | 6/30/91 Population | % Black |
|---|---|---|---|---|---|---|
| 1 | 56,607 | | 8,500 | | 65,107 | 45.34 |
| 2 | 55,853 | | 0 | | 55,853 | 63.50 |
| 3 | 51,834 | | 635 | | 52,469 | 59.34 |
| 4 | 58,737 | | 7,894 | | 66,631 | 30.51 |
| 5 | 58,451 | | 4,658 | | 63,109 | 11.13 |
| 6 | 53,515 | | 0 | | 53,515 | 5.72 |
| 7 | 61,027 | | 0 | | 61,027 | 3.21 |
| Charlotte Total | 396,024 | | 21,687 | | 417,711 | 30.90 |

Largest District (4) - Smallest District (3) = 14,162

Population Differential = 23.73%

*Note: Annexation areas were assigned to the adjacent voting district.

## City of Charlotte
## Voting District Options

| Voting Districts | Option X Pop. | Option X % Black | Option Y Pop. | Option Y % Black | Option Z Pop. | Option Z % Black |
|---|---|---|---|---|---|---|
| 1 | 58,952 | 45% | 60,030 | 35% | 60,485 | 35% |
| 2 | 60,208 | 63% | 59,817 | 62% | 61,304 | 64% |
| 3 | 60,322 | 59% | 59,528 | 66% | 62,062 | 67% |
| 4 | 60,578 | 26% | 61,940 | 30% | 59,954 | 25% |
| 5 | 61,070 | 11% | 59,018 | 11% | 59,285 | 8% |
| 6 | 59,450 | 5% | 60,142 | 5% | 58,103 | 5% |
| 7 | 57,131 | 3% | 57,236 | 6% | 56,518 | 6% |
| Population Differential | 6.60% | | 7.88% | | 9.29% | |

| Voting Districts | Option A Pop. | Option A % Black | Option B Pop. | Option B % Black | Option Z1 Pop. | Option Z1 % Black |
|---|---|---|---|---|---|---|
| 1 | 58,456 | 55.1 | 59,248 | 50.2 | 61,311 | 34.3 |
| 2 | 59,915 | 57.0 | 58,801 | 60.8 | 60,355 | 66.9 |
| 3 | 58,840 | 57.3 | 59,979 | 61.3 | 60,013 | 65.6 |
| 4 | 60,204 | 26.1 | 62,032 | 22.6 | 58,885 | 25.4 |
| 5 | 60,508 | 11.8 | 61,070 | 10.8 | 59,285 | 9.7 |
| 6 | 58,761 | 5.4 | 59,450 | 5.3 | 58,738 | 5.1 |
| 7 | 61,027 | 3.2 | 57,131 | 3.4 | 59,124 | 6.2 |
| Population Differential | 4.31% | | 8.21% | | 4.31% | |

# CITY OF CHARLOTTE
# VOTING DISTRICTS AND PRECINCTS

ANNEXATIONS

EXISTING CITY LIMITS

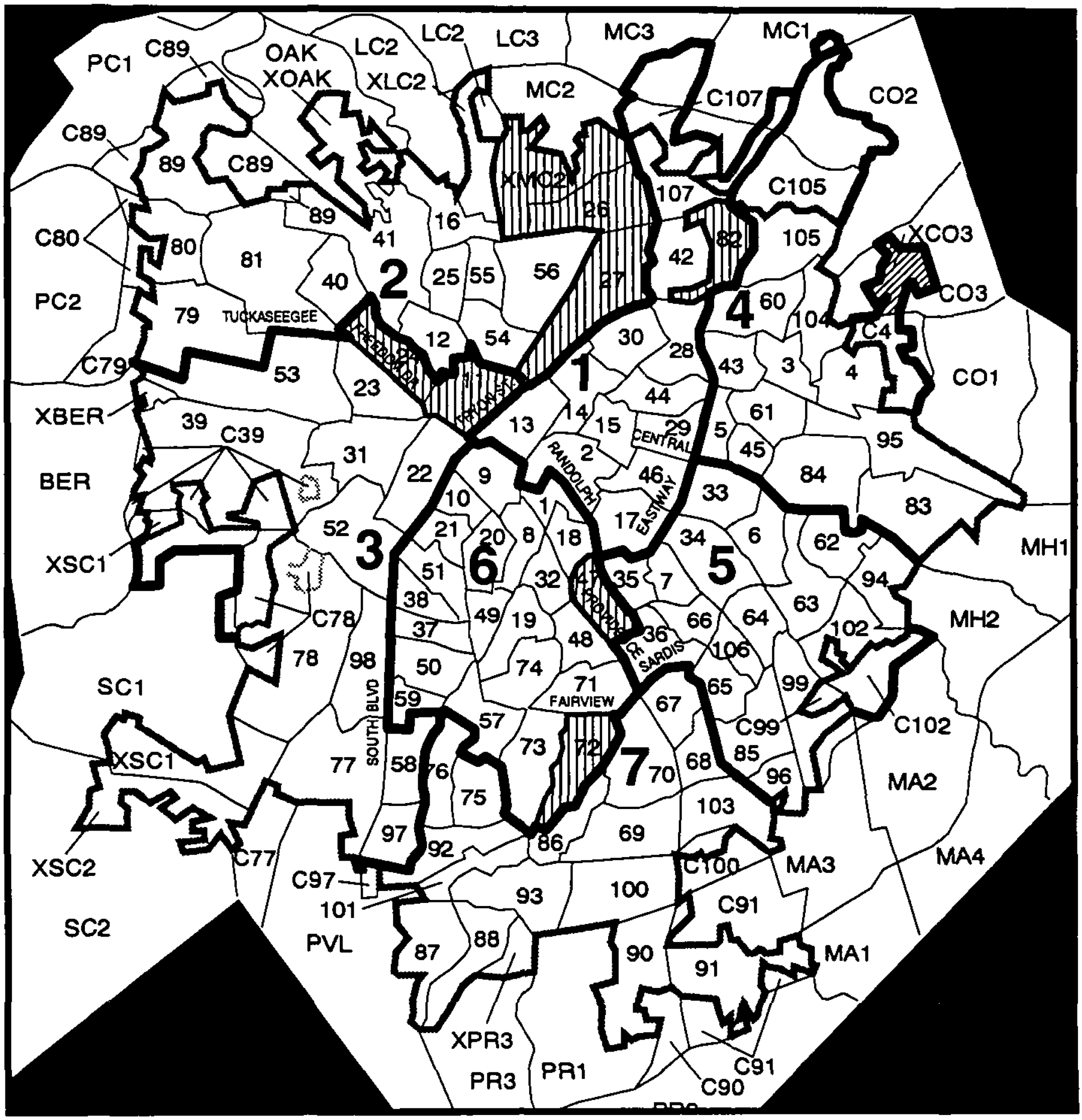
EXISTING VOTING DISTRICT BOUNDARIES

SATELLITE ANNEXATION

PROPOSED VOTING DISTRICT BOUNDARIES

PRECINCT-SHIFT OPTIONS

## OPTION X



## Option X

| | Dist. 1 | Dist. 2 | Dist. 3 | Dist. 4 | Dist. 5 | Dist. 6 | Dist. 7 |
|---|---|---|---|---|---|---|---|
| 1990 Population | 56,607 | 55,853 | 51,834 | 58,737 | 58,451 | 53,515 | 61,027 |
| June 30 Annex. | | | | | | | |
| Prosp. Church | 5,826 | | | | | | |
| Old Concord | 2,674 | | | 6,736 | | | |
| Plott Road | | | | 1,158 | | | |
| Margaret Wallace | | | | | 4,658 | | |
| Beam Road | | | 635 | | | | |
| Precinct Shifts | | | | | | | |
| XMC2 | -2,998 | +2,998 | | | | | |
| 26 | -3,949 | +3,949 | | | | | |
| 27 | -5,261 | +5,261 | | | | | |
| 82 | +6,053 | | | -6,053 | | | |
| 11 | | -3,999 | +3,999 | | | | |
| 24 | | -3,854 | +3,854 | | | | |
| 47 | | | | | -2,039 | +2,039 | |
| 72 | | | | | | +3,896 | -3,896 |
| Option X Total | 58,952 | 60,208 | 60,322 | 60,578 | 61,070 | 59,450 | 57,131 |

# CITY OF CHARLOTTE
# VOTING DISTRICTS AND PRECINCTS

ANNEXATIONS

EXISTING CITY LIMITS

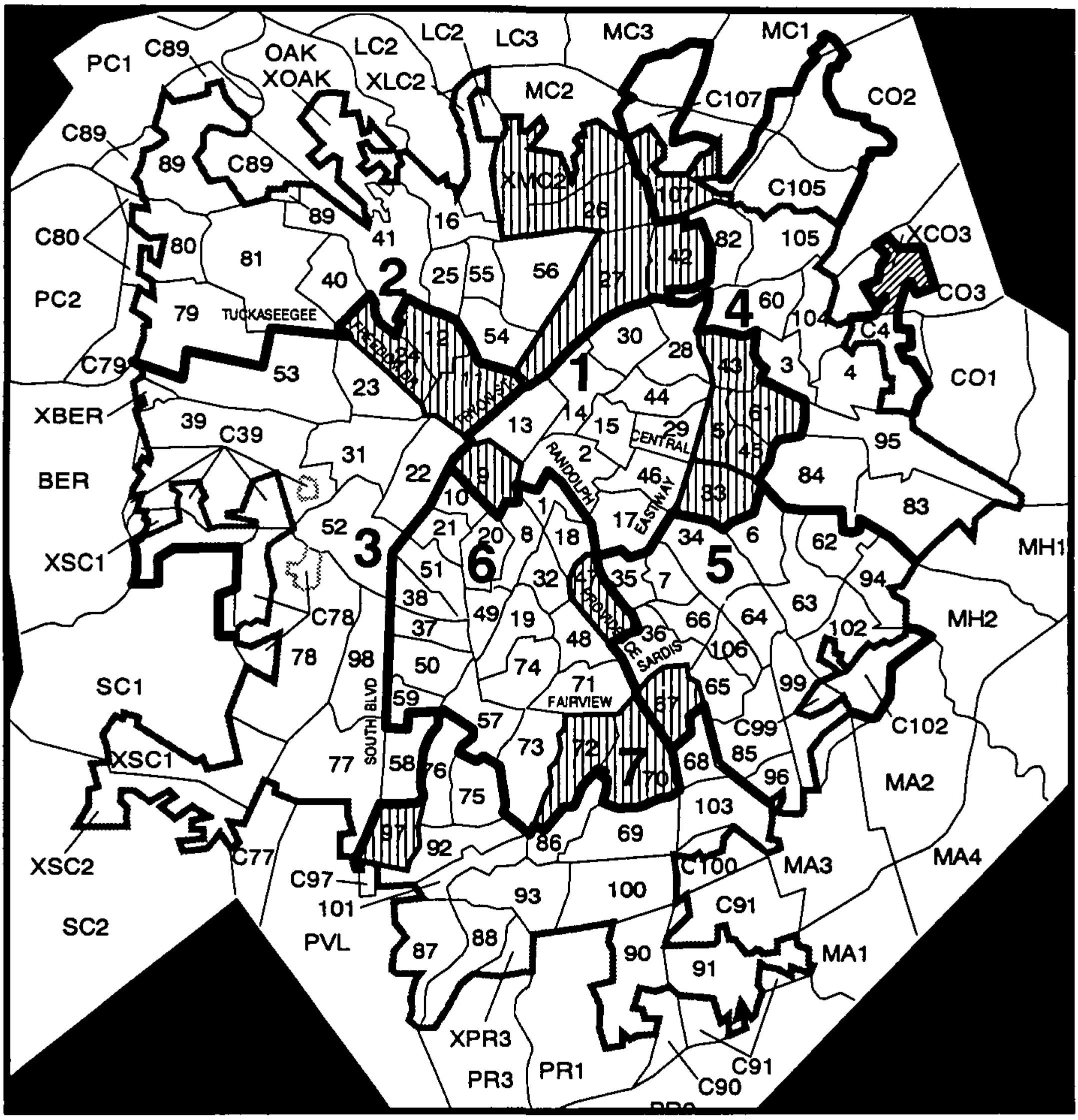
EXISTING VOTING DISTRICT BOUNDARIES

SATELLITE ANNEXATION

PROPOSED VOTING DISTRICT BOUNDARIES

PRECINCT-SHIFT OPTIONS

## OPTION Y



## Option Y

| | Dist. 1 | Dist. 2 | Dist. 3 | Dist. 4 | Dist. 5 | Dist. 6 | Dist. 7 |
|---|---|---|---|---|---|---|---|
| 1990 Population | 56,607 | 55,853 | 51,834 | 58,737 | 58,451 | 53,515 | 61,027 |
| June 30 Annex. | | | | | | | |
| Hosp., Church | | | | 5,826 | | | |
| Old Concord | | | | 9,410 | | | |
| Plott Road | | | | 1,158 | | | |
| Margaret Wallace | | | | | 4,658 | | |
| Beam Road | | | 635 | | | | |
| Precinct Shifts | | | | | | | |
| 5 | +2,645 | | | -2,645 | | | |
| 43 | +4,062 | | | -4,062 | | | |
| 45 | +3,673 | | | -3,673 | | | |
| 61 | +4,067 | | | -4,067 | | | |
| 33 | +3,931 | | | | -3,931 | | |
| 9 | +3,241 | | | | | -3,241 | |
| XMC2 | -2,998 | +2,998 | | | | | |
| 26 | -3,949 | +3,949 | | | | | |
| 27 | -5,261 | +5,261 | | | | | |
| 42 | -4,732 | +4,732 | | | | | |
| 11 | | -3,999 | +3,999 | | | | |
| 24 | | -3,854 | +3,854 | | | | |
| 12 | | -5,123 | +5,123 | | | | |
| 107 | -1,256 | | | +1,256 | | | |
| 47 | | | | | -2,039 | +2,039 | |
| 70 | | | | | | +3,933 | -3,933 |
| 67 | | | | | +1,879 | | -1,879 |
| 97 | | | -5,917 | | | | +5,917 |
| 72 | | | | | | +3,896 | -3,896 |
| Option Y Total | 60,030 | 59,817 | 59,528 | 61,940 | 59,018 | 60,142 | 57,236 |

