# AGENDA

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|---|---|
| Meeting Type: | BUSINESS |
| Date: | 09/12/1994 |
| | |

City of Charlotte, City Clerk's Office

CHARLOTTE

*Mayor Richard Vinroot* | *Mayor Pro Tem Patrick McCrory*

*Charles Baker*
*Stan Campbell*
*Patrick D Cannon*
*Mike Jackson*
*Nasif Rashad Majeed*
*Hoyle H Martin*
*Don D Reid*
*Ella Butler Scarborough*
*Sara Spencer*
*Lynn M Wheeler*

# *Council Agenda*

## CITY COUNCIL MEETING
**Monday, September 12, 1994**

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**5:00 p.m.** — **Conference Center**

- **Final Report of Mayor's Advisory Task Force for Re-Use of Old Convention Center**
- **Public Safety Committee Report: Proposal to Reduce False Burglar Alarms**
- **Economic Development Committee Report: Chamber Study Committee for Industrial Recruitment Incentives**
- JERRY ORR JUMBO JET PARKING GRIFFIN PROPERTY

**6:30 p.m.** — **Meeting Chamber**

- **Invocation**
- **Pledge of Allegiance**
- **Citizens Hearing**

**7:00 p.m.** — **Formal Business Meeting**

# CITY COUNCIL AGENDA
## Monday, September 12, 1994
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Item No

## MINUTES

1. Approve Minutes of:
   - June 27 Regular Meeting
   - July 5 Council Workshop
   - July 18 Zoning Meeting, and
   - July 25 Regular Meeting - WITH CORRECTION - ADD ORDINANCE # ____, ORD BOOK ____ PAGE # ____

## CONSENT ITEMS

2. Agenda items 18 through 27 may be considered in one motion except for those items removed from the consent agenda as a result of a Councilmember making such a request of the City Clerk prior to the meeting.

**Staff Resource:** Julie Burch

## PUBLIC HEARING

3. FY95 Capital Equipment Financing

**Action:**

A) Conduct a public hearing concerning the financing to comply with the Tax Equity and Fiscal Control Act (TEFRA), and

B) Adopt a resolution approving the terms of an Installment Payment Contract(s) (lease\ purchase) and related financing documents to fund the FY95 Capital Equipment Requirements The principal amount of the contract(s) is approximately $4,275,000

McCrory/Carson close Hrng unan
Whelchel/Martin app Res unan.

Res #9 B-33 P-19

**Staff Resource:** W. Carey Odom

**Explanation of Request:** Adoption of the resolution will authorize the City Manager and the Finance Director to negotiate the documents necessary to secure funding for the City's FY95 Capital Equipment Requirement The resolution also approves the following

Finance

- The Installment Payment Contract(s)
- The Trust Agreement(s)
- The Preliminary Official Statement (and subsequent Official Statement)
- The Underwriters, the Contract of Purchase and its related Letter of Representations

**Background:**

The FY95 Operating Budget included an estimated debt service amount to pay the first year's interest payment on the FY95 Installment Payment Contract as well as payments on previous years' agreements On June 27, 1994, Council authorized staff to proceed with the necessary actions to secure an Installment Payment Contract to fund the FY95 Capital Equipment

**Attachment 1**
Equipment List

## POLICY

**4** **City Manager's Report**

**5** **Resolution to Refuse Federal Grants for the Charlotte-Mecklenburg Police Department**

**Action:** Consider resolution to refuse federal grants, assistance and mandates for the Charlotte-Mecklenburg Police Department

**Explanation of Request** Councilmember Jackson requested at Council's August 22 meeting that this resolution be put on a future Council Agenda for consideration. City Council agreed to place the item on the agenda

**Background:**

Scarborough/Campbell
Deny
Subst, Red/Jackson Ted Bowitt.
Reject any offer from Ted Bowitt
for any part of the $31 mil in
Crime Bill
Subst Vote - YES - Red, Jackson
Drug Vote - No - Red, Jackson
Don Flys

- The Police Department has received a number of federal grants The most recent include
  - $1 9 million to hire 27 officers for community policing in Baker One and Charlie Two
  - $500,000 for six police officers to form a special traffic patrol unit
  - $24,000 from the Governor's Crime Commission to translate crime prevention literature into Vietnamese, Spanish, and Cambodian
  - A grant of $47,500 to start a Drug Interdiction Task Force in Charlie One that paired two patrol officers with one Vice Officer and one Street Drug Interdiction Officer to address neighborhood drug problems. The concept proved so successful in Charlie One that it will be expanded to other districts through the Community Safety Plan.

- In the past, federal grant money has been used to start programs ranging from the Police Athletic League to the department's Crime Analysis Unit These monies have enabled the department to establish new programs and evaluate their effectiveness, prior to any significant outlay of City funds

- Federal grant money was also used to fund the Drug Court and the five assistant district attorneys who staff that court The Police Department provided the matching funds for the five district attorneys through its assets forfeiture funds, the City and County provided the drug court matching funds

- In addition to grant money, the Police Department receives approximately one million dollars per year in assets forfeiture funds

**Attachment 2**
Resolution provided by Councilmember Jackson

**6 Recommendation from Public Safety Committee Concerning False Burglar Alarms**

**Action:** **Approve Public Safety Committee recommendation to:**

McCrory/Cannon
app A, B + C

Subst Scarborough/no second
Back to Public Safety Comm.

Subst. Jackson/Majeed
app A, B + C with required
verification by alarm Co

SUBS VOTE - yes Scarborough, Jackson,
Majeed
Orig Vote No Scarborough
+ Majeed

**A) Approve a conceptual framework for an ordinance to reduce false burglar alarm calls which includes a registration system for all residential and commercial alarm owners and a series of escalating penalties for false alarms,**

**B) Ask staff to proceed with a Request for Proposal (RFP) to determine the cost of privatized self-supporting administration of the false alarm systems, and**

Police

C) **Ask staff to come back to Council with a false alarm ordinance, once all costs for implementing the program have been determined**

**Committee Chair:** Pat McCrory

**Staff Resource:** Chief Dennis Nowicki

**Policy:** **The City's Community Safety Plan includes a Resource Utilization goal to use Police Department resources as effectively as possible. A reduction in false alarm calls would free police resources to address other community safety priorities**

**Conceptual Plan.**

- The Public Safety Committee recommends the approval of a conceptual framework for an ordinance to deal with the growing number of false burglar alarm calls that divert police resources from higher priority Public Safety initiatives Key components of this effort are

  - Annual registration of each residential and commercial burglar alarm system to provide updated information on the responsible party for each alarm system, the owner of the system will be issued a permit which must be displayed on the outside of the business or residence

  - A registration fee will be required for each alarm system, renewal of the permit will be free if the alarm owner has had no false alarms in the previous year, otherwise a renewal fee will be charged The registration fee will be determined by Council after all RFP's, with projected operating costs for the system, have been received.

  - A civil penalty of $100 if an officer responds to an alarm call and finds that the system is not registered

- A series of escalating penalties will be established for false alarms Each alarm owner will be allowed two false alarms without penalty per permit year, after which the following schedule of civil penalties will apply.

