AGENDA

Meeting Type:	BUSINESS
Date:	10/09/1995

City of Charlotte, City Clerk's Office

CHARLOTTE

Mayor Richard Vinroot | *Mayor Pro Tem Patrick McCrory*

Charles Baker
Sian 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, October 9, 1995

5:00 p.m. — **Conference Center**

- **NFL Update**
- **Solid Waste Update**

6:30 p.m. — **Meeting Chamber**

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

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

CITY COUNCIL AGENDA
Monday, October 9, 1995
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Item No.

CONSENT ITEMS

1. **Approval of Minutes:**
   - **August 28 Regular Meeting**
   - **September 5 Council Workshop**
   - **September 11 Regular Meeting**

2. **Consent agenda items 15 through 26 may be considered in one motion except those items removed by a Councilmember. Items are removed by notifying the City Clerk before the meeting.**

Staff Resource: Julie Burch

PUBLIC HEARING

3 **Public Hearing and Resolution to Close a Portion of Kemp Street**

Action:

A. **Conduct a public hearing to abandon a portion of Kemp Street; and**

B. **Adopt the Resolution to Close.**

Staff Resource: Scott Putnam

Policy: To abandon right-of-way that is no longer needed for public use.

Explanation of Request: North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys. The Charlotte Department of Transportation has received a petition to abandon public right-of-way and is requesting this action in accordance with the statutes.

Item No.

Background:

Petitioner:
M. Jay Properties

Right-of-Way to be abandoned:
A portion of Kemp Street.

Location:
Kemp Street between Gray Drive and Owen Boulevard

Reason:
To incorporate the right-of-way into adjacent property.

Notification:
In accordance with City policy the Charlotte Department of Transportation (CDOT) has sent abandonment petitions to adjoining property owners, neighborhood associations, private utility companies, and City departments for review.

Adjoining property owners - No objection.

Neighborhood association(s) - No objection (Autumnwood Community Association).

Private utility companies - No objection.

City departments - No objection.

Review has identified no apparent reason this closing would:

1. Be contrary to the public interest; or
2. Deprive any individual(s) owning property in the vicinity reasonable ingress/egress to his property as outlined in the statutes.

Attachment 1
Vicinity Map

4. **Public Hearing and Resolution to Close Two Alleyways Between Church and Tryon Streets at Liddell Street**

Action:

A. Conduct a public hearing to abandon two alleyways off of North Tryon and Liddell Streets; and

B. Adopt the Resolution to Close.

Staff Resource: Scott Putnam

Policy: To abandon right-of-way that is no longer needed for public use

Explanation of Request: North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys. The Charlotte Department of Transportation has received a petition to abandon public right-of-way and is requesting this action in accordance with the statutes

Background:

Petitioner:
Combs and Associates, Inc.

Right-of-Way to be abandoned:
Two alleyways off of North Tryon and Liddell Streets.

Location:
Alleyway - from the 100 block of West Liddell Street southwestwardly to its end, approximately 150 feet.
Alleyway - from the 1000 block of North Tryon Street northwestwardly then southwestwardly to its end, approximately 375 feet.

Reason:
To incorporate the right-of-way into adjacent property.

Notification:
In accordance with City policy the Charlotte Department of Transportation (CDOT) has sent abandonment petitions to adjoining property owners, neighborhood associations, private utility companies, and City departments for review.

Adjoining property owners - No objection. Combs and Associates (petitioner) owns all adjoining property.

Neighborhood association(s) - No objection. (Friends of Fourth Ward, Inc.).

Private utility companies - No objection.

City departments - No objection.

Review has identified no apparent reason this closing would:
1. Be contrary to the public interest; or
2. Deprive any individuals(s) owning property in the vicinity reasonable ingress/egress to his property as outlined in the statutes.

Attachment 2
Vicinity Map

5. Public Hearing on the Options for Privatization/Competition for City Owned Cemeteries

Action:	**Conduct a public hearing on the options for privatization/competition for City-owned cemeteries.**
Staff Resource:	John Lojko
Policy:	Guidelines for Services Contracting and Asset Management

Item No.

Explanation of Request:

- Council will receive citizen input on the options for privatization/competition for the City owned cemeteries. Staff identified three options.