# CITY OF CHARLOTTE
# VOTING DISTRICTS AND PRECINCTS

ANNEXATIONS

EXISTING CITY LIMITS

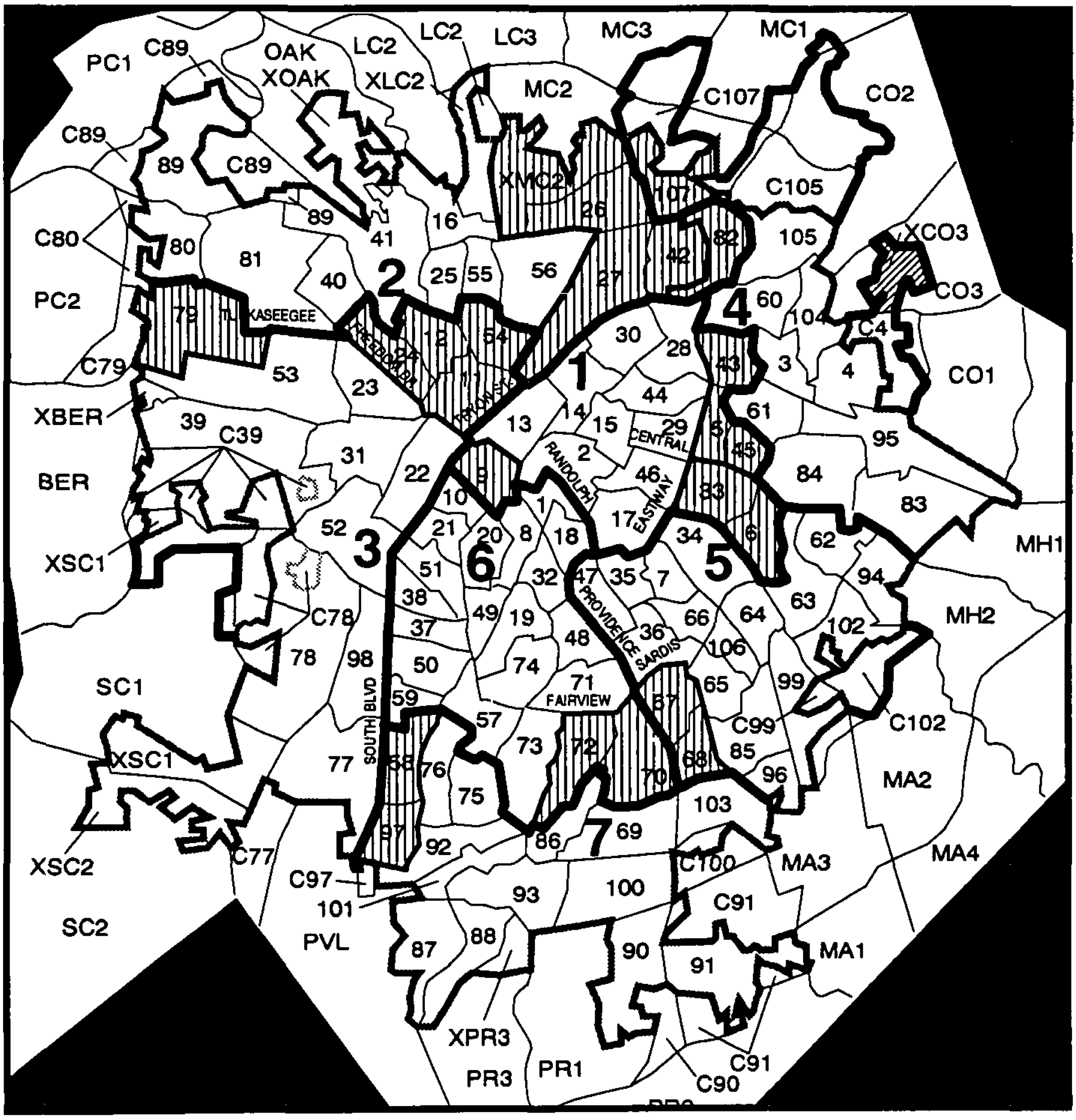
EXISTING VOTING DISTRICT BOUNDARIES

SATELLITE ANNEXATION

PROPOSED VOTING DISTRICT BOUNDARIES

PRECINCT-SHIFT OPTIONS

## OPTION Z



## Option Z

| | Dist. 1 | Dist. 2 | Dist. 3 | Dist. 4 | Dist. 5 | Dist. 6 | Dist. 7 |
|---|---|---|---|---|---|---|---|
| 1990 Population | 56,607 | 55,853 | 51,834 | 58,737 | 58,451 | 53,515 | 61,027 |
| June 30 Annex. | | | | | | | |
| Prosp. Church | | | | 5,826 | | | |
| Old Concord | | | | 9,410 | | | |
| Plott Road | | | | 1,158 | | | |
| Margaret Wallace | | | | | 4,658 | | |
| Beam Road | | | 635 | | | | |
| Precinct Shifts | | | | | | | |
| 5 | +2,645 | | | -2,645 | | | |
| 43 | +4,062 | | | -4,062 | | | |
| 45 | +3,673 | | | -3,673 | | | |
| 6 | +4,522 | | | | -4,522 | | |
| 33 | +3,931 | | | | -3,931 | | |
| 9 | +3,241 | | | | | -3,241 | |
| XMC2 | -2,998 | +2,998 | | | | | |
| 26 | -3,949 | +3,949 | | | | | |
| 27 | -5,261 | +5,261 | | | | | |
| 42 | -4,732 | +4,732 | | | | | |
| 82 | | +6,053 | | -6,053 | | | |
| 11 | | -3,999 | +3,999 | | | | |
| 12 | | -5,123 | +5,123 | | | | |
| 24 | | -3,854 | +3,854 | | | | |
| 54 | | -2,049 | +2,049 | | | | |
| 79 | | -2,517 | +2,517 | | | | |
| 107 | -1,256 | | | +1,256 | | | |
| 67 | | | | | +1,879 | | -1,879 |
| 68 | | | | | +2,750 | | -2,750 |
| 70 | | | | | | +3,933 | -3,933 |
| 72 | | | | | | +3,896 | -3,896 |
| 58 | | | -2,032 | | | | +2,032 |
| 97 | | | -5,917 | | | | +5,917 |
| Option Z Total | 60,485 | 61,304 | 62,062 | 59,954 | 59,285 | 58,103 | 56,518 |

# CITY OF CHARLOTTE
# VOTING DISTRICTS AND PRECINCTS

ANNEXATIONS

EXISTING CITY LIMITS

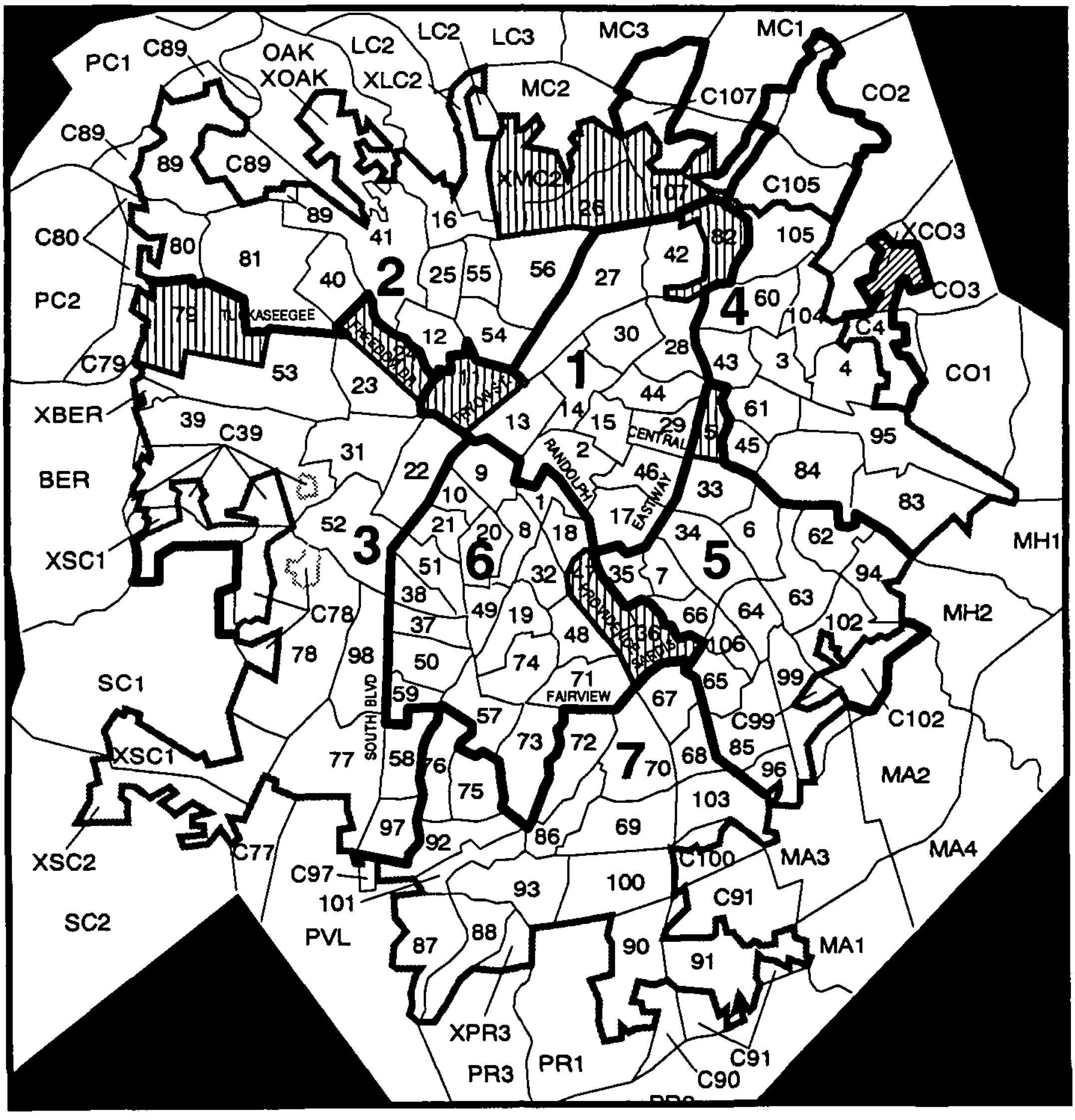
EXISTING VOTING DISTRICT BOUNDARIES

SATELLITE ANNEXATION

PROPOSED VOTING DISTRICT BOUNDARIES

PRECINCT-SHIFT OPTIONS

## OPTION A



## Option A

| | Dist. 1 | Dist. 2 | Dist. 3 | Dist. 4 | Dist. 5 | Dist. 6 | Dist. 7 |
|---|---|---|---|---|---|---|---|
| 1990 Population | 56,607 | 55,853 | 51,834 | 58,737 | 58,451 | 53,515 | 61,027 |
| June 30 Annex. | | | | | | | |
| Prosp. Church | 5,826 | | | | | | |
| Old Concord | 403 | | | 9,007 | | | |
| Plott Road | | | | 1,158 | | | |
| Margaret Wallace | | | | | 4,658 | | |
| Beam Road | | | 635 | | | | |
| Precinct Shifts | | | | | | | |
| 11 | +3,999 | -3,999 | | | | | |
| 82 | +6,053 | | | -6,053 | | | |
| 26 | -3,949 | +3,949 | | | | | |
| 107 | -1,256 | +1,256 | | | | | |
| XMC2 | -2,998 | +2,998 | | | | | |
| 24 | | -3,854 | +3,854 | | | | |
| 79 | | -2,517 | +2,517 | | | | |
| 5 | | | | -2,645 | +2,645 | | |
| 36 | | | | | -3,207 | +3,207 | |
| 47 | | | | | -2,039 | +2,039 | |
| Option A Total | 58,456 | 59,915 | 58,840 | 60,204 | 60,508 | 58,761 | 61,027 |