  3rd - 5th false alarm - $50
  6th and 7th false alarm - $100
  8th and 9th false alarm - $250
  10th and over false alarm - $500

- An appeal process would be established to allow citizens to contest the penalty if they believe the alarm was not false

- A no-response provision would enable the Police Department to discontinue response to an alarm if there have been an excessive number of false alarms for which the penalties have not been paid

**Proposed RFP Process:**

- Administration of the false alarm system would be privatized with the vendor responsible for

  - registration of alarms

  - compilation and continuous updating of the alarm data base

  - billing and collection of penalties for false alarms

  - public information and education campaigns regarding the false alarm program

Staff further recommends that the ordinance be self-supporting with all costs covered through registration fees and penalties The exact amount of the registration fee cannot be determined until a vendor can provide accurate figures on the cost of administering the system

Staff will develop a RFP inviting interested vendors to provide detailed descriptions of how they would administer the false alarm system and how much money would be required to establish and maintain the system Any contract with a vendor will be structured in such a way that the vendor will recover the costs of administering the program plus a reasonable margin of profit over the life of the contract

**Future Steps:**

- Staff will come back at a later date with

  - an ordinance that incorporates all elements of the false alarm program, and

  - cost figures for the administration of the false alarm system, including the amount of the alarm registration fee needed to make the system self-supporting

Once an actual ordinance has been passed and a contract awarded for the administration of the system, there will be an implementation period which will include

- the registration of alarms and the development of a data base

- an extensive public information campaign

- training for police officers on the provisions of the ordinance.

Staff anticipates that the ordinance would go into effect July 1, 1995

**Funding·** Administration of the false alarm system will be self-supporting through permit registration fees and false alarm penalties.

**Background:** The Police Department responded to 71,202 burglar alarm calls in 1993 98% of all alarm calls are false These calls encompass 16 3% of the department's workload or one in every six calls for service

False alarm calls divert police manpower from assignments that more closely address community priorities Response to such a large percentage of false alarm calls is an inefficient use of police resources

Most major cities have adopted false alarm ordinances. Those that have been most successful in reducing false alarms have done so through ordinances that require registration of alarms so that police officers know the responsible party for each alarm system

**Attachment 3**

7. ***Recommendation from Economic Development Committee Concerning*** **Appointments to Chamber Study Committee on Industrial Recruitment Incentives**

**Action.** **Approve the Economic Development Committee's recommendation to appoint two Councilmembers to a joint study committee on Industrial Recruitment Incentives.**

**Staff Resource:** Del Borgsdorf

**Explanation of Request:**

Martin Beaubrough appoint Chair & Vice Chair of Econ. Dev Comm (Lynn & Mayor) Urban.

The Governor of North Carolina recently created a Competitive Fund to aid in the recruitment of industry According to the current Fund guidelines, local communities are only eligible to access the Fund if they commit $1000/job as an equal match for a similar amount from the Fund The Chamber of Commerce wishes to form a joint City, County, Chamber Study Committee to determine, on behalf of the community, whether or not there should be participation in order to access the Competitive Fund

The Study Committee will recommend whether or not our community should participate in the $1000/job matching funding requirement of the Governor's Competitive Fund If the Study Committee determines that participation is warranted, then at what level and under what circumstances should the community participate Lastly, it will determine what benefits should be returned from a matching community investment in the Governor's Competitive Fund

Results of the Study Committee will reported directly to the Council's Economic Development Committee for their review and recommendation to the full Council

The Chamber will serve as facilitator for the Study Committee The City Manager is requested to appoint appropriate staff for support

Mgr's Office

8 **Privatization/Competition Advisory Committee Request for Funds**

**Action.** **Approve recommendation from the Privatization/ Competition Advisory Committee for a $100,000 budget for the remaining of FY95.**

Item No

**Committee Resource:** Bill James, Committee Chair

**Policy:** Services Contracting and Asset Management Guidelines adopted July 25, 1994

**Explanation of Request:** The Privatization/Competition Advisory Committee ("The Committee") is continuing to work on areas of privatization and competition In their review of various Requests for Proposals (RFP's) and discussion of related issues, the Committee has identified the need to hire outside consultants and professionals to review and verify cost estimates, provide real estate appraisals, address other "level playing field" issues, and meet other operating expenses of the Committee

At their meeting August 23, 1994, the Committee unanimously approved a motion to request from Council a budget in the amount of $100,000 for the remainder of FY95

This recommendation raises the following issues

- Administrative procedures for handling the expenditure of funds and contract administration, and
- Source of funds

Procedurally these issues can be handled as follows

- Appropriate funds to City Manager's budget and authorize the City Manager's Office to review and approve expenditures in accordance with applicable State law and City policy.
- Appropriate funds from the General Fund fund balance and reimburse through the sale of surplus properties sold in accordance with the Asset Management Guidelines approved by City Council

Council moved we have information on money will be spent

Deny until as to where this

Subst Baker/Wheeler to make to authorize Manager to make Coopers & Lybrand available from Committee and draw funds for one of suggested sources for expediency and help secure any specialized consultants needed

Subst vote - No Comm

Mgr's Office

**Background:**

The Privatization/Competition Advisory Committee presented their recommended Guidelines for Services Contracting and Asset Management to Council on July 25, 1994 These guidelines were adopted by Council at that meeting. Subsequent discussion by Council led to questions regarding a budget for the Committee Council asked the Committee representatives at the meeting to bring back recommendations for future budget requirements and funding

## BUSINESS

**9 Proposed Transit Center**

**Action.** Approve a Pledge Agreement, Articles of Incorporation and Bylaws for Charlotte Transit Center, Inc. (a non-profit corporation) and authorization for the City Manager to execute all documents necessary to finalize the agreement with NationsBank for the development of a transit center on the Fish & Oyster site.

**Staff Resource:** Boyd Cauble

**Policy:** On May 23, 1994, Council authorized City staff to work with NationsBank to prepare contractual documents and design drawings for the proposed transit center (the approved Council action is attached). The primary purposes for the Transit Center are to provide an improved environment for the transit riders, minimize congestion at the Square, and accelerate the construction of a Transit Center which is currently not funded in our Capital Improvement Program

**Explanation of Request:** The only changes in the May 23 Council presentation, are the creation of a non-profit corporation to build and operate the facility instead of a more traditional public/private partnership and the cost of NationsBank's capital contribution which has increased to at least $9 million.

The 50/50 partnership still consists of the City contributing land with a tax value of $7 7 million and NationsBank funding all improvements now estimated to cost at least $9 million

In keeping with the emphasis on privatization, NationsBank is being allowed to design and construct the center with full City staff review

Mgr's Office (Boyd)

All excess revenues from the proposed retail will be donated by the non-profit, Charlotte Transit Center, Inc., to the City to help offset costs of operating the Transit Center

If the City decides to eliminate NationsBank's interest from the center at any time after a 10-year initial period, the City would pay NationsBank the cost it originally contributed to build the center. Should NationsBank incur any operating deficits over the 10-year period, those costs would not be reimbursed

If the City and NationsBank mutually agree to sell the project to a third party, any profits the Bank realizes above and beyond its initial investment would be contributed for transit needs in the Uptown area

The City will be obligated to furnish transit passengers to the Center at the current estimated level of participation in order to minimize the Bank's risk for running retail in the mixed use development If transit ridership drops below 50% of the base line ridership, NationsBank has the right to require the City to purchase its interest at its original cost The drop in ridership would have to be a result of City action and would not be a result of work stoppages, acts of God, or anything beyond the City's control

**Funding**

No City funds are required to accelerate construction of the proposed Transit Center.

**Background.**

Since the May 23 Council authorization to finalize documents and design, NationsBank has implemented a very detailed and labor intensivecitizens' input program to solicit comments from transit riders and others most interested in the success of the transit system

9 Proposed Transit Center

REVISED Action:

(1) Approve a Pledge Agreement, Articles of Incorporation and Bylaws for Charlotte Transportation Center, Inc. (a non-profit corporation) and the City's participation as a member of the corporation;

(2) Designate the project as an Uptown Development Project since it will have a significant effect on the revitalization of the Central Business District, and

(3) Authorize the City Manager to do all acts necessary to finalize and carry out the intent of the agreement with NationsBank for the development of a Transportation Center on the Fish & Oyster site.

Scarborough/Cannon
app 1, 2 + 3

Subst Jackson/Reid
approve with addition that
cost of upgrades (or deficits)
be paid for by fare increase.