  1. Sell all or part of the cemeteries and undeveloped land to a private sector company.

  2. Contract with a private sector company for the management and operations of the City cemeteries.

  3. City staff remains in the business of management and operations. Changes to the City Code would be recommended to allow the City to charge higher, more competitive rates

- City staff has been reviewing the ownership as well as the management and operations of the City owned cemeteries as they relate to the asset management guidelines approved by City Council.

- The issues and options have been discussed with the Council Public Services Committee and the Competition/Privatization Committee.

- Council approved this hearing as a step in the process of considering privatization/ competition of the cemeteries.

- Notification of this hearing was sent to

  - adjoining property owners,
  - neighborhood associations,
  - Mecklenburg County clergy,
  - funeral homes,
  - monument and marker companies,
  - the private companies that have contacted staff regarding this issue,
  - all media.

- The Council Public Services Committee will consider the options and make a recommendation to Council at a future meeting.

Attachment 3
Issue Paper
Memo to Public Services Committee

POLICY

6. City Manager's Report

7. Sign Regulations Text Amendment to Allow Certain Roof Top Signs

Action: Approve Planning Committee's recommendation to proceed with a text amendment to the current Sign Regulations to allow roof top signs under special circumstances.

Committee Chairman: Nasif Majeed

Staff Resource: Walter Fields

Policy: City Council adopted the revised sign ordinance in 1988.

Explanation of Request:

- The Planning Committee recommends that the City Council approve the attached text amendment to allow signs to be placed on roofs under special circumstances.

- The Planning Committee considered two options to address roof top signs. The first option was to make no changes to the current zoning regulations. The second option was to amend the ordinance for certain circumstances.

- This amendment would allow the erection of new "roof signs" under special circumstances due to topography. A business that is located with more than 50% of its building below the grade of the adjacent roadway would be allowed to place a sign on the roof. This sign would be treated like a wall sign

- This text amendment would also allow any signs which existed on building roofs prior to January 1, 1995 to remain if they were located on a building that is 50% below the grade of the adjacent roadway

Background:

- In April Council approved the Planning Committee's recommendation to direct staff to review issues about roof top signs and make a report within 180 days.

- The issue of roof top signs was brought to Council's attention by the owner of the Sandwich Construction Company The owner has been cited for a roof sign violation

- This text amendment will allow the Sandwich Construction Company to keep their roof signs.

Attachment 4
Memo to Planning Committee explaining proposed text amendment and copy of proposed text amendment.

BUSINESS

8. Grant Application for Highway Interdiction and Traffic Safety

Action: Approve an application to the Governor's Highway Safety Program for second year funding of the Police Department's Highway Interdiction and Traffic Safety (HITS) Unit.

Staff Resource: Chief Dennis Nowicki

Explanation of Request:

- Last year, the Police Department received state funds through the Governor's Highway Safety Program to begin a specialized traffic enforcement unit that would concentrate on:

  - Enforcing motor vehicle laws with special emphasis on DWI, speeding, and seat belt and child restraint violations.

  - Educating students, parents, and the general public to the dangers and consequences of driving while impaired and increasing public awareness of the need for traffic safety.

  - Preventing criminal activity on the streets and highways by providing a highly visible, specialized, proactive enforcement unit.

  - Investigating serious traffic accidents, leading to the prosecution of those found to be criminally negligent

- The HITS Unit consists of one sergeant and six police officers. In its first year of operation, the Unit received specialized training in traffic enforcement and accident reconstruction and its officers have become certified instructors for the Police Training Academy

- The Unit has been in operation since December 7, 1994. In its first eight months of operation, the Unit has written 7,781 traffic citations and made 874 arrests, including 270 for driving while impaired.

- The Unit is assigned to short term enforcement efforts at intersections where there are an unusually large number of accidents or where there are other documented enforcement problems.

- The 19% decrease in traffic fatalities in the first eight months of 1995 as compared to the same period in 1994 can be partially attributed to the Unit's participation in high profile enforcement campaigns such as Operation Silent Nights, Operation Eagle, Click It Or Ticket, and Operation Summer Nights.

- The Unit is called in to investigate major traffic accidents. As a result of their specialized training, they can complete computer reconstruction of accident scenes.

Funding:

- State funds of $236,482.64 will cover 75% of the salaries and benefits plus 50% of other operating expenses for the HITS personnel The City's match will be $81,494.21.

- Both the State funds and the City's match were included in the Police Department's FY96 budget in anticipation of second year approval.

9. Agreement to Subordinate City Deed of Trust

This item will be sent in the Mayor/Council Communication on Friday, October 16.