# CITY OF CHARLOTTE
# VOTING DISTRICTS AND PRECINCTS

ANNEXATIONS

EXISTING CITY LIMITS

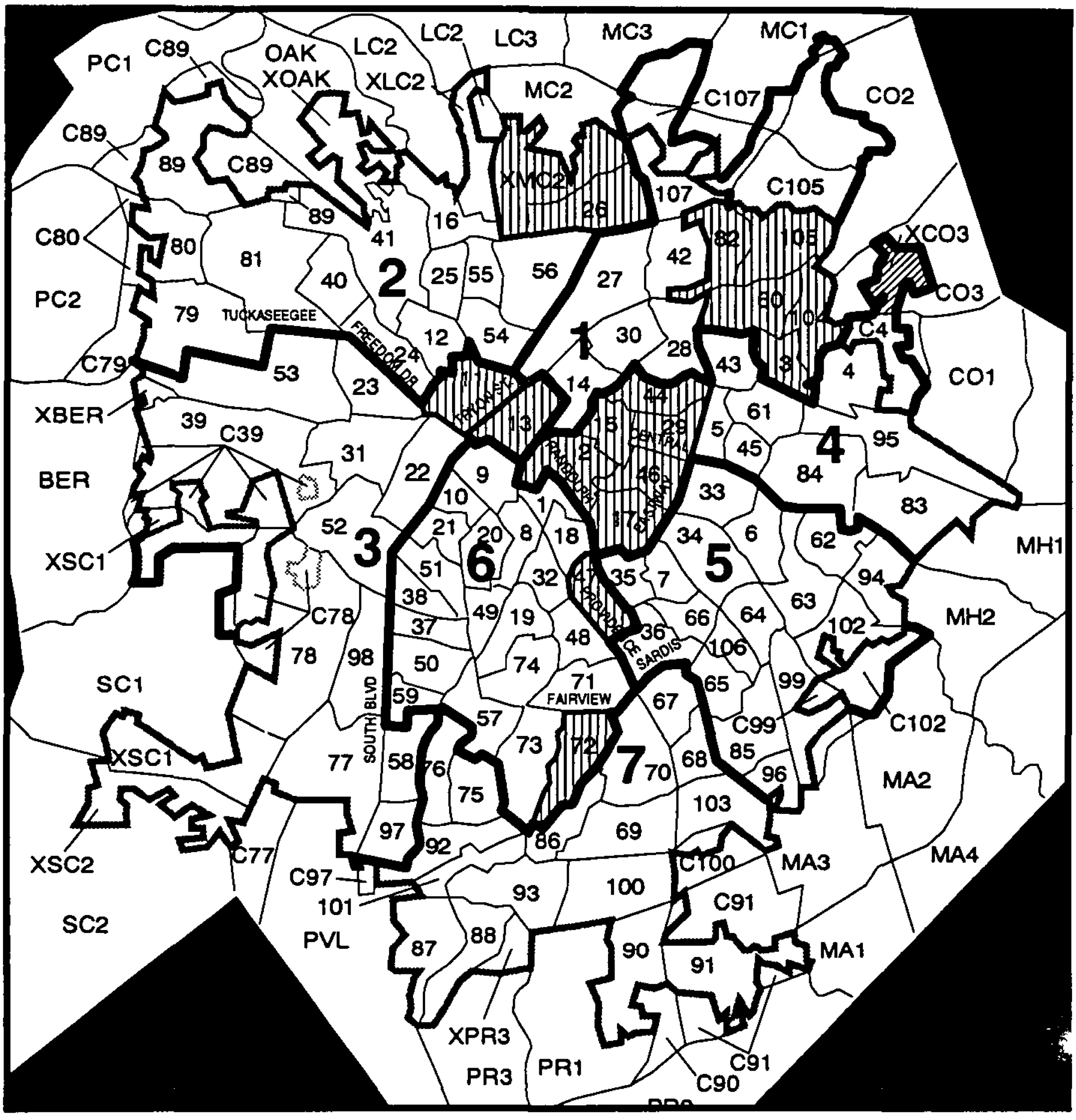
EXISTING VOTING DISTRICT BOUNDARIES

SATELLITE ANNEXATION

PROPOSED VOTING DISTRICT BOUNDARIES

PRECINCT-SHIFT OPTIONS

## OPTION B



## Option B

| | Dist. 1 | Dist. 2 | Dist. 3 | Dist. 4 | Dist. 5 | Dist. 6 | Dist. 7 |
|---|---|---|---|---|---|---|---|
| 1990 Population | 56,607 | 55,853 | 51,834 | 58,737 | 58,451 | 53,515 | 61,027 |
| June 30 Annex. | | | | | | | |
| Prosp. Church | 5,826 | | | | | | |
| Old Concord | 9,410 | | | | | | |
| Plott Road | | | | 1,158 | | | |
| Margaret Wallace | | | | | 4,658 | | |
| Beam Road | | | 635 | | | | |
| Precinct Shifts | | | | | | | |
| 3 | +4,613 | | | -4,613 | | | |
| 60 | +3,226 | | | -3,226 | | | |
| 82 | +6,053 | | | -6,053 | | | |
| 104 | +4,877 | | | -4,877 | | | |
| 105 | +3,045 | | | -3,045 | | | |
| 2 | -5,898 | | | +5,898 | | | |
| 15 | -3,816 | | | +3,816 | | | |
| 17 | -3,801 | | | +3,801 | | | |
| 29 | -3,615 | | | +3,615 | | | |
| 44 | -2,155 | | | +2,155 | | | |
| 46 | -4,666 | | | +4,666 | | | |
| 26 | -3,949 | +3,949 | | | | | |
| XMC2 | -2,998 | +2,998 | | | | | |
| 11 | | -3,999 | +3,999 | | | | |
| 13 | -3,511 | | +3,511 | | | | |
| 47 | | | | | -2,039 | +2,039 | |
| 72 | | | | | | +3,896 | -3,896 |
| Option B Total | 59,248 | 58,801 | 59,979 | 62,032 | 61,070 | 59,450 | 57,131 |

# CITY OF CHARLOTTE
# VOTING DISTRICTS AND PRECINCTS

ANNEXATIONS

EXISTING CITY LIMITS

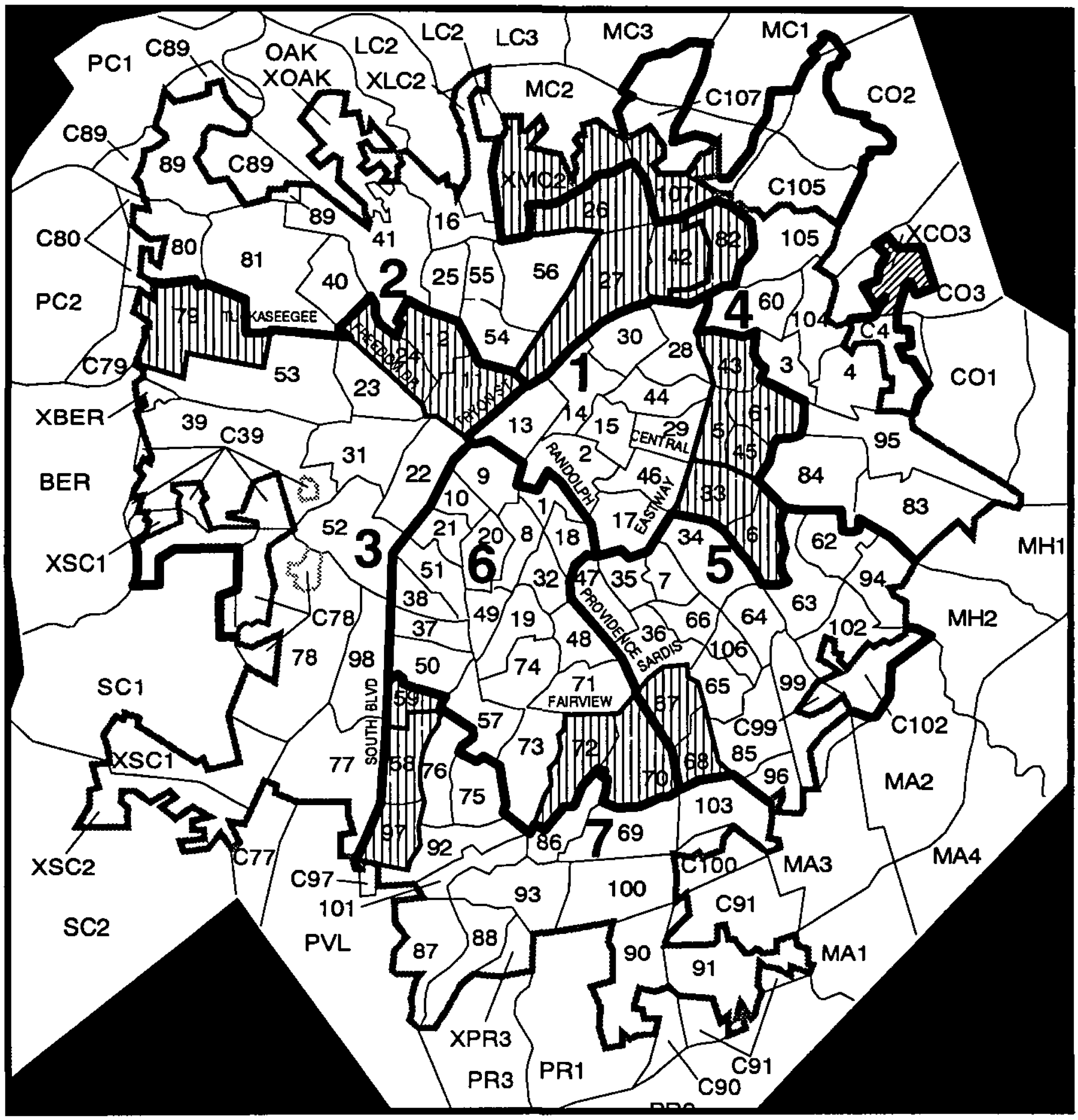
EXISTING VOTING DISTRICT BOUNDARIES

SATELLITE ANNEXATION

PROPOSED VOTING DISTRICT BOUNDARIES

PRECINCT-SHIFT OPTIONS

## OPTION Z1



## Option Z1

| | Dist. 1 | Dist. 2 | Dist. 3 | Dist. 4 | Dist. 5 | Dist. 6 | Dist. 7 |
|---|---|---|---|---|---|---|---|
| 1990 Population | 56,607 | 55,853 | 51,834 | 58,737 | 58,451 | 53,515 | 61,027 |
| June 30 Annex. | | | | | | | |
| Prosp. Church | | | | 5,826 | | | |
| Old Concord | | | | 9,410 | | | |
| Plott Road | | | | 1,158 | | | |
| Margaret Wallace | | | | | 4,658 | | |
| Beam Road | | | 635 | | | | |
| Precinct Shifts | | | | | | | |
| 5 | +2,645 | | | -2,645 | | | |
| 43 | +4,062 | | | -4,062 | | | |
| 45 | +3,673 | | | -3,673 | | | |
| 6 | +4,522 | | | | -4,522 | | |
| 33 | +3,931 | | | | -3,931 | | |
| 61 | +4,067 | | | -4,067 | | | |
| XMC2 | -2,998 | | | +2,998 | | | |
| 26 | -3,949 | +3,949 | | | | | |
| 27 | -5,261 | +5,261 | | | | | |
| 42 | -4,732 | +4,732 | | | | | |
| 82 | | +6,053 | | -6,053 | | | |
| 11 | | -3,999 | +3,999 | | | | |
| 12 | | -5,123 | +5,123 | | | | |
| 24 | | -3,854 | +3,854 | | | | |
| 79 | | -2,517 | +2,517 | | | | |
| 107 | -1,256 | | | +1,256 | | | |
| 67 | | | | | +1,879 | | -1,879 |
| 68 | | | | | +2,750 | | -2,750 |
| 70 | | | | | | +3,933 | -3,933 |
| 72 | | | | | | +3,896 | -3,896 |
| 58 | | | -2,032 | | | | +2,032 |
| 97 | | | -5,917 | | | | +5,917 |
| 59 | | | | | | -2,606 | +2,606 |
| Option Z1 Total | 61,311 | 60,355 | 60,013 | 58,885 | 59,285 | 58,738 | 59,124 |

Memorandum of understanding for the Charlotte urbanized area

Chronology

August 14, 1981
At the request of local governments, Governor Hunt designates the members of the existing Trans- portation Advisory Committee (TAC) as the MPO and recommends a voting structure which assigns 6 votes to Charlotte, 2 votes to Mecklenburg County, and 1 vote each to the 6 municipalities in the County and the North Carolina Board of Transportation.

November 21, 1981
The TAC unanimously approves a Memorandum of Understanding which incorporates the provisions from Governor Hunt and recommends the document to the constituent bodies for their approval.

March 21, 1990
The MPO discusses policies and procedures including use of the weighted vote. The group unanimously agrees to retain the current policies, but they agree to review the Memorandum again in one year.

November 28, 1990
MPO Chairman Troy Pollard appoints a committee composed of Sarah McAulay, Jerry Blackmon, and Rusty Goode to discuss the role and need for a new regional MPO.

February 18, 1991
City Council's Transportation Committee discusses MPO responsibilities, the weighted vote structure, and opportunities for achieving a regional perspective to transportation planning issues. The committee recommends an informal discussion with the entire Council following the February 20 MPO meeting. The discussion is now scheduled for the April 1 workshop.

February 20, 1991
MPO members discuss the weighted vote structure and the equity of its use in decision-making where affected municipalities object to a transportation improvement project. The issue is unanimously placed on the March 20 agenda.