Subst Vote - YES McCrory, Reid Jackson
Orig Vote - No - Reid + Jackson

Mgr's Office
(Boyd)

City staff worked with NationsBank's architect in reviewing design of this facility and incorporated citizen comments as well as ideas from successful transit facilities in other areas of the country The design has varied only slightly from the conceptual drawings Council has already approved

The cost for the proposed facility has increased because of quality improvements and the discovery of unstable load bearing soil on the site The site is an old urban renewal area where the demolition of buildings was done on site with little or no compaction As a result, approximately $500,000 in additional foundation work is required

In conclusion, the preliminary design is complete, cost estimates are being finalized, zoning petitions have been filed and NationsBank is prepared to begin construction in October if Council approves this Agenda item

**Attachment 4**

## 10 Street Maintenance Annexation Street Rewidening

Campbell/Wheeler aff unan.

| | |
|---|---|
| **Action:** | **Approve A) Award of Street Maintenance Annexation Street Rewidening Work, and B) Referral of Key Competition Issues to City Council's Public Services Committee.** |
| **City Resource:** | Del Borgsdorf |
| **Policy:** | Services Contracting and Asset Management Guidelines adopted July 25, 1994 |
| **Explanation of Request:** | Bids from private contractors as well as the City's cost estimate to perform the work in-house were received to widen eight annexed streets |

Mg's Office

Due to concerns raised about the bid process and questions related to the City's authority to perform the work, it is recommended that the current project be awarded to the low bidder and that these "competition" issues be referred to the Council's Public Services Committee The Attachment provides a background of the events that have occurred during the bid process for this work

A. Award work to the low bidder (Crowder Construction) for the amount of $607,381 20

Summary of Bids

| | |
|---|---|
| Crowder Construction | $607,381 20 |
| Sherrill & Associates | $669,589 20 |
| Rea Construction Co | $689,914 80 |
| Blythe Development Co | $748,380 60 |

DIFFERENCE $61,381 20

| MWBE Status: | Amount | % of Project | Proj. Goals |
|---|---|---|---|
| MBE | $39,921 | 7 2% | 6% |
| WBE | $25,200 | 4 5% | 4% |

**Compliance.** Yes Contractor has complied with the requirements and intent of the MWBE Program by exceeding the established contract goals

B Refer the following issues to the City Council's Public Services Committee

- The City's right to bid on construction and maintenance projects
- The costing methodology utilized to develop the City's cost estimate
- The roles of the Privatization/ Competition Advisory Committee, the Public Services Committee and City Council in the competitive bid process.

- Criteria to be used in awarding contracts to perform work (lowest cost to the taxpayer, MWBE participation, other)

**Attachment 5**

## 11. Small Arms Firing Range

**Action:** **Approve agreement between the City of Charlotte and the United States Government-National Guard Bureau for the construction of a small arms firing range at the Charlotte/Mecklenburg Police Training Academy.**

**Staff Resource.** T J Orr

**Explanation of Request:** The The Ten Year Capital Needs Assessment includes a new firing range for FY97, however, the project is not funded in the current Capital Improvement program (FY95-99)

The North Carolina Air National Guard has made $240,000 available for the construction of a small arms firing range that would be jointly used by the Air National Guard, City of Charlotte - Aviation Department, and Charlotte-Mecklenburg Police Department

The City of Charlotte - Aviation Department would be responsible for the construction of this facility with the Air National Guard reimbursing the City for all project costs associated with this facility

The facility would be maintained on a daily basis by the City of Charlotte.

Martin/Spencer app. Lman

Aviation

The City of Charlotte - Aviation Department and Charlotte-Mecklenburg Police Department would have full usage of the small arms range except for one weekend a month During these twelve weekends a year, the Air National Guard would have full use of the small arms range and range support facilities However, the Air National Guard is not allowed to schedule more that 1,500 personnel per calendar year without written approval from the City

**Background.**

The current Air National Guard facilities at Charlotte/Douglas International do not include a range for small arms qualifications Air National Guard members are required to qualify annually to maintain a minimum proficiency level

City of Charlotte-Aviation Department Law Enforcement and Charlotte-Mecklenburg Police Department are required to qualify on small arms four times a year

The Airport Advisory Committee is recommending the construction of this facility.

The Police Chief concurs with this request

**12** **Ordinance to Revise Chapter 23 Of The Charlotte City Code**

Ord # 4 #124 B-45 P-456

**Action.**

**Approve an ordinance amending Chapter 23, Article III of the City Code, Sewer Use Ordinance, based on recommendations of the Charlotte Mecklenburg Utility Department.**

**Staff Resource:**

Doug Bean

**Explanation of Request:**

- Due to changes in State and Federal regulations which mandate certain controls on users of publicly owned sewers and treatment facilities, the City Code must be updated to reflect these new requirements

To be effective Jan 1st, 1995

Scarborough/Moved aff. unan

- This portion of City Code, referred to as the Sewer Use Ordinance, protects the collection system, Utility personnel, and treatment facilities by regulating discharges to the sewer system

- Although the proposed changes are technical in nature, several key issues are discussed below

  - A new section has been added to the sewer use ordinance which regulates the discharge to the sewer system from trucked or hauled waste sources;

  - A change has been made in the wastewater discharge permit application process This change will establish a local procedure for the permitting process making it user friendly and more customer oriented

  - A new section has been added which will provide information on the process a client may pursue when violations/penalties are issued by CMUD This is a local policy

- Highlights of the changes have been attached

**Background:**

- The current ordinance was revised May 9, 1988 to reflect changes in state and federal regulations at that time Subsequent changes in the state and federal regulations make it necessary to revise the sewer use ordinance now

CMUD

- The Charlotte-Mecklenburg Utility Department's System Protection Division has solicited and incorporated comments on the draft ordinance from the Industrial User Group, a Sewer Use Ordinance review committee established through the Manufacturers Council of the Chamber of Commerce, and the Sierra Club (Carolinas Clean Water Coalition)

- The ordinance, as submitted to Council for approval, has been reviewed and approved by the North Carolina Division of Environmental Management **There is an adoption deadline of September 30, 1994.**

**Attachment 6**
Proposed Sewer Use Ordinance Highlights

13 **Charlotte Housing Authority Contract**

**Action.** **Approve a $350,000 contract with the Charlotte Housing Authority (CHA) to provide self-sufficiency case management to 280 public housing families which will assist those families to leave public housing within a 4 to 5 year period**

Commun/Spencer
Aff.
Union

**Staff Resource** J W Walton

**Policy:** At the July 12, 1993 Housing Workshop, City Council reviewed, affirmed and refined the City's current housing policies, programs and priorities and reaffirmed the need for a self-sufficiency component.

**Explanation of Request·**

- The mission of the contract is to develop and carry out self-sufficiency plans for residents of public and assisted housing to insure that these residents return to unsubsidized housing within a 4 to 5 year period

(CD.)

- The contract will permit the CHA's Transitional Families Program to provide self-sufficiency case management to 280 families during this second year contract

- The goals of the Transitional Families Program are·

  - Enhance CHA's capacity to serve up to 280 assisted housing families per year

  - Improve collaboration between CHA and key supportive agencies (CPCC, Employment and Training, Child Care Resources, Legal Services, Family Housing Services, DDS, etc )

  - Increase access to case management services by residents

  - Improve the employability of participants in the self-sufficiency program

  - Insure the return of at least 50 participants per year to the private market

  Further details of the program goals are outlined in the Attachment as CHA's Transitional Families Program Mission Statement, Strategies and Objectives

- Second year funding will support implementation of the program for staff costs and related operating expenses The contract will be retroactive to July 1, 1994 (A copy of the budget for the second year contract, July 1, 1994 to June 30, 1995, is provided in the Attachment.)