March 20, 1991
The MPO continues their discussion of the weighted vote system. A revision is discussed which will provide local governments whose boundaries include all or part of a proposed transportation improvement project with increased influence on the MPO's decision.

# MANAGER'S AD HOC CITIZEN

# COMMITTEE ON NEIGHBORHOOD SPEED CONTROL

## FINAL REPORT


Mr. Greg Allen
Dr. Paula Goolkasian
Mr. Robert Lilien
Dr. Doug Robertson
Ms. Eleanor Washington
Major Ronnie Rash
Mr. Jim Schumacher
Mr. Joe Lesch
Ms. Julie Burch, Chair



Prepared by

Charlotte Department of Transportation

Public Service Division

May 1991

**MANAGER'S AD HOC CITIZEN**
**COMMITTEE ON NEIGHBORHOOD SPEED CONTROL**

**FINAL REPORT**

**Table of Contents**


I. Executive Summary . . . . . 1

II. Introduction . . . . . .2

III. Speed Control Techniques . . . . . .3

IV. Ranking of Controls/Problems Levels . . . . . 8

V. Special Review of Multi-Way Stop Policy . . . . . 9

VI. Options/Recommendations . . . . . .11


Attachments:


1. List of Committee Members
2. Neighborhood Speed Controls, by Ranking
3. Neighborhood Speed Controls - Pros & Cons
4. Existing Multi-Way Stop Policy
5. Existing Multi-Way Stops
6. Pending Multi-Way Stops
7. City Attorney's Office Opinion on Speed Humps

**MANAGER'S AD HOC CITIZEN**
**COMMITTEE ON NEIGHBORHOOD SPEED CONTROL**

**FINAL REPORT**

**Executive Summary**

On November 13, 1990, the City Manager indicated to Council that staff would take a new look at innovative traffic controls to address the continuing problem of speeding in neighborhoods. The request came as a result of an increasing number of requests for multi-way stops to control speeding in neighborhoods.

Beginning March 13, 1991, a Citizens' committee consisting of neighborhood representatives, university faculty and City staff held bi-weekly meetings to look at the speeding problem. The committee has prepared a menu of traffic controls to be available to neighborhood groups and staff. The committee ranked the controls to identify a preference of control to be used, and identified the severity of problems for which each control is appropriate. The committee also reviewed the Neighborhood Multi-Way Stop Policy and recommends a change to address speeding.

The committee recommends that City Council adopt the following recommendations:

1. Accept the speed control strategies identified, implement the strategies based on level of problem, approve the level of authority assigned.
2. Consider seeking legislative approval for four controls.
3. Recognize need for additional or re-allocated resources for enforcement and public information.
4. Request the Planning Commission to evaluate alternative street design standards.
5. Implement a new speed control criteria within the Neighborhood Multi-Way Stop Policy.
6. Direct the Manager to have the Charlotte Department of Transportation, the Charlotte Police, and the Charlotte Department of Public Service & Information develop a Speed Watch Program.

## II. INTRODUCTION

Speeding is a recurring problem in Charlotte's neighborhoods. The municipal statutory speed limit is 35 mph and many motorists feel it is acceptable to travel 5-10 mph over the speed limit on local residential streets, just as they might do on thoroughfare streets.

As traffic in Charlotte grows, so does through traffic. Consequently, residents of neighborhoods are becoming more sensitive to traffic. Since 1978, Charlotte City Council has had an active working policy to address through traffic issues. Speeding has been addressed, but only as an adjunct to the through traffic program.

This document recommends specific strategies for staff to use to work with neighborhood groups on speeding problems. It also pulls together a number of existing Council and administrative policies outside of the Neighborhood Through Traffic Study Program, including:

- Neighborhood Multi-Way Stop Policy
- 25 MPH Speed Limit Policy
- Neighborhood Parking Policy
- Trucks in Neighborhoods Policy

The committee also evaluated the Neighborhood Multi-Way Stop Policy and is recommending an amendment to the policy. The evaluation is a result of several recent pending requests for Council to grant variances to its policy.

As a result of the increased requests for stop signs, as well as other neighborhood concerns about speeding, the City Manager indicated to Council that staff would look at innovative methods to control speeding. To assist with the evaluation, the Manager appointed an Ad Hoc Citizen Committee composed of neighborhood leaders, UNCC professionals, and staff.

The Manager asked the committee to review techniques to control speeding here and in other cities, to brainstorm additional ideas which might be used, discussing the pros and cons of each, ranking the controls and providing appropriate recommendations to Council.

The committee held five meetings totalling approximately 12 hours of discussion. This report is a summary of their findings, and has been reviewed by the members.

City Council is requested to approve the recommendations contained herein.

## III. SPEED CONTROL TECHNIQUES

The committee spent two sessions brainstorming innovative speed control techniques, and also reviewed standard controls already being used. A list of the techniques considered and the advantages/disadvantages of each is contained in Attachment 3.

The speed control strategies below are in rank order of importance:

Lower Street Design
Parking Controls
Multi-Way Stops
Enforcement
Increasing Fines
Portable Radar
Pavement Markings
Lower Speed Limit
Truck Restrictions
Road Humps & Undulation
Camera Surveillance
Lowered Statutory Speed
Public Information
No-Turn on Red
Traffic Signal Timing
Chokers
Speed Watch
Rumble Strips
Turn Restrictions
Thoroughfare Improvement
Street Closure
One-Way Designation
Medians
Traffic Circles
Diverters

### Lower Street Design

This control is really only available to new streets yet to be constructed; therefore, it has little value in addressing existing problems in neighborhoods. The control involves using a lesser design standard, including street width, as well as tighter vertical and horizontal curves. The control, if used, is effective since it forces motorists to drive at a lower speed. The control would require legislative action to enable a municipal speed limit of less than 35 mph.

### Parking Controls

Restoring on-street parking may be effective by forcing motorists to other routes, or by giving the street a more "residential" feeling, thus encouraging motorists to slow down. This control can be implemented easily on a request basis.

## Multi-Way Stops

Multi-way stops are perceived to be effective in reducing the speed of traffic by forcing vehicles to stop. This control has been shown to be effective where used in closely spaced installations so motorists cannot achieve higher speed levels between stop signs. The committee recommends a speed standard for the Council Neighborhood Multi-Way Stop Policy. The recommended standard is discussed in detail in Section IV of this report.

## Enforcement

Enforcement, was determined by the committee to be the most effective control in reducing speeding. Enforcement, however, did not receive the highest ranking due to the difficulty in implementing the program as a result of possible lack of resources. Enforcement of speed limits is provided on two levels.

The first is the standard level of enforcement, as presently provided by the Police Department, upon request by a citizen or neighborhood, and is dependent upon availability of resources. The second, or extra enforcement level, would target neighborhoods where speeding has been identified as a high level problem. This control requires resources not presently available. Staff could develop a proposal for Council consideration to address this issue, including whether re-ordering of priorities is needed or additional funding is required.

## Increasing Fines

This control received a high rating because it was seen as a deterrent to speeding. Implementation will be difficult due to the need to obtain legislative approval.

## Portable Radar

The Police Department currently has two portable radar units which can be placed on the roadside, left unattended, and will alert motorists when they are speeding. The committee recommends continued use of this equipment.

## Pavement Markings

Pavement markings in special cases may be used as a speed control, but there is a perception that they designate a higher level street which may off-set any benefit. Ease of installation, relative low cost and flexibility make this technique attractive.

## Lower Speed Limit

Over the past seven years, approximately 300 streets in Charlotte have had speed limits lowered to 25 mph from the statutory 35 mph. Although the effectiveness of this control is limited, most

in conjunction with other controls, such as multi-way stops. The committee feels that a uniform speed limit throughout the City would be more effective and recommends that Council again consider seeking legislative approval for a 25 mph statutory speed limit (see "Lowered Statutory Speed Limit").

Truck Restrictions

Truck restrictions are primarily a through traffic control. Neighborhoods perceive that large trucks in neighborhoods are driven too fast, especially in regard to conditions and the need to stop suddenly. Although benefit is limited, this control is widely used due to perceived benefit, low cost and ease of implementation.

Road Humps

Road humps are extended and flattened speed bumps. The committee recommends that Council not approve use of this control based on liability issues raised by the City Attorney's Office. The issues focus on recent case law in other states where municipalities have been held responsible for accidents involving use of humps.

Camera Surveillance

Camera surveillance control involves new technology that permits video pictures to be taken of speeders from an unattended camera. This control is really an expansion of the "portable radar" control. The control would require legislation to allow citations to be issued to the owners of the vehicle, instead of the driver. Other states now use this control. (See attached opinion from the City Attorney's Office).

Lowered Statutory Speed Limit

North Carolina has a municipal statutory speed limit of 35 mph, which is higher than most nearby states. Council can lower speed limits on a case-by-case basis, but the piecemeal nature of such implementation does not encourage driver compliance. The committee recommends that City Council again consider seeking the General Assembly for a city-wide 25 mph municipal speed limit.

Public Information

One key element in attacking the problem of speeding involves changing drivers' attitudes and habits. An effective method used in a number of cities involves a continuing public information campaign. The committee recommends that Council direct the Manager to have staff develop a proposal for a program of public information, and to determine resources needed for the program.

## No-Turn On Red

This control has been used primarily with through traffic problems. It involves placing "No-Turn-On-Red" restrictions at signalized entrances to neighborhoods to discourage cut through traffic, and thus, decrease the numbers of speeders.

## Rumble Strips

Rumble strips are ridges either cut in the pavement or laid over top of existing pavement to alert drivers to slow down when they drive over the rough pavement. Due to the noise of the rumble and their general ineffectiveness, committee recommends that rumble strips not be used.

## Turn Restrictions

This control reduces through traffic by limiting access to a neighborhood, and the number of speeders is decreased.

## Thoroughfare Improvements

By improving the main streets, motorists are encouraged to stay on these streets and not use neighborhood streets as thoroughfare routes. Due to the very high cost of this control, use is limited except where thoroughfare improvements are already planned.

## Street Closure

Closing streets is another through traffic control, but it has limited use due to level of intra-neighborhood conflict created. It can be very effective, however, in decreasing the amount of traffic in a neighborhood.

## Traffic Signal Timing

This control also is a through traffic control. By limiting the green time motorists have to exit/enter a neighborhood, traffic cutting through a neighborhood is reduced.

## Chokers

A choker involves reconstruction of a street to narrow its lanes. This control can involve narrowing the street to a single lane to discourage traffic. The presence of a choker would also slow traffic. This technique has not yet been used in Charlotte.

## Speed Watch

Speed watch is a program similar to the Neighborhood Crime Watch Program. The program helps organize neighborhoods to develop peer pressure programs to address speeding issues. One element involves neighbors reporting speeders to the police, and notifying the vehicle owner of the violation. The committee recommends that

CDOT, Police and PSI develop such a program, which could be offered to neighborhoods.

One-Way Designation

Implementation of one-way control is best suited to a grid system of streets, generally not available in Charlotte. Further, conversion of a street to one-way provides a wider cross section for all vehicles in the same direction, which may encourage speeding. The committee recommends that this control not be used.

Medians

Medians can limit access from a thoroughfare into a neighborhood. By controlling through traffic, the numbers of speeders are reduced.

Traffic Circles

Traffic circles are islands placed in the middle of intersections. This control can be effective, but it requires considerable reconstruction of the intersection, usually including purchase of the land from each of the corners of the intersection. This may be objectionable to the citizens.

Diverters

Similar to a street closure, a diverter partially closes an intersection, and limits through movement while still allowing some, if less convenient, neighborhood access. This control was tried in the Elizabeth Neighborhood on a temporary basis, but was removed subsequently due to resident dissatisfaction.

## IV. RANKING OF CONTROLS/PROBLEM LEVELS

Once the committee identified the possible speed controls (See Section III and Attachments 2 & 3), the committee determined the relative importance of each, realizing that each would be implemented as appropriate to a particular neighborhood. The committee ranked each control in accordance with the following factors:

- Effectiveness
- Acceptability
- Cost
- Ease of Implementation
- Other Impacts

The ranking is shown in Attachment 2. The ranking is a guideline for staff in providing suitable remedies to neighborhoods.

Secondly, based on the rankings, the committee had to decide the appropriate usage of each control. The usage was determined to be dependent on severity of the problem. The severity of the problem is based on the relationship of traffic to the posted speed limit and the volume present. The 85th percentile speed of vehicles on street was chosen as the indicator of the degree of the problem:

| Level | Standard |
|---|---|
| No Problem | 85th percentile speed on the street is at or less than speed limit. |
| Low Level Problem | 85th percentile speed is 1-5 mph above speed limit. |
| Moderate Level Problem | 85th percentile speed is 6-10 mph above speed limit. |
| High Level Problem | 85th percentile speed is over 10 mph above speed limit. |

Furthermore, the committee determined the level could be adjusted based on the volume of traffic on the street, expressed as vehicles per day (vpd):

Conversion from Low Level to Moderate if > 4000 vpd on street

Conversion from Moderate Level to High if > 2500 vpd on street

Following this page is a chart, "Speed Control Measures" which pulls together and relates the speed control measures, level of problem and the authority for approval.

# Speed Control Measures

| | Available Upon Request | Staff Approval (with standards) | Council Approval (with standards) | Council Approval (experimental) |
|---|---|---|---|---|
| Low Level Problem | parking control<br>standard enforcement<br>portable radar<br>*truck restrictions<br>public information<br>speed watch | | | |
| Moderate Level Problem | | multi-way stops<br>pavement markings<br>*no turn on red<br>signal timing<br>*turn restrictions<br>*medians | reduce speed limit (single street)<br>*street closure<br>thoroughfare improvements | |
| High Level Problem | extra enforcement | | | camera surveillance<br>chokers<br>City-wide public information program<br>traffic circles<br>diverters |

Measures which require institutional change
1. street design standards
2. lower statutory speed limit
3. camera surveillance
4. increased fines

Measures not permitted.
1. rumble strips
2. *one way streets
3. road humps

* Primarily a through traffic control measure

Chart 1

## V. SPECIAL REVIEW OF MULTI-WAY STOP POLICY

The Manual on Traffic Control Devices (MUTCD) published by the Federal Highway Administration sets the standards for use of all traffic control devices in the United States. Federal law (23CFR109 et al.) requires that traffic control devices on all public roadways be consistent with the MUTCD. Further, State Statute GS 20-169 and the City Code Section 14-57(d) requires that traffic controls be installed in accordance with the MUTCD.

Local government does have the authority, however, to establish standards to address local conditions. Accordingly, in November 1988, City Council established a policy on Neighborhood Multi-Way Stops. The purpose of the policy was to provide a reduced standard for neighborhood streets, compared to the standards of the MUTCD, which is generally oriented to thoroughfare streets. In comparison, the standards of the two existing policies are:

| Criteria | MUTCD | 1988 Neighborhood Policy |
|---|---|---|
| 1. Volume - Sum of All Approaches | Average 500 vph for 8 hrs of an average day | Average 360 vph for 8 hrs of an average day |
| 2. Delay | 30 Sec. Average on minor street during heaviest hour | None |
| 3. Distribution | 200/hr for 8 hrs on minor street | Minor street 60% volume of main street |
| 4. Accidents (alternate standard) | 5/Year correctable by stop signs | 3/Year correctable by stop signs |
| 5. Petition | None | Required (75%) |
| 6. Other | - | No 3-legged intersections |

Staff has 19 multi-way stop requests pending, most of which do not meet the standards of the existing neighborhood policy. Further, in consideration of Council approval of non-standard multi-way stops in Medearis, Stonehaven and Old Salem neighborhoods, as a variance to its standard, the committee recommends that the multi-way policy be amended to use multi-way stops to control speeding.

## RECOMMENDED CHANGES

A new section would be added to "Policy on Neighborhood Multi-Way Stops" based on the severity of speeding problems, as discussed in Section IV of this report. Based on a neighborhood request, if the speeding problem were of moderate- to high-level (85 percentile speed of vehicles greater than 5 mph above the posted speed limit), then an intersection would be eligible for multi-way stops, regardless of traffic volume or number of accidents. Unlike the existing policy, three-way (or T) intersections would qualify.

The proposed multi-way stop policy addition would be:

- Multi-way stops would be used in neighborhoods where a moderate- to high-level speeding problem is present.
- Three- and four-way intersections are eligible.
- Mid-block locations are not permitted.
- A petition of 75% of the impacted area is required, same as present policy.
- Staff-approved; no Council action required.

If Council approves the recommended change, staff would apply the revised policy standards to all pending requests for stop signs.

## VI. RECOMMENDATIONS

The committee identified 23 traffic control techniques (see attachment 2), ranked the controls, evaluated their appropriateness and assigned suggested levels of approval authority. The findings are summarized in Chart 1, following page 8. The chart organizes the controls to assist staff in working with neighborhoods.

The committee recommends that City Council:

1. Accept traffic controls strategies identified, implement the strategies based on problem level, and approve the level of authority assigned

   Of the 23 control strategies identified, all but three are available for use. The three not recommended for speed controls are:

   Rumble Strips
   One-Way Streets
   Road Humps

   Priority should be given to those strategies with the highest ranking, realizing that the strategies must fit the local conditions and availability of funding. Further, some of the controls address through traffic and should be used when through traffic is also at issue.

   The committee recommends that speeding problems be addressed based on the severity of the problem. Problem levels were identified, and the appropriateness of each of the traffic controls were assigned to each level. Depending on the speed limit and the prevailing speed (85th percentile) on the street, a particular strategy would be available. The levels are:

| Level | Standard |
|---|---|
| No Problem | 85th percentile speed on the street, at or less than speed limit. |
| Low Level Problem | 85th percentile speed is 1-5 mph above speed limit. |
| Moderate Level Problem | 85th percentile speed is 6-10 mph above speed limit. |
| High Level Problem | 85th percentile speed is over 10 mph above the speed limit. |

Furthermore, in conjunction wit. the 85th percentile speed, the level can be adjusted based on traffic volumes:

| | |
|---|---|
| Conversion of Low Level to Moderate | > 4000 vehicles per day on street |
| Conversion of Moderate Level to High | > 2500 vehicles per day on street |

Chart 1 also assigns the level of approval needed for each of the traffic controls. The levels are:

<u>Level</u>

1. Available upon request by neighborhood.
2. Staff approval based on standards set with this and other City policies.
3. Council approval based on standards - at present this applies, due to statutory or budgetary requirements to only three controls: reduced speed limit, street closure, and thoroughfare improvements.
4. Council approval (experimental) required for techniques that are little used and experimental, or require budgetary allocations. These proposed techniques would be used under special circumstances and would be presented to Council on a case-by-case basis.

2. <u>Seek legislative approval for strategies</u>

Four items would require statutory authority by the General Assembly.

They are:

- Lowered street design standard
- Lowered statutory speed limit
- Camera surveillance
- Increased fines

3. <u>Recognize need for additional or re-allocated resources for enforcement and public information</u>

Extra enforcement was the third highest ranked, but most effective control. In order to provide extra enforcement, as well as a City-wide public information program, staff will need to determine if a re-allocation, or repriortization of resources is needed, or if additional funding will be required.

4. Request Planning Commission to evaluate alternative street design criteria and make recommendation for change

The committee's highest ranked control involves a lowered street design standard. Unfortunately, this control technique can only be used with the construction of new streets. In order to permit developers to submit a street of lower design, the Planning Commission, along with Engineering and Transportation staff, needs to review neighborhood street standards. The City's Subdivision Review Committee would provide a future recommendation to Council, if appropriate.

5. Implement a speed control criteria within the Neighborhood Multi-Way Stop Policy

The committee recommends a speed control element be added to this policy. Under the new policy, multi-way stops could be used where a moderate or high level problem is present, and when accompanied by a 75% petition from the impacted area. T-intersections would be eligible, but mid-block locations would not.

If approved, staff will apply the new standards to all outstanding requests.

8. Direct the Manager to have CDOT, Police & PSI develop a Speed Watch

Similar to the Neighborhood Watch Crime Prevention Program, Speed Watch is a neighborhood-oriented program. Staff would need to develop the program.

Attachment 1

**MANAGER'S CITIZENS' AD HOC**
**COMMITTEE ON NEIGHBORHOOD SPEED CONTROL**

**List of Committee Members**

| | | | NEIGHBORHOOD |
|---|---|---|---|
| 1. | Mr. Greg Allen<br>D&R Associates | Landscape Architect | Chantilly |
| 2. | Dr. Paula Goolkasian<br>Department of Psychology<br>UNCC | Professor, Psychology | -- |
| 3. | Mr. Robert Lilien | Attorney | Myers Park |
| 4. | Dr. Doug Robertson<br>Transportation Engineering UNCC | Professor, Civil Engineering, Transportation | Dilworth |
| 5. | Ms. Eleanor Washington | | University Park |
| 6. | Major Ronnie Rash<br>Charlotte Police Department | | --- |
| 7. | Mr. Jim Schumacher<br>Engineering Department | | --- |
| 8. | Mr. Joe Lesch<br>Planning Commission | | --- |
| 9. | Julie Burch, Chair<br>Manager's Office | | --- |

* Representatives for Starmount and Stonehaven, who had agreed to serve on the committee, were unable to attend due to conflicts.

Attachment 2

**AD HOC CITIZENS COMMITTEE**
**ON NEIGHBORHOOD SPEED CONTROL**

**Speed Control Ranking**
**April 10, 1991**

| Rank | Code | Control |
|---|---|---|
| 1 | N | Lower Street Design |
| 2 | | Parking Controls |
| 3 | | Multi-Way Stops |
| (Tied) | | Enforcement |
| (Tied) | | Increasing Fines |
| (Tied) | | Portable Radar |
| (Tied) | | Pavement Markings |
| (Tied) | | Lower Speed Limit |
| (Tied) | * | Truck Restrictions |
| 10 | | Road Humps & Undulation |
| (Tied) | | Camera Surveillance |
| 12 | | Lowered Statutory Speed |
| (Tied) | | Public Information |
| (Tied) | * | No-Turn on Red |
| (Tied) | * | Traffic Signal Timing |
| 16 | | Chokers |
| (Tied) | | Speed Watch |
| (Tied) | | Rumble Strips |
| (Tied) | * | Turn Restrictions |
| 20 | * | Thoroughfare Improvement |
| 21 | * | Street Closure |
| (Tied) | * | One-Way Designation |
| (Tied) | * | Medians |
| 24 | | Traffic Circles |
| (Tied) | * | Diverters |

* More appropriate as a through traffic control.
N Only for new streets

# SPEED CONTROL TECHNIQUES

| Speed Control Devices | Pros | Cons |
|---|---|---|
| Stop Signs | o Perceived to be effective by residents.<br>o May slow traffic in the immediate vicinity of the stop sign<br>o May reduce through traffic if travel time is increased significantly | o Increases level of noise for residents located near the stop sign<br>o Stop signs used in series may divert traffic to parallel residential streets<br>o Use of stop signs for speed control can breed disrespect for stop signs in general<br>o Enforcement requirements increase as more stop signs are installed |
| Speed Limit Signs | o Perceived to be effective by residents | o Do not effect through volumes<br>o May not reduce speeding<br>o Increase enforcement requirements |
| Turn Restrictions | o Effective in reducing the number of speeding motorists by reducing through volumes<br>o Can improve safety by eliminating turn movements | o Reduces access to or from a neighborhood for residents<br>o Can divert turning traffic to intersections considered less safe<br>o Increase enforcement requirements |

## SPEED CONTROL TECHNIQUES

| Speed Control Device | Pros | Cons |
|---|---|---|
| One-Way Street Designations | o Can be used to create a maze of one-way streets to make travel through a neighborhood difficult<br>o Through traffic and the volume of speeding motorists may be reduced | o Few residential streets are suitable for one-way operation<br>o Speeds may be higher on a one-way street<br>o Considerable signing is required to make one-way street designations effective |
| Traffic Signal Timing | o Signal timing can favor thoroughfare streets, encouraging motorists to stay on the main street<br>o Green signal time for streets exiting a neighborhood can be controlled to limit through traffic and reduce the volume of speeding motorists | o Residents and other motorists complain about limited green signal time<br>o Motorists may violate red signals if they feel the controller is not working properly |
| No-Turn on Red Restrictions | o Can be used in conjunction with traffic signal control<br>o Can reduce through traffic by limiting the amount of time motorists can enter or exit a neighborhood | o Limits access to and from neighborhoods |
| Truck Restrictions | o Perceived to be effective in reducing truck traffic on residential streets | o Difficult to enforce |

| Speed Control Device | Pros | Cons |
| --- | --- | --- |
| Parking Controls | o Re-establishing parking on street can return a "residential" character to roadway, alerting motorists that they should travel slower. | o Children crossing (or running into the street may not be seen due to parked cars |
| Lower Statutory Speed Limit | o May be adhered to better than individual lower speed limits | o Requires NC Legislature approval |
| Chokers | o Can reduce traffic volume under some situations<br>o Several installations are needed to be effective over a length of roadway<br>o Improve pedestrian safety if crossings are made at the location of choker | o Have little impact on speed<br>o Cost |

| Speed Control Device | Pros | Cons |
| --- | --- | --- |
| Traffic Circles | o May reduce speeds in vicinity of the traffic circle | o Present an increased hazard to pedestrians and bicyclists by moving vehicle closure to intersection corners<br>o Present an obstacle to motorists<br>o Require parking restrictions, centerline marking, and traffic control signing to be safe<br>o Cannot be built within most residential street intersections due to minimum size requirements<br>o Cost |
| Median Barrier | o Aids flow of traffic on thoroughfares<br>o Restricts through traffic and thus the volume of speeding traffic | o May divert traffic to other parallel residential streets<br>o May require street widening to install<br>o Cost |

| Speed Control Device | Pros | Cons |
|---|---|---|
| Traffic Diverters | o Can reduce through traffic and thus reduce the volume of speeding traffic<br>o Can be constructed within the area of most residential intersections | o Barrier system may need augmenting on private property to control motorists who would drive around the diverter<br>o Some diverters require enforcement to be effective<br>o Cost |
| Road Humps and Pavement Undulations | o Have been experimented with in some jurisdictions<br>o May reduce through traffic slightly<br>o Can reduce speeds if spaced approximately 550 feet apart | o Not a recognized traffic control device<br>o Motorcyclists and emergency vehicle passengers (riding on the back of vehicles) may be thrown off their vehicle if the driver fails to slow<br>o Cost |
| Rumble Strips and Rough Pavement (such as cobblestones) | o May have some effect on slowing the faster drivers | o Creates noise that may be objectionable to nearby residents<br>o Cost |
| Cul-de-sacs and Street Closures | o Eliminates through traffic and thus speeding traffic | o Can divide a neighborhood into separate pockets<br>o Unpopular solution to some residents and most non-residents using the street<br>o Cost |

| Speed Control Device | Pros | Cons |
| --- | --- | --- |
| Lower Design Speed for Residential Streets | o Can effect speed since motorists tend to drive at conditions they feel are safe | o Requires lower statutory speed limit which requires legislative approval<br>o Can create a less safe street if horizontal curves, vertical profiles, and other geometric controls are not closely controlled |
| Speed Watch Program | o Involves neighborhoods in applying peer pressure upon residents to obey speed limits | o Cost of City personnel to collect radar speed information on a routine basis<br>o Not effective on street or in neighborhoods with any significant amount of through traffic<br>o Application of peer pressure can make residents hostile<br>o Access to the Police Information Network may be restricted |
| Public Information Programs | o Re-educates the public to the dangers of speeding on residential streets<br>o Can seek cooperation among residents to observe speed limits everywhere | o None |

| Speed Control Device | Pros | Cons |
| --- | --- | --- |
| Enforcement | o Frequent, very visible enforcement can be effective | o Redirects police officer efforts away from crime and drug enforcement<br><br>o Court system treats speeding as a minor offense and assigns a low priority to prosecuting speeders |
| Camera Surveillance | o Can be used in conjunction with a Neighborhood Speed Watch Program | o Requires a change in NC General Statutes to be used as an enforcement tool<br><br>o Access to the Police Information Network to identify speeders may be restricted |