- During the first year contract, 27 families in the program were returned to the private housing market (the goal was 25). The goal for the number of families returning to the private housing market during the second year is 50, and 55 per year thereafter

- The Executive Summary and Contract Evaluation are provided in the Attachment Three of seven contract objectives were not achieved Due to the late implementation of the program, a six-month contract period existed instead of the approved nine-month period and no changes were made in the contract objectives

**Funding·** Innovative Housing Fund

**Background** Additional background information is provided in the Attachment

**Attachment 7**
CHA's Transitional Families Program Mission Statement, Strategies and Objectives
Annual Budget (July 1, 1994 to June 30, 1995)
Executive Summary and Contract Evaluation
Background

**14 The Ceasar Corporation Investor Rehabilitation Loan**

**Action:** **Authorize a public-private partnership with NationsBank by approving a $264,905 loan to The Ceasar Corporation to finance the rehabilitation of 52 units of multi-family housing known as Magnolia Garden Apartments located at 3008 Beatties Ford Road.**

**Staff Resource.** J W Walton

**Policy:**

The City's Comprehensive Housing Affordability Strategy approved by City Council on October 25, 1993 provides as a priority the Preservation of Existing Housing and identifies a strategy to provide financial assistance to owners with properties under code enforcement.

**Explanation of Request.**

- The total cost of the project is $549,905 It is to be funded by a partnership between NationsBank in the amount of $285,000 and the City in the amount of $264,905

- The City loan of $264,905 will be used to finance the rehabilitation costs for the 52 multi-family housing units known as Magnolia Garden Apartments The complex consists of 24 one-bedroom and 28 two-bedroom units and is 27 years old

- The City loan term will be for 20 years (10 years deferred and 10 years fully amortized) at an interest rate of 5%

- The NationsBank loan of $285,000 will be used for:

  - refinancing the existing 1st mortgage balance of $167,000,

  - rehabilitating the units (balance of the Code and incipient violations and total general property improvements),

  - acquiring an adjacent vacant lot to enhance security of the complex, (Currently, there is cut-through traffic on the lot. A security fence will be installed after lot is purchased )

  - lead testing and appraisal of property

Scarborough Martin
app.
Red + Jackson
No

CD

- NationsBank's loan will be for a term of 10 years at an interest rate of prime plus 2 25% (If the loan were made today the rate would be 9.5% based on a prime rate of 7.25%)

- Summary of sources and use of funds and the security

| Sources of Funds | |
|---|---|
| NationsBank (52%) | $285,000 |
| City of Charlotte (48%) | 264,905 |
| | $549,905 |

Use of Funds

| | |
|---|---|
| - Refinance Existing 1st Mortgage | $167,000 |
| - Rehabilitation (Code & Incipient Violations) | 329,375 |
| - Rehabilitation (General Property Improvements) | 41,330 |
| - Land Acquisition | 6,000 |
| - Lead Testing/ Appraisal | 6,200 |
| | $549,905 |

Security

NationsBank - 1st Mortgage
City of Charlotte - 2nd Mortgage

- Invester-Owner Accountabilities

  - Required annual inspections by the City

  - Maintenance reserve set aside

  - In the event the property is not kept to code, the City has the right to call the loan due and payable

- Provided in the Attachment is the following additional information.

Item No

- Overview of Investor-Owner Rehabilitation Loan Program
- Council Initiatives Underway that Strengthen Landlord/Tenant Relationships
- Overview of the Project
- Financial Statements for The Ceasar Corporation and J C Cousar Personal Financial Statements
- Rental Management Plan for Magnolia Garden Apartments

- Since Magnolia Garden Apartments are under code enforcement, the Housing Code violations must be corrected If Council does not approve this loan to The Ceasar Corporation and the repairs are not made, Council will be asked, at a later date, to approve using the In Rem Remedy to repair the apartment complex This will be more costly to the City since there would not be a public-private partnership

**Funding:** Federal Rental Rehabilitation and Community Development Block Grant funds

**Background.** City council deferred this item at the August 22nd meeting See attachment for additional background

**Attachment 8**
Overview of Investor-Owner Rehabilitation Program
Council Initiatives Underway
Overview of the Project
Financial Statements
Rental Management Plan
Background

**15 City Council Retreat**

**Action:** **Set City Council Retreat for November 11 and 12 at Mid-Pines Hotel in Southern Pines**

**Staff Resource:** Pam Syfert

**Policy** City Council annually holds a retreat to review accomplishments, set annual goals and provide budget policy direction to the City Manager.

Scarborough/Martin app without specific location & allow staff to pursue other locations out of town

**Explanation of Request.** Staff recommends holding the Retreat in November 11 and 12, 1994 at the Mid-Pines Hotel in Southern Pines. This recommendation is based on feedback received at the last Council Retreat that Councilmembers wanted more time for informal discussion and the opportunity to focus on the issues without the interruptions inherent in an in-town location.

Subst McCrory/Reed Held in town

Subst Vote Yes McCrory, Reed, Baker & Jackson

Orig. Vote No McCrory, Reed & Jackson

Mgr's Office

Staff recommends the early November date to allow Council and Staff more lead time to develop policy options and directions for the FY1995-96 budget Staff will also be prepared to present to Council strategic plans for the other Council Focus Areas Resources, Transportation, Economic Development and City Within A City

**Funding.** Funds are provided in the Mayor and Council Budget Mid-Pines will cost about $140 per person including food, lodging and meeting rooms

**16 Appointments to "Our Region Tomorrow" Study Committee**

**Action·** **Appoint three representatives (no more than one elected official) to the "Our Region Tomorrow" Study Committee.**

**Resource.** Bill Destin, Centralina Council of Governments

Item No.

**Explanation of Request:**

- The primary goal of the Our Region Tomorrow Study is to develop strategies and policies which recognize future growth and development trends but strive to maintain and enhance the area's quality of life

Scarborough/Martin
Defer to next week (Zoning Matters)
to allow Councilmembers to seek out nominees
thus

- The Study will be conducted in a strategic planning format Initially, municipal and county governing boards will be asked to make appointments to a Future Visions Committee (FVC) This Committee will be in charge of overseeing the project and identifying the most important or significant areas of concern upon which the Study is to focus Areas of study which the Committee could select include recreation, transportation, public safety, tourism, the environment, etc

**Background**

On June 13, Centralina Council of Governments (COG) briefed Council on the role of the COG in serving the eight county region which comprises their geographic area At the briefing, Vice-Chairman Clayton Loffman and former COG member Peter Keber described the proposed Strategic Planning Study for the region which will eventually be a two-year long process. They requested that the City of Charlotte appoint three members to this study committee to assist in developing the program One member could be a member of City Council, but the other two individuals should be established, responsible citizens from the local community

Council deferred this item at the July 25, 1994 meeting

**Attachment 9**

Jon Flynn

## 17. Appointments to Boards and Commissions

### A. APPOINTMENTS

1 CONSOLIDATED GOVERNMENT CHARTER DRAFTING COMMISSION

**COUNCILMEMBERS:**

Republican, Vote for One·
Stan Campbell
Mike Jackson

Democrat, Vote for One
Hoyle Martin
Ella Scarborough

**CITIZENS·**

Democrats
Vote for One
(a) Ike Heard
(b) Lee Myers
(c) Dr Paula Newsome
(d) Cyndee Patterson
(e) Wes Southern — Republican for Mayor

Republicans·
Vote for One
(a) Rod Autrey
(b) Carla DuPuy
(c) Malachi Greene
(d) Ken Harris
(e) Eric Karnes
(f) Eric Locher
(g) Sam Smith
(h) Sam Wilson