Pat



11/88

**CITY OF CHARLOTTE**
**DEPARTMENT OF TRANSPORTATION**

**Policy on Neighborhood Multi-Way Stops**

**General**

Current accepted standards for multi-way stops are contained in the Federal Manual on Uniform Traffic Control Devices (MUTCD). The North Carolina Department of Transportation (NCDOT) and state municipalities are required by N.C.G.S. 20-169 to install "all traffic signs, signals, markings, islands and all other traffic control devices erected on streets and highways of the State Highway System within the corporate limits of municipalities in substantial conformance with the Manual on Uniform Traffic Control Devices...". Likewise, the Charlotte City Code Section 14-57(d) states that "All traffic-control devices shall conform to the manual and specifications approved by the state board of transportation or resolution adopted by city council."

**Current Standards**

In the absence of a policy adopted by Council, the standards, or warrants, provided in the MUTCD are the standards for installation of multi-way stops. The warrants contained in the MUTCD are:

1. Where traffic signals are warranted and urgently needed, the multi-way stop is an interim measure that can be installed quickly to control traffic while arrangements are being made for the signal installation.

2. An accident problem, as indicated by five or more reported accidents of a type susceptible to correction by a multi-way stop installation in a 12-month period. Such accidents include right- and left-turn collisions as well as right-angle collisions.

3. Minimum traffic volumes:

   a. The total vehicular volume entering the intersection from all approaches must average at least 500 vehicles per hour for any 8 hours of an average day, and,

   b. The combined vehicular and pedestrian volume from the minor street or highway must average at least 200 units per hour for the same 8 hours, with an average delay to minor street vehicular traffic of at least 30 seconds per vehicle during the maximum hour, but,

   c. When the 85-percentile approach speed of the major street traffic exceeds 40 miles per hour, the minimum vehicular volume warrant is 70 percent of the above requirements.

4. Outside of these standards, the Director of Transportation has the authority to install any needed traffic control based on engineering judgement or safety needs.

## Neighborhood Multi-Way Stop Policy

The warrants contained within the MUTCD are primarily oriented toward thoroughfares and other heavily travelled streets. The lessened need for maintaining traffic flow within neighborhoods and the generally slower vehicle speeds indicate that less stringent standards would be acceptable. Accordingly, multi-way stops may be installed on neighborhood streets based on the following criteria:

1. None of the streets at intersection may be a thoroughfare, as defined by the Charlotte-Mecklenburg Thoroughfare Plan.

2. The intersection must have at least four approaches (i.e.: cannot be a T-intersection).

3. The intersection must have balanced traffic. Balanced traffic is defined as no approach will have less than 60% of the daily traffic volume of the approach with the greatest daily volume.

4. The intersection must meet at least one of the warrants below:

   a. The intersection must have had at least three accidents which might have been correctable by multi-way stop control, within the previous year, or five accidents within the previous two years, or,

   b. The intersection must have an average of 360 vehicles per hour entering the intersection for any 8 hours during a 24-hour period. If this warrant is met, prior to installation, a petition signed by 75% of the residents of households within three blocks or a distance not to exceed 1800 feet on the approach streets must be submitted and validated.

## Rationale for Neighborhood Standards

The criteria selected for the neighborhood multi-way stop policy are based on the following considerations:

1. Thoroughfare intersections, even though they may be within neighborhood areas, should not be considered for multi-way stops due to the impact on maintenance of traffic flow.

2. T-intersections should not be subject to the policy due to the difficulty normally in trying to safely stop vehicles at the top of the T. Also, getting motorists to stop on the stem of the T is usually not a problem.

3. If traffic volumes at an intersection are very unbalanced, reasonable compliance with the STOP signs may be unrealistic. If motorists do not comply with the STOP signs, an unsafe intersection may be created out of one that was previously safe.

4. In 1987, Charlotte had 23,000 accidents and insurance losses over $200 million. An accident can be found at most intersections. Therefore, one or even two accidents per year may not indicate anything more than a

random occurrence. Three accidents in a year, or five over two years, might indicate a trend of a safety problem which might be significant on quiet neighborhood streets. This level would not, however, be significant on thoroughfare streets.

A standard of 360 vehicles per hour would result in a minimum of six vehicles approaching the intersection per minute. This is one vehicle every ten seconds. Since the intersection can process a vehicle in less than five seconds, at less volume, the motorists on the one approach is not likely to see vehicles on the cross-street approaches. Lack of any expectation of seeing other vehicles might lead to safety problems.

**Installation Standards**

As part of the installation of a multi-way stop, the following elements are to be included:

1. STOP signs (R1-1) of 30" size are to be installed on each approach in accordance with standard STOP sign installation.

2. ALL-WAY signs (R1-3) are to be installed beneath each of the STOP signs.

3. STOP AHEAD advance warning signs (W3-1a) are to be installed approximately 150 feet in advance of the STOP on the new STOP approaches. Local conditions may indicate need to vary this distance.

4. Stop bars 24" in width are to be installed on each approach.

5. Double yellow centerlines 150 feet in length from the stop bars are to be installed on each approach.

6. NO PARKING ANY TIME signing is to be installed for the length of the area where the double yellow centerline is located.

7. If non-compliance with the STOPs is anticipated, suitable remedies are:

   a. For the first month after installation, a STOP sign can be placed in a barrel to be located on the centerline behind the stop bar, for the approaches that were not stop streets prior to the multi-way stop installation.

   b. STOP signs may be placed "back-to-back" on opposite sides of the intersection from the approaches that were not previously STOP controlled.

   c. A flashing signal may be used.

8. Where the accident warrant was met, back-to-back STOP signs are recommended.

9. When non-observance of the STOPs is anticipated, or observed after installation, a flashing signal may be required.

This policy is effective upon adoption by City Council.

R. M. Pressley, Jr., Director
Charlotte Department of Transportation

Date of Adoption by City Council: February 13, 1989

Existing Multi-Way Stops 15-Mar-91

| | Intersection: | Reason |
|---|---|---|
| 1 | 5th/Dotger*# | Through Traffic |
| 2 | 5th/Laurel# | Volume |
| 3 | Amity/Farmingdale | Volume |
| 4 | Baldwin/Baxter# | Accidents |
| 5 | Barclay Downs/Inverness* | Through Traffic |
| 6 | Barclay Downs/Scofield* | Through Traffic |
| 7 | Bay/Clement* | Through Traffic |
| 8 | Bay/Lamar* | Through Traffic |
| 9 | Billingsley/Ellington# | Volume |
| 10 | Boyce/Tobin* | Neighborhood Petition |
| 11 | Broken Saddle/E. Barden* | Neighborhood Petition |
| 12 | Buckhead/Burlwood* | Neighborhood Petition |
| 13 | Burlwood/Lido* | Neighborhood Petition |
| 14 | Camden/Park# | Volume |
| 15 | Cedar/Summit# | Volume |
| 16 | Charter/Kenyon* | Speeding Test |
| 17 | Charter/Shadowbrook* | Speeding Test |
| 18 | Charter/Sonata* | Speeding Test |
| 19 | Charter/Thistle* | Speeding Test |
| 20 | Ciscayne/Medearis* | Neighborhood Petition |
| 21 | Churchill/Melchor | Safety - Barricade removed |
| 22 | Cliffwood/Mint/Summit# | Volume/CUTRATE |
| 23 | Dilworth/Romany# | Volume/CUTRATE |
| 24 | E. Barden/Red Cedar*# | Neighborhood Petition |
| 25 | English/Southwest | Volume |
| 26 | Euclid/Park# | Accidents/Volume |
| 27 | Euclid/Tremont# | Volume |
| 28 | Hillside/Westfield# | Accidents |
| 29 | Idlebrook/Riding Trail | Through Traffic |
| 30 | Jester/Redcoat* | Neighborhood Petition |
| 31 | Lynnbrook/Redcoat* | Alignment |
| 32 | Old Dowd/Wallace Neal# | Volume |
| 33 | Old Mt. Holly/Toddville# | Accidents |
| 34 | Queens E/Queens W/Roswell# | Volume |
| 35 | Regency/Rocky Falls | Alignment |
| 36 | Scofield/Wintercrest | Through Traffic |
| 37 | Tranquil/Westfield | Alignment |

Key:
* Approved By Council
# w/ Flasher

Attachment 6

March 21, 1991

## PENDING MULTI-WAY REQUESTS

| Neighborhood | Intersection |
|---|---|
| Candlewyck | Candlewyck/Heathgate<br>Candlewyck/Stoneridge |
| Easthaven | Easthaven/Helmdale<br>Easthaven/Meadowdale |
| Elizabeth | Colonial/Vail |
| Midwood/Plaza | Chestnut/Thomas<br>Hanorton/Thomas<br>Kensington/Thomas |
| Plaza/Midwood | Anderson/Meadow<br>Anderson/Eastway<br>Dalehurst/Elkwood |
| Myers Park | Colony/Roswell |
| Sardis Lane | Sardis Lane/Valleybrook |
| Sardis Woods * | Covedale/Waterwood<br>Cedar Knoll/Covedale<br>Covedale/Wishing Well<br>Covedale/Riverwood |
| Woodbridge * | Bobolink/Crooked Oak<br>Bobolink/Wandering Way<br>Shagbark/Crooked Oak<br>Shagbark/Wandering Way |

* Petition Received

Attachment 7

# MEMORANDUM

TO: Scott Putnam
Transportation and Engineering

FROM: Anthony Fox
Assistant City Attorney

DATE: July 11, 1989

RE: Installation of Speed Humps in City Streets

At your request, this office has reviewed the legal issues associated with the installation of speed humps and/or bumps in City streets. Section 160A-296 of the North Carolina General Statutes confers upon cities general authority and control over all public streets within their corporate limits, except where such control or authority is otherwise conferred upon the state of North Carolina Board of Transportation. Under the statute, general authority and control of streets includes the duty of the City to keep public streets open for travel and free from unnecessary obstructions. The court has interpreted an obstruction to be "anything, including vegetation, which renders the public passageway less convenient or safe for use." Cooper v. Town of Southern Pines, 58 N.C. App. 170, 293 S.E. 2d 235 (1982).

However, not every obstruction in a street, whether authorized or unauthorized by a municipality, constitutes a defect or nuisance or is actionable in damages. See: McQuillin Mun. Corp. Section 54.62b (3rd Ed.). The courts have determined that obstructions placed upon streets within a municipality for the benefit of the public do not necessarily render the highway or street defective unless they unreasonably obstruct or endanger public travel. It is no defense to an action to recover damages for injuries resulting from obstructions that the obstruction was necessary; it must also be reasonable with reference to the rights of the public which cannot be disregarded. Id. But, some courts have indicated that where the obstruction was authorized by the legislature, no municipal liability arises.

The general rule is that an obstruction permitted by a municipality to remain in a street, where dangerous and the proximate cause of injuries, may make the municipality liable. To be actionable, the obstruction need not endanger all modes of travel, but it is sufficient that it makes dangerous any mode which the public has a right to use. See: McQuillin Mun. Corp., Section 54.62(a) (3rd Ed.).

No court in North Carolina has addressed the issue regarding a municipality's liability for the placement of a speed bump or hump in a public street or right-of-way. However, some

direction may be gained from a 1924 Mississippi case entitled, Mayor and Alderman of City of Vicksburg v. Harralson, 101 So. 713 (1924). In this case, the plaintiff filed suit against the Mayor and Alderman of the City of Vicksburg to recover damages for alleged personal injuries received by him in driving his automobile over what was known as a "bumper" which was built into a street in the City of Vicksburg. The bumper was constructed six days prior to the plaintiff's accident and its dimensions were 5" high in the center and 5' wide at its base. It was rounded from the highest point in the center on each side to a point level with the surface of the street. The purpose for the installation of the bumper was to warn automobiles of the danger of collisions at the street intersection.

The record of the court revealed that the plaintiff had knowledge of the bumper which caused the injury. A sign was placed on the grassy part of the sidewalk some fifty feet from the bumper which stated "bumper". The City of Vicksburg admitted that the bumper was purposely placed in the street to bump and injure persons travelling over it in automobiles, unless they saw it in time to slow down to such an extent that the car would go over it without bumping the occupants therein.

The city argued, nonetheless, that it had no liability in the case, because the bumper was installed pursuant to the City's governmental capacity, as a matter of public safety in order to warn automobile drivers of the danger of approaching the street intersection. The city further argued that the method of warning against the danger at this street intersection was reasonable and that no one driving a car over the bumper would be injured if they saw it.

The court in Mayor and Alderman of City of Vicksburg, concluded that the city had no right to place a dangerous device or obstruction in its streets making it unsafe, especially one that would likely injure persons traveling in automobiles over it. The court, in reaching its decision, stated the following:

> "It is indeed commendable for the City authorities to adopt means and methods of preventing injuries to persons by the operation of automobiles, and, when such measures adopted are reasonable and commensurate with the evil sought to be remedied, they should be upheld; and we think there are drivers ways and methods of preventing the dangerous incident to the street intersection, in this case, besides installing a contraption to injure the reasonably careful driver who innocently, through momentary forgetfulness or on account of his attention being directed to some other proper and incidental object or circumstance at the time, runs over the bumper before he has a chance to reduce the speed of his car. The driver may assume the street is reasonably safe for travel and is not required to use extraordinary care."

Based on the above, it appears that the liability of the City for the placement of speed bumps or humps within its streets would depend upon whether the speed hump is considered an obstruction or nuisance within a street. Should someone using a public street incur either personal injury or property damage as a result of traversing a speed hump, liability may attach to the City where it is shown that the speed hump was an obstruction and was the proximate cause of any injuries received by the individual.

I am not aware of any act by the legislature which condones the use of speed bumps in or upon city highways. Such act may, at least as to a nuisance claim, limit the City's liability.

It is doubtful whether the erection of adequate warning signs would alleviate the City's exposure. In Mayor and Alderman of City of Vicksburg, the erection of warning devices had little, if no impact, upon the court in finding the city liable.

I hope I have answered your questions. If I can be of any further assistance, please let me know.

AF/dm

## MULTI-WAY STOP POLICY

The Council-adopted a policy on neighborhood multi-way stops provides that certain criteria be met in order to install a multi-way stop in a neighborhood:

1. None of the streets at intersection may be a thoroughfare, as defined by the Charlotte-Mecklenburg Thoroughfare Plan.

2. The intersection must have at least four approaches (i.e.: cannot be a T-intersection).

3. The intersection must have balanced traffic. Balanced traffic is defined as no approach will have less than 60% of the daily traffic volume of the approach with the greatest daily volume.

4. The intersection must meet at least one of the warrants below:

   a. The intersection must have had at least three accidents which might have been correctable by multi-way stop control, within the previous year, or five accidents within the previous two years, or,

   b. The intersection must have an average of 360 vehicles per hour entering the intersection for any 8 hours during a 24-hour period. If this warrant is met, prior to installation, a petition signed by 75% of the residents of households within three blocks or a distance not to exceed 1800 feet on the approach streets must be submitted and validated.

Synopsis of Proposed CMUD Advisory Committee Agreement
by paragraph

1. Old CFC Agreement is rescinded and replaced by CMUD Advisory Committee.

2. List of Duties, as recommended by CMUD Review Committee and approved by Council.
   a. Review all CIP items.
   b. Review changes in rate setting methodology.
   c. Review changes in extension policy.
   d. Sit with Council on any public hearings required by this agreement.
   e. Review water and sewer extension request for which agreement has not been reached.
   f. Review changes in specifications for which agreement has not been reached.
   g. Present Annual Report to Council and County.
   h. Review other utility matters as requested.

3. Requirement for public hearing for change in extension policy or rate methodology.

4. a. Make-up of Committee is seven members appointed as follows:
   - 3 - County Commission
   - 3 - City Council
   - 1 - Mayor
   - One of the three Council appointees will be from nominees by the Towns.

   b. Members must represent specific categories.

5. a. Outlines staggered terms.

   b. Initial appointment by each group - no more than 1 per category. Later appointment by each group such that no more than two in any category.

   c. Method for resolving conflict between categories of appointees.

   d. Towns to make nominations at least 90 days before expiration.

   e. No more than two full terms; 75% attendance rule.

   f. For vacancy position will be filled in same manner as original position.

6. a. Majority constitutes quorum; action requires four votes.

   b. Chairperson and Vice Chairperson elected by Committee.

7. CMUD staff to provide support to the Committee.

8. CMUD will provide financial support to Committee.

9. All policies, etc. will remain in place until changed by Council.

10. Agreement may not be amended except in writing and approved by City and Commission.

11. Effective date and date for appointment.

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

AGREEMENT

The City of Charlotte, a duly incorporated municipality under the laws of the State of North Carolina ("City") and Mecklenburg County, a political subdivision of the State of North Carolina ("County"), hereby agree to create a body to be known as the Charlotte-Mecklenburg Utility Department Advisory Committee ("Committee"). The terms of this Agreement are as follows:

1. (a) That certain agreement between the City and the County effective August 1, 1969 (dated August 18, 1969), creating the Community Facilities Committee is hereby rescinded. That certain agreement (as amended) between the City and the County, effective January 17, 1972, establishing a City-County Utility Department is amended by deleting Paragraph 2 thereof. All other references to the "Community Facilities Committee" or "CFC" in said agreement establishing a City-County Utility Department are hereby deleted and "Charlotte-Mecklenburg Utility Department Advisory Committee" is substituted in lieu thereof.

(b) Any agreement between the City and the County not identified herein which purports to define the powers, responsibilities, duties and/or organization of the Community Facilities Committee is hereby amended by deleting such provisions. The remaining provisions of such agreements, if any, shall continue to apply in full force and effect.

(c) It is the purpose and intent of this Agreement to dissolve the Community Facilities Committee in its entirety and to create the Committee which will replace the Community Facilities Committee. In any agreement not identified herein between the City and the County or in any agreement to which either the City or the County is a party, all references to the "Community Facilities Committee" and to the "CFC" shall be deleted and "Charlotte-Mecklenburg Utility Department Advisory Committee" shall be substituted in lieu thereof. This Agreement will be the sole statement of the power, responsibilities, duties and organization of the Committee.

2. The Committee will have the following duties and responsibilities:

(a) Review all capital improvement programs of the City for water and sewer facilities and proposed changes thereto and make recommendations to the City Council concerning such programs and changes;

(b) Review proposed changes in the method for determining water and sewer charges and make recommendations to the City Council concerning such changes;

(c) Review proposed changes in the policy for extending water and sewer service and make recommendations to the City Council concerning such changes;

(d) Sit with the City Council in public hearings on any matter requried by this Agreement or the City Council;

(e) Review requests for one or more specific extensions of the water and sewer system which have not been approved within a reasonable time by the Director of the Charlotte-Mecklenburg Utility Department ("CMUD") and make recommendations to the City Council through the City Manager;

(f) Review proposed changes in the standard specifications for the installation of water and sewer facilities which have not been approved by the Director of CMUD and make recommendations to the City Council through the City Manager;

(g) Present an annual report on the operations of CMUD and on the activities of the Committee to the City Council and the County Commission.

(h) Review and report on any matter related to water and sewer service as may be requested by the CMUD Director, the City Council or the County Commission.

3. No change will be adopted in the policies for extending water and sewer service nor in the method for determining water and sewer charges until a joint, public hearing of the City Council and Committee on such change has been held and the Committee has been allowed at least thirty (30) days to develop and present its recommendations to the City Council.

4. a) The Committee will be composed of seven (7) members. Three members will be appointed by the County Commission, three members will be appointed by the City Council, and one member will be appointed by the Mayor of the City. Of the three members appointed by the City, one member will be designated as the

Town representative and will be appointed from nominations by the governing bodies of the Towns of Cornelius, Davidson, Huntersville, Matthews, Mint Hill and Pineville, unless the Towns fail to submit any nominations in a timely manner. If all of the Towns agree on a single nominee, such nominee must be appointed by the City Council as the Town representative.

b) With the exception of the Town representative, the members of the Committee must be actively involved in one of the following categories: real estate developer, water and/or sewer contractor, civil engineer specializing in water and sewer construction, financial expert and neighborhood leader. At the time of appointment, a member must be designated as representing the Towns or one of the categories set forth above.

5. (a) Members of the Committee will serve staggered, three-year terms; provided that the initial appointees will serve the following terms: the City Council will appoint two (2) members, one of whose term will expire on June 30, 1993, and one of whose term will expire on June 30, 1994; the Mayor of the City will appoint one (1) member whose term will expire on June 30, 1992; the County will appoint three (3) members, one of whose term will on June 30, 1992, one of whose term will expire on June 30, 1993, and one of whose term will expire on June 30, 1994; and the City Council will appoint the Town representative, whose term will expire on June 30, 1994. Thereafter, the term of each member will expire on the thirtieth of June of the third year of his/her term.

(b) In making the initial appointments to the Committee: the County Commission may not appoint more than one person from each category listed in Paragraph 4(b); and the Mayor and the City Council may not appoint more than one person from each category listed in Paragraph 4(b). The Mayor will not make any initial appointment until after the initial appointments of the Council have been made. After all initial appointments to the Committee have been made, each of the categories listed in Paragraph 4(b) may be represented by no more than two (2) members at the same time.

(c) (i) At least sixty (60) days before any appointment can become effective, the party <u>who is entitled to make the appointment</u> must notify the other party of the person whom it intends to appoint and the category which such appointment will represent. If the proposed appointment would cause a violation of Paragraph 5(b) of this Agreement, the appointment will not take effect until and unless representative(s) of the City and County meet and resolve how an appointment can be made which will not result in a violation of Paragraph 5(b) of this Agreement. Any proposed appointment which would not cause a conflict may take effect. The appointment of the Town representative will not be subject to the provisions of this sub-paragraph.

(ii) If the conflict in appointments described in Paragraph 5(c)(i) is not resolved on or before June 1st of any year in which such a conflict exists, the following factors will take effect to resolve such conflict: the appointment(s) of the

County Commission will take precedence over appointment(s) by the City Council and Mayor in even-numbered years (i.e. the last digit of the generally accepted, numerical designation of the calendar year is 0, 2, 4, 6 or 8) and the conflicting appointment(s) by the City Council and or Mayor automatically become null and void; the appointment(s) of the City Council and Mayor will take precedence over appointment(s) by the County Commission in odd-numbered years (i.e. the last digit of the generally accepted, numerical designation of the calendar year is 1, 3, 5, 7 or 9) and the conflicting appointment(s) by the County Commission will become null and void. If any appointment becomes null and void under the provisions of this paragraph, the appointing authority (i.e. County Commission, City Council or Mayor) which made such appointment will make a substitute appointment as soon as reasonably possible thereafter which does not cause a violation of Paragraph 5(b). The appointment of any person to complete the unexpired term associated with a vacant position will not be subject to the provisions of this sub-paragraph.

(d) At least ninety (90) days before the term of the Town representative is scheduled to expire, the Towns must notify the City of their nominee(s). The City may defer the appointment in order to allow any Town additional time to submit a nominee. If any Town nominates more than one person, no nominations from the Town may be considered. Nominees by the Towns for the initial appointment of the Town representative must be received by the City on or before June 15, 1991.

(e) No member of the Committee may be appointed to more than two, consecutive, full terms. The term of each initial appointee as described in Paragraph 5(a) will be considered to be a full term. No member of the governing body of the City, the County or any Town listed in Paragraph 4(a) nor any regular employee of the parties or such Towns will be eligible for appointment. Each member will continue to serve until: his/her term has expired and a successor has been appointed and qualified; resignation; or removal. Any member who fails to attend at least seventy-five (75) percent of the regular and special meetings of the Committee during any period of one, calendar year shall be automatically removed from the Committee.

(f) If a vacancy on the Committee occurs, a person will be appointed to complete the unexpired term associated with such vacant position in the same manner as such position was originally filled. In the appointment of any person to complete the unexpired term of a vacant position, the notice periods set forth in Paragraphs 5(c)(i) and 5(d) may be waived for any proposed appointee under such conditions as the City Manager and County Manager may agree.

6. (a) A majority of the membership of the Committee will constitute a quorum. Every action of the Committee requires the concurring votes of at least four (4) members. The Committee will adopt its own rules of procedure which may not be inconsistent with the terms of this Agreement.

(b) A chairperson and vice-chairperson will be elected by the members from the membership of the Committee for a term of one year. Such election will be conducted at the initial meeting of the Committee and, thereafter, at the first meeting of the Committee after the appointment and qualification of the successors of those members whose terms have expired. The Chairperson will preside over each meeting of the Committee and, in the absence of the Chairperson, the Vice-Chairperson will preside.