2 MINORITY/WOMEN'S BUSINESS DEVELOPMENT ADVISORY COMMITTEE

Five appointments to serve the duration of the program, three and one-half years

Item No

Cannon

(a) Patrick Clark by Councilmember

(b) Dorothy Crockett by Councilmember Cannon

(c) James Exum, Jr. by Councilmember Scarborough

(d) Joe Ferebee by Councilmember Wheeler

(e) Dixie Forbes by Councilmember Martin

(f) Barbara Freeman by Councilmember Wheeler

(g) Malachi Green by Councilmember Campbell

(h) Linda Holden by Councilmember Majeed

(i) Will (Ed) Latham by Councilmember Cannon

(j) Eric Lett by Councilmember Majeed

(k) Carol Lily by Councilmember Martin

(l) Diane Long by Councilmember Cannon

(m) Ed Moore by Councilmember Cannon

(n) Dr Paula Newsome by Councilmember Cannon

(o) Emma Quinn by Councilmember Wheeler

(p) Curtis Sims by Councilmember Cannon

(q) Cornelia Smith by Councilmember Reid

(r) Janet Warren by Councilmember Baker

#10 Res #

Martin/Baker - approve as amended Joint Resolution submitted by County Commission for Charter Drafting Committee of the Urban

**Attachment 10**

Pull Consent - 18E, 18F, 20, 23, 27H+J, 27G+I, 27L
Martin/Wheeler
app Best
unan





## Introduction to CONSENT I and II

The consent portion of the agenda is divided into two sections: Consent I and Consent II

Consent I consists of routine items that have been approved in the budget, are low bid, and have met MWBE criteria.

Consent II consists of routine items that have also been approved in the budget, but which may require additional explanation.

## CONSENT I

18 Various Bids

A Sanitary Sewer and Water Main Construction - FY95 Contract #105 - Street Main Extensions

CMUD

Recommendation: The Utility Director recommends that the low bid of $775,922 84 by 7 Star Construction Company, Incorporated of Rock Hill, South Carolina be accepted.

MWBE Status:

| | Amount | % of Project | Proj Goals |
|---|---|---|---|
| MBE | $775,922 87 | 100% | 3% |
| WBE | $0 | 0% | 3% |

Compliance: Yes The Contractor is a certified MBE

B Sanitary Sewer Replacement for Sterling Road, Belle Plaine Drive, and Thermal Road - Section I; Sanitary Sewer Rehabilitation - Section II

CMUD

Recommendation: The Utility Director recommends that the low combined Multi-Prime bids for a combined total of $882,176 35 by Dellinger, Incorporated of Monroe, North Carolina and W L Hailey and Company, Incorporated of Nashville, Tennessee be accepted

**MWBE Status· DELLINGER, INC.**

| | Amount | % of Project | Proj Goals |
|---|---|---|---|
| **MBE** | $1,500 | 0 3% | 2% |
| **WBE** | $12,300 | 2 7% | 2% |

**Compliance:** Yes The Contractor will exceed the established contract goal for WBE participation and made good faith efforts to meet the MBE goal for this project.

MWBE Status. **W. L. HAILEY**

| | Amount | % of Project | Proj Goals |
|---|---|---|---|
| **MBE** | $0 | 0% | 1% |
| **WBE** | $0 | 0% | 1% |

**Compliance** Yes The Contractor will perform all work with his own forces

**C. Colony Road/Runnymede Lane Intersection Improvements**

**Engineering and Property Management**

**Recommendation:** The City Engineer recommends award to the low bidder, Ferebee Corporation of Charlotte, North Carolina, for $165,277 84

| **MWBE Status** | **Amount** | **% of Project** | **Proj Goals** |
|---|---|---|---|
| **MBE** | $3,000 | 1 9% | 6% |
| **WBE** | $9,860 | 6 2% | 5% |

**Compliance:** Yes. The contractor's good faith efforts to meet project goals have been reviewed and the contractor has been found in compliance with the requirements and intent of the MWBE Program

**D. Fall 1994 Resurfacing**

**Engineering and Property Management**

**Recommendation:** The City Engineer recommends award to the low bidder, Rea Construction of Charlotte, North Carolina, on a unit price basis for their bid of $1,957,856 50.

| MWBE Status | Amount | % of Project | Proj Goals |
|---|---|---|---|
| MBE | $ 60,000 | 3 1% | 3% |
| WBE | $129,750 | 6 6% | 2% |

**Compliance.** Yes. Contractor has complied with the requirements and intent of the MWBE Program by **exceeding** the established contract goals

E. **Convention Center Food Carts** **Purchasing**

**Recommendation:** The Purchasing Director recommends award to the low bidder, Customer Sales and Service of Hammonton, N.J. for their bid of $122,760

E+F Reid/Wheeler app Vernon

| MWBE Status | Amount | % of Project | Proj Goals |
|---|---|---|---|
| MBE | N/A | 0 | 10% |
| WBE | N/A | 0 | 3% |

**Compliance:** Yes There were no known MWBE bidders

F. **Convention Center Furniture and Furnishings** **Purchasing**

**Recommendation:** The Purchasing Director recommends award to the low bidders as follows

**Bid Package 100 (Stacking Chairs)**

| | | |
|---|---|---|
| White Office Furniture | Rock Hill, SC | $650,794.00 |

**Bid Package 101 (Desk and Chairs):**

| | | |
|---|---|---|
| Tomlinson Environments | Charlotte, NC | $201,254.37 |

**Bid Package 102 (Tables and Desks):**

| | | |
|---|---|---|
| O. G. Penegar, Inc. | Gastonia, NC | $ 22,405.20 |

**Bid Package 103 (Filing Cabinets):**

| | | |
|---|---|---|
| Office Environments | Charlotte, NC | $ 24,160 42 |

**Bid Package 104 (Office Chairs):**

| | | |
|---|---|---|
| Tomlinson Environments | Charlotte, NC | $ 7,740.80 |

**Bid Package 105 (Desks):**

| | | |
|---|---|---|
| Tomlinson Environments | Charlotte, NC | $ 5,377.44 |

Item No

| MWBE Status. | Amount | % of Project | Proj Goals |
|---|---|---|---|
| MBE | N/A | 0 | 10% |
| WBE | N/A | 0 | 3% |

**Compliance:** Yes No known MWBE suppliers were available

Res #1

**19 Refund of Certain Taxes**

B 83
P 1

**Action:** Recommend adoption of a resolution authorizing the refund of certain taxes assessed through clerical or assessor error in the amount of ~~$47,006.98~~ $47,006 98

Attachment 11

Finance

## CONSENT II

**20** **Idlewild Road Water Main Resolution, Budget Ordinance, And Construction Contract**

Res #2
B-33
p-3

**Action:**

**A)** **Approve a resolution amending the FY95-99 Capital Improvement Program to provide construction funding in FY95 for the Idlewild Road Water Main, and,**

Reid/Wheeler
app unan

Ord #1-121-X
B-45
p-453

**B)** **Adopt a budget ordinance appropriating $743,000 from project savings in the Weddington-McKee Road water main account, and;**

**C)** **The Utility Director recommends that the low bid of $780,500.67 from Rea Brothers, Incorporated of Pineville, North Carolina be accepted for the construction contract**

**Staff Resource:** Doug Bean

**Explanation of Request:**

- This contract will provide an additional source of water to serve the growing demand in the Matthews and Mint Hill area
- The request for approval of the resolution, budget ordinance, and construction contract have been combined into one action since all are required to go forward with this project

**Background**

- The Towns of Matthews and Mint Hill have adopted an aggressive program for extension of water lines throughout their towns utilizing town voter approved bonds
- When developing a strategic plan for extension of CMUD service to Matthews and Mint Hill, CMUD included major water lines in the CIP to provide a base for the future extension of service throughout the towns In development of these extension plans, CMUD staff dropped construction funding for

CMUD

the Idlewild Road water main out of the CIP when the funding source was identified as Matthews bonds Subsequently, Matthews deleted the project from their bonds However, construction of this project is still necessary Funding in the amount of $125,000 for design was previously included in the FY93 CIP.