7. Such personnel of CMUD as may designated by the CMUD Director will provide any staff assistance that may be needed by the Committee. A representative will attend all meetings of the Committee and provide such advice and assistance as may be requested. At the request of the Committee, consultants previously employed by the City will be made available on a reasonable basis to advise the Committee. The Committee may recommend to the City Council that one or more consultants be employed for particular projects.

8. The City will be responsible for the cost of providing meeting facilities and such assistance as may be provided to the Committee by CMUD personnel. All other expenses of the Committee (telephone, postage, travel, etc.) will be paid by the City, subject to the availability of funds from the Committee's approved budget or such other sources as may be approved by the City The Committee will prepare and submit its budget request for the upcoming fiscal year in such manner and at such time as the City Manager may direct.

9. The plans, policies, agreements (except as expressly provided herein) and operating procedures in effect at the time of the execution of this Agreement will continue in effect until changed by the City Council, subject to the terms of this Agreement.

10. This Agreement may not be construed to create any rights in any person or entity which is not a party hereto. This Agreement may not be amended except by a written document which is approved and executed by the City and County in the same manner as this Agreement has been approved and executed.

11. This Agreement will be in full force and effect from and after the execution of this Agreement by both parties. The appointment of the initial members of the Committee must be made as soon as possible, and each party will attempt to make such appointment on or before June 30, 1991. The CMUD director will be responsible for the first meeting of the Committee which shall be an organizational meeting and shall be held as soon as possible after the initial appointments have been made.

This the _____ day of _____, 1991.

CITY OF CHARLOTTE

ATTEST:

By: _____ _____
Mayor Date

_____
City Clerk

Approved as to form:

City Attorney

COUNTY OF MECKLENBURG

ATTEST:

By: Chairperson Date

County Clerk

Approved as to form:

County Attorney

## HOUSING PARTNERSHIP

On September 25, 1989, City Council authorized entering into a Tri-Party Agreement between the City of Charlotte, the Charlotte Housing Authority and the Charlotte-Mecklenburg Housing Partnership to build 35 single-family, owner-occupied homes on an annual basis for the next 3 years. The Tri-Party Agreement was executed on October 31, 1989. These houses were to be developed in 3 phases of approxiately 35 units each on City-owned land in the Greenville Redevelopment Area. Subsequently, on December 11, 1989 City Council approved the sale of 15.41 acres of land in the Greenville Redevelopment Area to the Charlotte-Mecklenburg Housing Partnership in order to construct these houses. NCNB Community Development Corporation was then selected by the Charlotte-Mecklenburg Housing Partnership Board of Directors as the developer for the project with the John Crosland Company as the builder.

On April 23, 1990 City Council authorized an amendment to the Tri-Party Agreement which would allow up to 25% of the houses in each phase to be made available at market rates to persons earning over 60% of the median income.

On July 23, 1990 City Council approved a contract between the City of Charlotte and the Charlotte-Mecklenburg Housing Partnership in the amount of $2,000,000 to provide for the production of 100 additional housing units through public/private ventures for families earning 60% or less of median income. One of the objectives of this contract is to provide a pool of second mortgage funds to purchasers. This pool of second mortgage funds is being used to make the homes being developed in the Greenville Area affordable to the purchasers.

CITY OF CHARLOTTE
CITIZENS OVERSIGHT COMMITTEE ON CABLE TELEVISION

SPECIAL MEETING

MAY 14, 1991

PURPOSE

Review final draft of City of Charlotte - Vision Cable of North Carolina, Inc Cable Television Franchise Agreement and prepare comments for City Council

MEMBERS ATTENDING·

Arthur Perschetz Chairman
Ben Thalheimer, Vice-Chairman
Victoria Cleaves
Glenda Durell
Walter Kreiling
John Surles
Estell Thompson
Patricia Locke Williamson

PROCESS

The Committee met with the City team, staff and consultant, who negotiated the Agreement, and Vision Cable representatives

COMMENTS FOR COUNCIL

The Committee reviewed the Agreement extensively and asked appropriate questions relating to the terms thereof

The Committee received satisfactory responses to all inquiries

The Committee concurs with the final draft of this Agreement

The Committee feels that the document is fair and equitable for both the City of Charlotte and Vision Cable of North Carolina, Inc

RECOMMENDATIONS

The Committee and City's Cable Television Division closely monitor the provisions of the document relating to access, in particular the expenditures of WTVI under the funding grant provided in Section 15 and the future need for expansion of public access production facilities

The Committee would like to provide input into the expenditures of funds to be set aside under Section 15 for the future support of access

RESPECTFULLY SUBMITTED

Arthur Perschetz (DB) — 5/17/91

Arthur Perschetz, Chairman — Date

AP DB dg

CITY OF CHARLOTTE
VISION CABLE - ATC-CABLEVISION OF CHARLOTTE
FRANCHISE AGREEMENT COMPARISON SUMMARY
JANUARY 1991

| TYPE OF VARIANCE | VISION CABLE AGREEMENT SECTION # | CABLE-VISION AGREEMENT SECTION # | DESCRIPTION/EXPLANATION |
|---|---|---|---|
| Addition | 1 (Defntns) | None | Definitions of terms used in agreement were added for clarification. |
| Reorganization | 2 | o | Provision for renewals pursuant to City s Cable Ordinance were moved from the separate Section 6 in ATC-Cablevision s franchise and incorporated into Section 2 of Vision s franchise. |
| Deletion | 3 | 2 | Provision for 10-year extension was deleted due to the fact that this timeframe is tied to expansion of cable system to 60-channel capacity and Vision s system already has this capacity. |
| Addition | 4 | 7 | Language was expanded to deal specifically with cable television systems franchising |
| Addition | 5 | o | Language was expanded for legal purposes to clarify that conflicts between this agreement and laws, ordinances, regulations be resolved in favor of the latter. |
| Addition | o | 9 | Language was expanded to include 'revoked or' terminated franchises. |
| Addition | 7 | 10 | Establishes capacity of cable system by bandwidth rather than number of channels. Also language was expanded covering minimum bandwidth should City require upgrade of system pursuant to terms of Section 3. |
| Reorganization | 8 | 11 | Initial programming lineup moved to 'Attachments' section of document for appropriateness. |
| Addition | 8 | 11 | Lanaguage was expanded to provide for City to have opportunity for review and comment on proposed programming lineup changes prior to implementation. |
| Reorganization | 9 | 12 | Cable-ready compatibility is addressed in Section 21. |
| Substitution | 10 | 13 | Listing of number of homes per mile was deleted and reference to the language of the City s Cable Ordinance, which specifies these terms, was substituted (see Ordinance, Section 6-76, attached). |

CITY OF CHARLOTTE
VISION CABLE - ATC-CABLEVISION OF CHARLOTTE
FRANCHISE AGREEMENT COMPARISON SUMMARY
JANUARY 1991

| TYPE OF VARIANCE | VISION CABLE AGREEMENT SECTION # | CABLE-VISION AGREEMENT SECTION # | DESCRIPTION/EXPLANATION |
|---|---|---|---|
| Addition | 10 | 13 | Provisions were incorporated for time periods for construction, specific reporting and notification procedures as related to plant extensions due to the numerous extensions identified in Vision s proposal prospectus |
| Addition | 11 | 14 | Language expanded requiring Vision to assure subscriber franchise fee monies will be transferred in annexed areas which are moved from the County to the City and also to provide for reimbursement to the City for costs related to the franchising process. |
| Addition | 12 | 15 | Addition of language relating to customer service standards which may be adopted in the future by governing agencies. The FCC, for example, is currently considering such standards for the cable industry. |
| Substitution | 12 ( 5.) | 15 ( 5.) | Instead of Saturday office hours, Vision will provide for the exchange/retrieval of equipment and installation functions to be done at the subscriber s homes with pre-arranged appointments. |
| Addition | 12 ( 6.) | 15 ( 6 ) | Additon of three (3) time periods - morning, afternoon, evening - for subscribers to schedule appointments for repair service. |
| Substitution | 12 ( 8.) | 15 ( 6.) | Vision responds to outages when "3" or more service calls in one area are reported to their office, therefore, this figure was substituted for the figure of "5" in the ATC-Cablevision agreement. |
| Addition | 12 ( 9 ) | None | Timeframe of ten (10) days established for installation services. |
| Addition | 12 (11.) | 15 (10.) | Addition of language relating minimum information to be included in subscriber billing education programs. |
| Addition | 12 (12.) | 15 (11.) | Addition of language relating to future research for cable-ready compatibility. |
| Substitution | 12 (13.) | 15 (12.) | Substitution of "the City" for "the Citizens Advisory Committee" since annual performance reports are currently produced by the City s Cable Administrator not the Committee. |

CITY OF CHARLOTTE
VISION CABLE - ATC-CABLEVISION OF CHARLOTTE
FRANCHISE AGREEMENT COMPARISON SUMMARY
JANUARY 1991

| TYPE OF VARIANCE | VISION CABLE AGREEMENT SECTION # | CABLE-VISION AGREEMENT SECTION # | DESCRIPTION/EXPLANATION |
|---|---|---|---|
| Addition | 12 (14 ) | 15 (13.) | Addition of lanugage which allows Vision to bill under special payment requests or subscribers, such as annually, bulk, etc |
| Addition | 12 (16 ) | 15 (15.) | Specification or ten (10) as maximum number of free outlets to be provided in public facilities. |
| Addition | 12 (18 ) | None | Addition of language requiring Vision to secure approval from City prior to any type of modifications to the terms of Section 12. |
| Addition | 12 (Last) | None | Language added to require Vision to comply with all service-related terms of City s cable ordinance and establishing Cable Administrator as mediator in consumer disputes as related to Section 12, with appeal to City Manager and courts. |
| Addition | 13 | None | Due to the amount or construction projected by Vision in its proposal prospectus, specific language regarding adequate staffing for construction and supervision was added. |
| Substitution | 14, 15 | 16, 17, 18 | In lieu of operating its own public access production studio, Vision will provide financial support grants to both WTVI and the City for the support of access programming. Additionally, Vision has offered to purchase the equipment outlined in Attachment A for the utilization of the City s government access and training channels. |
| Addition | 16 | None | Vision will provide 25 to 45 hours monthly or locally-orginated programming, expanding to 40 to 60 hours monthly within five (5) years. |
| Substitution | 18 | 20, 21 | Vision s system allows for an institutional network incorporated into existing physical plant, therefore a separate network, or loop, is not required. This section consequently contains language relating specifically to Vision s technology. |
| Addition | 19 | None | Interconnection language was added to facilitate City s future potential for developing an interconnect cable communications network within the SMSA. |

CITY OF CHARLOTTE
VISION CABLE - ATC-CABLEVISION OF CHARLOTTE
FRANCHISE AGREEMENT COMPARISON SUMMARY
JANUARY 1991

| TYPE OF VARIANCE | VISION CABLE AGREEMENT SECTION # | CABLE-VISION AGREEMENT SECTION # | DESCRIPTION/EXPLANATION |
|---|---|---|---|
| Addition | 20 | None | Status monitoring of the system has been incorporated which will allow for tracking of the technical operations aspects of Vision s physical plant |
| Addition | 21 | None | Language was added requiring stereo signals to be passed through the cable system to subscribers. A clause was also added relating to future enhancement of the system as related to cable-ready technology. Vision s 41-channel basic package does not currently require a converter for 550-megahertz cable-ready television sets |
| Addition | 25 | 25 | Language establishing specifications for the "bond" and "letter of credit" were added for legal purposes. |
| Addition | 27 | None | Specific language relating to liquidated damages was added for legal purposes. |
| Addition | 28 | None | Language was added for legal purposes to clarify that this agreement constitutes a contract. |
| Addition | 29 | None | Language was added for legal purposes to clarify conflicts between agreements. |
| Addition | 30 | None | Language was added for legal purposes to clarify agreement modifications. |
| Addition | 31 | None | Notification addresses were added for legal purposes. |
| Addition | 32 | None | Clarification of term of agreement was added for legal purposes. |

HOUSING CODE ENFORCEMENT

Recommend adoption of an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling located at 422 N. Linwood Avenue. (Hoskins/Thomasboro)

PROPERTY ADDRESS: 422 N. Linwood Avenue; Census Tract #44; Council District #2; Neighborhood: Hoskins/Thomasboro

PROPERTY OWNER: Pauline B. Akin Heirs

BACKGROUND:

Date of Inspection: 10/16/90
Reason For Inspection: Fire
Owners Notified of Hearing: 1/7/91
Hearing Held: 1/31/91
Owner(s) Ordered to Demolish Dwelling By: 3/21/91

This dwelling is being ordered demolished due to the extensive fire damage in October 1990.

A title search that had been received by Community Development Department in 1987 due to rehabilitation of the property was updated on October 25, 1990. The title search revealed parties in interest to the property. The Complaint & Notice of Hearing and The Findings of Fact & Order were advertised in the Mecklenburg Times because all parties in interest could not be served by certified mail.

Estimated Value of Dwelling: $2,080
Estimated Repair (Which is more than 65% of the Estimated Value): $18,525

The repairs include: major repairs to the interior and the exterior of the structure due to heavy fire damage. The dwelling is unoccupied.

The owner was notified of a Civil Penalty on April 4, 1991. The total penalty as of May 28, 1991 amounts to $770. The owner has also been notified of this May 28, 1991 Council Action.