**MWBE Status:**

| | Amount | % of Contract | Proj Goals |
|---|---|---|---|
| MBE | $ 3,000 | 0.4% | 6% |
| WBE | $75,250 | 9 6% | 5% |

**Compliance:** Yes - The Contractor has exceeded the established goal for WBE participation and made good faith efforts to meet the MBE goal for this project

**21** **Street Main Extensions Budget Ordinance And Construction Contract - FY95 Contract #104**

Ord. # 12-2 B-45 P 454

**Action:**

**A) Approve Budget Ordinance appropriating $1,402,699 from sewer project savings to Street Main Extensions pending approval of the 1994 Bond Referendum, and;**

**B) The Utility Director recommends that the low bid of $759,497.50 from Propst Construction Company, Incorporated of Concord, North Carolina be accepted for the construction contract.**

**Staff Resource:** Doug Bean

**Explanation of Request:**

- This contract will provide extension of water and sewer lines throughout Mecklenburg County to residences/businesses which have requested connection to the City's water/sewer system

CMUD

- The request for approval of the budget ordinance and construction contract have been combined into one action since both are required to go forward with this project

**Background:** In 1992 City Council approved the CMUD Extension Policy Utilization of the street main extension program has been in high demand from the public since the inception of the program

In the FY95 Capital Improvement Program, $6,000,000 was approved for sewer street main extensions However, the funds will not be available until bonds are approved in November 1994

Appropriating ~~$1,500,000~~ $1,402,699 from sewer project savings will allow approval of two construction contracts and three engineering professional services contracts to be awarded between now and November 1994

**MWBE Status:**

| | Amount | % of Project | Proj Goals |
|---|---|---|---|
| **MBE** | $12,000 | 1 6% | 3% |
| **WBE** | $36,000 | 4 7% | 3% |

**Compliance:** Yes The Contractor will meet the established contract goal for WBE participation and made good faith efforts to meet the MBE goal for this project

**22 Water Distribution Project - 16-Inch and 12-Inch Water Main Along Providence Road West and Community House Road to Serve Landen Subdivision**

**Action:**

**A) The Utility Director recommends that the bid of $479,480.66 by Foster Utilities, Incorporated be rejected because his bid is unbalanced and is a nonresponsive bidder, and;**

**B) Recommend the low, responsive, responsible bid of $491,634.26 by RDR, Incorporated of Stanfield, North Carolina be accepted.**

**Project Name:** Water Distribution Project - 16-Inch And 12-Inch Water Main Along Providence Road West And Community House Road To Serve Landen Subdivision

**Explanation:** After review of the bids by CMUD staff, it was determined the bid submitted by Foster Utilities, Inc is unbalanced and he is deemed to be a non-responsive bidder

An unbalanced bid is when a contractor bids too much money for selected items or too little money on other items. The Contractor would then receive more money than a reasonable value of the work performed Balanced unit price bids are necessary to ensure that payment for the work is proportional to the cost incurred by the contractor

Foster Utilities has acknowledged that they mis-interpreted two pay items and unintentionally submitted an unbalanced bid

Had Foster bid these items in a "balanced" manner and in the manner in which he intended to be paid, his total bid amount would have been $504,680 66 (second low bidder)

Foster has requested that Council reject his bid

The contract bid amount submitted by RDR, Incorporated in the amount of $491,634.26 is a balanced bid and is less than the amount Foster intended to bid for the project, had they interpreted the pay items correctly Also, RDR's bid is considerably less than the engineer's estimate based on historical prices on projects of this nature

CMUD

The Utility Director recommends that the bid submitted by Foster Utilities be rejected without forfeiture of his bid bond and award be made to RDR, the low, responsive, responsible bidder.

**MWBE Status**

| | Amount | % of Project | Proj Goals |
|---|---|---|---|
| **MBE** | $ 300 | 0 1% | 4% |
| **WBE** | $12,300 | 2.5% | 3% |

**23. Convention Center Streetscape Improvement and Budget Ordinance**

Ord #3 #123-A B JS JSS P-

**Action:**

**A) Approve a budget ordinance totalling #350,000 ~~$200,000~~ from Certificate of Participation Refinancing Savings, and**

**B) Approve Change Order #1 for $494,008.90 to an existing contract with Rea Construction**

**Staff Resource:** Dick Williams

**Explanation of Request:**

This work will make improvements to the streets and pedestrian areas surrounding the Convention Center that will be in keeping with the approved Streetscape Plan for the uptown area

Change Order # 1 will provide

- Street widening and resurfacing on Stonewall and Brevard Streets
- New curb and sidewalk on Stonewall across from the Convention Center
- Landscape buffer of trees and shrubs on Stonewall, College, and First Streets

Campbell/Reed opp. unan

Eng

- Reconstruction of First Street to provide for one lane of vehicular traffic and an 8 foot pedestrian walkway

Approval of the change order to an existing contract with Rea Construction will allow us to complete the work prior to the first major Convention Center booking

**Background:** On May 23, 1994, City Council authorized the use of $600,000 from the Convention Center bond refinancing savings to be used for landscape screening and the construction an 8 foot wide pedestrian walkway from the main entrance of the Convention Center to the Tryon Street Mall

Only ~~$200,000~~ $350,000 is needed now for the streetscape improvements The street and sidewalk improvements will be paid for with Powell Bill funds

This option will provide for the construction of the pedestrian walkway and one lane of vehicular traffic along First Street from Tryon St. to College Street An earlier option to reconstruct the First Street area into a pedestrian mall only, would have eliminated St. Peter's only vehicular access. With this option, we are able to maintain needed vehicular access to St Peter's Catholic Church and other businesses on First Street

**24 U.S. Geological Survey FY95 Cooperative Program**

**Action:** **Approve the FY95 cooperative program with the United States Geological Survey (USGS) for storm water resource activities in the amount of $229,100.**

**Staff Resource** Jim Schumacher

Item No

**Explanation of Request:**

This year's program includes·

- Continued maintenance and operation of rainfall and streamflow gauging sites
- Installation of four new streamflow gauging sites
- Installation of data lines from sites to USGS office
- Sampling for water quality at landfills and seven other sites

The total cost of services is $458,200 The City's one-half share is $229,100

**Funding:** Storm Water Services Fund

**Background:** Since 1924, the USGS has conducted a variety of water resource projects through cooperative programs with the City. The City pays 50% of the cost with matching funds from the Federal government This year's program continues the on-going operation of stream flow and rainfall gauges. The water quality sampling and laboratory analysis is required by EPA through the City's Storm Water Discharge Permit The new streamflow gauging stations will provide data necessary to calculate annual pollution loads resulting from storm water runoff

Eng

**25.** **Independence Freeway/Expressway High Occupancy Vehicle (HOV) Lane Project - Supplemental Municipal Agreement -**

**Action:**

**A) Approve the Supplemental Agreement to reimburse the NCDOT 87.5% up to $15 4 million, of the actual, eligible project costs, including engineering and final design, for the HOV Lane Project between Brookshire Boulevard and Sharon Amity Road, and**

Res #3

**B) Adopt the resolution to authorize the Director of the Department of Transportation to execute the Supplemental Municipal Agreement.**

**Staff Resource:** R. N Pressley, Jr.

**Explanation of Request:** The HOV Lane Project will provide a reversible lane in the median of Independence Freeway/ Expressway to carry transit buses and other vehicles with at least three passengers between Brookshire Freeway and East Independence Boulevard/Albemarle Road Engineering and final design of the HOV Lane were accomplished through the original Municipal Agreement dated July 7, 1988 This Supplemental Municipal Agreement covers the construction of the HOV Lane

**Funding:** Through a Federal Transit Administration (FTA) matching grant, $15 4 million ($2 2 million City share, $13 2 million FTA share) was made available to reimburse the NCDOT 87.5% of the actual, eligible HOV Lane Project costs The NCDOT, under the original Municipal Agreement, which this action supplements, has been reimbursed $1,703,350 64 for eligible project costs to date The $13,696,649 36 balance is available to be used to reimburse the NCDOT for 87 5% of remaining, eligible project costs The total maximum reimbursement to the NCDOT, including the amount reimbursed under the original Municipal Agreement, is not to exceed $15 4 million

CDOT

**26 Voluntary Annexation - Set Public Hearing**

Res #4
B 33
p 7

**Action:** **Adopt a resolution setting a public hearing on September 26, 1994 for a voluntary annexation.**

**Staff Resource:** Dick Black

Item No

**Policy:** Voluntary Annexation Procedures

**Explanation of Request.** This resolution sets Monday, September 26, 1994 as the date for a public hearing on the voluntary annexation of the IBM and YMCA properties

**Background:** IBM and YMCA are the owners of the property proposed for voluntary annexation The property contains approximately 75 acres and is located on the south side of W. T Harris Boulevard West adjacent to the recent University Research Park Annexation (June 30, 1994). The IBM property is presently undeveloped, except for a existing private street The YMCA property is developed

The purpose for requesting annexation is to bring the entire IBM private street into the city and thus, be eligible for maintenance by the city A portion of the IBM street was annexed on June 30, 1994 as part of the University Research Park Annexation

Planning Comm.

**27 Property Transactions**

**Approve property acquisitions #A-E and adopt condemnation resolutions #F-L.**

For Aviation property Transactions A and B the purchase was determined by an independent appraiser and was reviewed by a second appraiser Each appraisal takes into consideration the specific quality and quantity of the house. The tax value is determined on a more generic basis and will be higher or lower for houses with certain attributes. Residential property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970 The owners are eligible for relocation benefits Acquisition and relocation costs are eligible for Federal Aviation Administration reimbursement

**Acquisitions:**

A. **Project: F.A.R. Part 150 Land Acquisition**
**Owner(s).** Mr. and Mrs. Larry Cunningham
**Property Address** 2427 Carrington Ct.
**Property to be acquired** 204 Acres
**Improvements**· 3 Bedroom, 1 Bath Ranch
**Tax Value** $46,840
**Purchase Price** $53,000

Aviation

PLANE CRASH

B **Project**· F A R Part 150 Land Acquisition
**Owner(s)** Mr and Mrs Walter Dunn
**Property Address** 4228 Wallace Neel Road
**Property to be acquired** 30 Acres
**Improvements** 3 Bedroom, 1 Bath Ranch
**Tax Value**· $42,700
**Purchase Price** $55,000

Aviation

C. **Project** Carmel Road Widening, Parcel No 92
**Owner(s)** John Cucinello &
wf., Margaret Cucinello
**Property Address** 4712 Carmel Road
**Property to be acquired** 703.27 sq ft
(0.0161 AC ) fee plus Temporary
Construction Easement 1077 28 sq ft
(0.0247 AC )
**Improvements.** Shrubs, portion of driveway
**Tax Value** $128,700
**Purchase Price** $14,000
**Remarks** The property is located on the corner of Carmel Road and Foxmoor Drive, fronting Carmel The project is taking about 15 feet off the corner, plus a drainage easement will be located in the corner area too, causing the loss of shrubs, a portion of the driveway and the relocation of their turnaround area The compensation offered and accepted is reflected in the appraisal report

Zoned R-3 Use· Residential
Tax Code 209-301-60

Eng/RE

D. **Project**: Carmel Road Widening, Parcel No. 59
**Owner(s)**: Cindy A. Garner
**Property Address**. 5535 Carmel Road
**Property to be acquired** 6,393 12 sq ft (0.1467 AC.) plus Temporary Construction Easement of 6,106 74 sq.ft. (0.1402 AC )
**Improvements** Trees and landscaping
**Tax Value**: $171,400
**Purchase Price** $18,500
**Remarks**: This road widening project requires fee simple, permanent and temporary easement acquisition causing a loss of landscaping in addition to moving the road closer to front of her residence Work will be done on front and side of her property

Zoned R-3 Use Residential
Tax Code. 211-192-37

Eng/RE

E. **Project**: Carmel Road Widening, Parcel No 6
**Owner(s)**: Carmel Span Unit Owners Association
**Property Address**· 6401 Carmel Road
**Property to be acquired**. 6,858.59 sq ft (0.1574 AC ) of fee simple plus 5,340 16 sq ft (0.1226 AC ) of Temporary Construction Easement
**Improvement**· Landscaping, sign, trees and shrubs
**Tax Value** $1,538,650 70
**Purchase Price** $24,500
**Remarks** This road widening project requires fee simple and temporary easement acquisition causing a loss of landscaping in addition to moving the road closer to front of their building

Zoned O-1 Use Office Condominiums
Tax Code Part of 211-201-13 thru 32

Eng/RE

Condemnations:

F. **Project**: Carmel Road Widening, Parcel No. 108
**Owner(s)**: Raymond E Stipp & wf , Gloria J Stipp and Montibello Homeowners Association & any other parties of interest
**Property Address** 4301 Carmel Road
**Property to be acquired** 6,396.22 sq ft (0 1468 AC )
**Improvements**· Trees, shrubs, seeded lawn, sprinkler system (portion of)
**Tax Value** $201,190
**Purchase Price**: $19,050
**Remarks** The subject property is located at the corner of Carmel Road (fronts) and Montibello Drive East The project requires the acquisition of a strip of land approximately 12 to 18 feet in depth along the front causing the loss of a few trees, but protectors will be used to save several trees in the Temporary Construction Area The owners refused the City's offer based upon appraisal after four meetings and numerous phone conversations with City staff. Total Area 49,504 13 sq ft (1 1365 AC by Deed), Area to be Acquired in Fee Simple 3,244 57 sq ft (0 0745 AC ), Temporary Construction Easement 3,108 57 sq ft. (0 0714 AC ), Down Guy Easement 43 08 sq ft (0 0010 AC ), Area Remaining 46,259.56 sq ft (1 0620 AC By Deed)

Zoned R-3 Use Residential
Tax Code 211-171-01

Eng/RE

G. **Project** Harris Boulevard/Idlewild Road Intersection Improvement, Parcel No 2
**Owner(s)**: Thomas E. Ginn & wf , Virginia P Ginn
**Property Address** 5005 North Idlewild Road
**Property to be acquired**: 5,043 sq ft (0.115 AC )
**Improvements** N/A
**Tax Value** $80,340
**Purchase Price** $4,750

G+I Campbell Martin Defer to 9/26/94 Union

Do G+I TOGETHER

**Remarks**· *The Ginns appeared before City* Council opposing this project and contending that this project and subsequent City projects have adversely affected their residential property and wanted the City to purchase their whole property Instead, approval was received to rezone the property to O-1 (office use) Two new appraisals were requested to reflect the new zoning The Ginns are not satisfied with the new offer amount and do not wish to settle. CDOT has found that this intersection is adversely impacting the State's Harris Boulevard project with added congestion at the intersection Condemnation is therefore requested Total Area 45,713 sq ft (1 05 AC ), Area to be Acquired 1,965 sq ft (0 45 AC ), Area Maintained as Right-of-Way 1,854 sq.ft (0 042 AC ), Area Remaining· 41,912 sq ft (0 96 AC ), Temporary Construction Easement. 1,224 sq ft (0 03 AC )

Eng/RE

Zoned· O-1 Use Residential
Tax Code Part of 133-242-02

H. **Project**: North Mecklenburg Raw Water Line, Parcel No. 6
**Owner(s)** James Ernest Cook & wf , Ruby H Cook and any other parties of interest.
**Property Address** 7602 Oliver Hager Road
**Property to be acquired** 59,415 84 sq ft (1.364 AC )
**Improvements** None
**Tax Value**. $446,490
**Purchase Price**: $8,600
**Remarks** This Raw Water Line project requires a 70' corridor which will also house a 19' square wood sided structure designed to be harmonious with the neighborhood Upon installation of the water line and associated electrical and utility lines, the property can be permitted for continued agricultural use with a deeded right-of-way access across the City's land Mr Cook is

Res #6
B. 33
P. 13

27-H + J
Majeed/Spencer
app
No- Reid + Jackson

Eng/RE

against the project and wants the City to only purchase a permanent easement instead of fee simple rights. Condemnation is therefore requested based upon an independent appraisal value. Total Parcel: (8 48 AC.), Area Acquired (0.64 AC.), Temporary Construction Easement (0 72 AC ); Area Remaining (7 84 AC )

Zoned R-3 Use Single Family
Tax Code: 009-012-02

I. **Project**: Harris Boulevard/Idlewild Road Intersection Improvement, Parcel No 3
**Owner(s)** Glenn H Reynolds & wf , Edith G Reynolds
**Property Address** 4939 North Idlewild Road
**Property to be acquired** 9,103 sq ft ( 209 AC )
**Improvements** None
**Tax Value** $79,160
**Purchase Price**: $10,300
**Remarks**: The Reynolds appeared before City Council opposing this project and contending that this project and subsequent City projects have adversely affected their residential property and wanted the City to purchase their whole property Instead, approval was received to rezone the property to O-1 (office use) Two new appraisals were requested to reflect the new zoning The Reynolds are not satisfied with the new offer amount and do not wish to settle CDOT has found that this intersection is adversely impacting the State's Harris Boulevard project with added congestion at the intersection.
Condemnation is therefore requested Total Area· 41,908 sq ft. (0 96 AC ); Area to be Acquired 5,043 sq.ft (0 12 AC ), Area Maintained as Right of Way· 1,805 sq ft (0 115 AC ); Area Remaining 35,060 sq.ft. (0 80 AC ), Temporary Construction Easement 1,895 sq.ft. (0.04 AC.)

Deferred to 9/26

Eng/R E

Zoned. O-1 Use. Residential
Tax Code· Part of· 133-242-01

Rec #7
B-33
P-15

J. **Project**: North Mecklenburg Raw Water Line, Parcel No. 10
**Owner(s)**. James Ernest Cook & wf., Ruby H. Cook
**Property Address**: 7602 Oliver Hager Road
**Property to be acquired**. 107,549 64 sq ft (2.46 AC )
**Improvements** None
**Tax Value**: $124,290
**Purchase Price**: $49,810
**Remarks**. This Raw Water Line project requires a 70' wide corridor which will split the Cook's property into two tracts of land Upon installation of the water line and associated electrical and utility lines, the property can be permitted for continued agricultural use with a deeded right of way access across the City's land to join the two tracts of land together. Mr Cook wants the City to only purchase a permanent easement instead of fee simple rights. Condemnation is therefore requested based upon an independent appraisal value Total Parcel (84 30 AC.), Area Acquired. (1 23 AC ), Temporary Construction Easement (1.24 AC.), Area Remaining (83 066 AC )

aff'd

Eng/R.E.

Zoned R-3 Use· Farm
Tax Code: 009-011-07

Rec #8
B-33
P-17

K. **Project: Dedham Place Sanitary Sewer Right-of-Way, Parcel #1**
**Owner(s)** John R Stump & wf., Robyn Kistlee Stump, and any other parties of interest
**Property Address** 1801 Clematis Drive
**Property to be acquired** 3,267 sq ft (0 075 AC ) of Permanent Easement and Temporary Construction Easement

**Improvements**. Trees, shrubbery and plants
**Tax Value**: $420,180
**Purchase Price** $ 6,650
**Remarks** The subject parcel is located on Clematis Drive The project requires the acquisition of a 15' wide Sanitary Sewer Permanent Easement and 15' Temporary Construction Easement along the rear portion of the parcel causing the removal of trees, shrubbery, and plants. After numerous meetings and phone conversations, the property owners refused the City's appraised offer for the needed areas Total Area 19,700 sq ft ( 452 AC ), Permanent Easement to be Acquired 1,697 sq.ft ( 039 AC ), Temporary Construction Easement 1,570 sq.ft ( 036 AC ); Remaining Area 18,003 sq ft (.413 AC )

Eng/R E

Zoned. R-3 Use Residential
Tax Code Part of 183-111-47

L. **Project: Dedham Place Sanitary Sewer Right-of-Way, Parcel #2**
**Owner(s)** Michael J Zupon & wf., Lorraine S Zupon, and any other parties of interest
**Property Address** 1805 Clematis Drive
**Property to be acquired** 3,717 sq ft (0 08 AC ) of Permanent Easement and Temporary Construction Easement
**Improvements** Trees, shrubbery and plants
**Tax Value** $344,600
**Purchase Price** $6,350
**Remarks** The subject parcel is located on Clematis Drive The project requires the acquisition of a 15' wide Sanitary Sewer Permanent Easement and 15' Temporary construction Easement along the rear portion of the parcel causing the removal of trees, shrubbery and plants After numerous meetings and phone conversations, the property owners refused the City's appraised offer for the needed areas, Total Area 21,039 sq ft (0 483 AC ), Permanent

Baker/Scarborough
Defer to 9/26 to allow
owners time to understand
Urban.

Eng/R E.

Easement to be Acquired· 1,845 sq.ft (0.042 AC.); Temporary Construction Easement: 1,872 sq ft. (0.042 AC.); Remaining Area: 19,194 sq.ft. (0 441 AC )

Zoned: R-3 Use Residential
Tax Code: Part of: 183-111-48

## ANNOUNCEMENTS

In its meeting on Monday, October 10, 1994 City Council will make nominations to fill vacancies on the following committees.

1 ADVISORY ENERGY COMMITTEE
Two regular two year appointments. Robert C Allen, representing the electric utility category, and James M. Bean are eligible and would like to be reappointed

→ AIRPORT ADV - CAR PARK RECOMMENDATIONS

2 CERTIFIED DEVELOPMENT CORPORATION
One appointment representing a business organization to fill an unexpired term ending April 30, 1996. Laura McClettie has resigned

3 CITIZEN'S OVERSIGHT FOR CABLE TELEVISION COMMITTEE
One appointment beginning immediately and expiring March 31, 1996 to fill an unexpired term Marshall Hester has resigned

4 COMMUNITY RESOURCES BOARD
One regular three year term beginning January, 1995 The incumbent, Carol Hughes is eligible and would like to be reappointed

5 HISTORIC LANDMARKS COMMISSION
One appointment to fill an unexpired term ending July 16, 1996 Jacqueline Faulkner has resigned

6 HOUSING AUTHORITY
Three regular three year apointments Roy Matthews and Velva Woollen are eligible and would like to be reappointed In the housing resident category, Virginia Fullwood is eligible and wants to be reappointed

7 SPIRIT SQUARE BOARD OF DIRECTORS
One appointment to fill an unexpired term ending June 30, 1995 T Hilliard Station has resigned

8 TREE ADVISORY COMMISSION
Two regular three year appointments. Patricia Rodgers is not eligible for reappointment Kipling Wilson is eligible and wants to be reappointed

9 WASTE MANAGEMENT ADVISORY BOARD
One recommendation to the County Commissioners to fill an unexpired term ending September 30, 1995. Must represent the Legal profession Tom

Griffin did not meet attendance requirements

10 ZONING BOARD OF ADJUSTMENT
One appointment to fill an unexpired term ending January 30, 1995, and the next full term. Ed McMahan has resigned