10. Cedar Street Yard Agreements

Action:

A. Waive right of first refusal for purchasing Jones Chemicals property; and

B. Approve easement agreement for pedestrian way across property leased by the Station at Cedar Yard Limited and waive right to use the property for parking.

Staff Resource: Boyd Cauble

Explanation of Request:

- In 1992 the North Carolina Department of Transportation acquired title to approximately 7.91 acres of property located between Cedar Street and Interstate 77 with the assistance of the City of Charlotte Of $2,086,693, the City paid 40% of the total purchase price in order to protect the CSX Rail Corridor which continues in an easterly direction into uptown Charlotte next to the Stadium.

- Because of the City's participation, the State granted to the City the following rights pertaining to the Cedar Yard property:

  - The right of first refusal for purchase of the Cedar Yard property should the State ever decide to sell it;

  - The right to use the Cedar Yard for parking and other related activities; and

- The right to have the State recommend to the North Carolina Board of Transportation that the State convey all of its interest in the Cedar Yard to the City upon presentation of suitable plans for fixed guideway transit operations.

- The State as registered owner of the Cedar Yard property has negotiated two arrangements for private use and/or ownership of portions of the Cedar Yard property:

  1. Tract #5, which consists of approximately 1.95 acres and houses Jones Chemicals Company, is being offered for sale to Mr Jerry Blackmon for $425,363 40 (see attached map).

  2. Tracts 1, 2 and 4 have been offered to the Station at Cedar Yard Limited ("the Station") for a 20 year lease with a five-year option to renew The principles in the Station, Mr Tom Causey and Mr. Steve Smith, have agreed to pay the State $70,000 per year rent for tracts 1, 2 and 4 with increases adjusted according to the consumer price index after 10, 15, 20 and 25 years.

- Tracts 3 and 6 will remain available for the City to use for long range parking needs within the Third Ward area.

- The State has agreed to pay the City of Charlotte 40% of the proceeds from both the sale of tract 5 and the annual lease payments from tracts 1, 2 and 4.

- Although the City does not have any direct input into the sale or lease of the Cedar Yard property, we do have certain rights extended to us as part of the agreement between the City and the State. The City has the right to buy tract 5 for the price the State is charging Mr. Blackmon and the right to use tracts 1, 2 and 4 for parking.

- The City, when notified of the proposed lease agreement with the Station at Cedar Yard Limited, negotiated with the potential lessees to acquire a permanent pedestrian easement along the southern edge of tract 2 and tract 4 with access ways connecting the pedestrian easements with Third Ward through Elliott Street and another location to be determined between Elliott Street and I-77. In exchange for the easement, the City offered to allow the Station to use tract 6 for additional parking on NFL event days and several other Stadium event dates. The State has agreed to allow this arrangement to occur.

- The City has no identified public purpose for tract 5, the Jones Chemicals site, nor does the City need tracts 1, 2 and 4 for parking. Therefore, we recommend that the rights to use tracts 1, 2 and 4 for parking and the right to purchase tract 5 be waived by Council and an easement agreement with the Station be approved. The easement will allow a future pedestrian corridor along the Cedar Yard property for the residents of Third Ward and for potential retail customers who use the buildings on the eastern side of Cedar Street.

Revenue:

- The City will receive 40% of the annual lease payments of $70,000 plus 40% of the sales price of $425,363.40 for tract 5.

Background:

- In 1991 the CSX Railroad approached the City of Charlotte with an offer to sell the CSX Cedar Yard property. Purchasing the property would allow the City to protect the rail corridor

- The total purchase price of $2,086,693.40 was required since CSX refused to sell only the rail corridor without including the outparcels.

- The State Department of Transportation was approached with a request to assist in acquiring this valuable right of way to preserve the long term future of the corridor for public use. The State agreed to pay 60% of the total cost and give the City rights to use the property for parking and other transportation needs and the right of first refusal in the event the property was offered for sale.

- In mid-1995, the State negotiated with private individuals to lease and sell portions of the Cedar Yard property.

- The rail corridor will still be preserved with the disposition of tract 5 and the lease of tracts 1, 2 and 4

- The City has worked with the Station lessees to accommodate the wishes of the Third Ward neighborhood to preserve a right of way for a pedestrian way and connection to potential parking on tracts 6 and 3 from Cedar Street.

- The agenda item summarizes actions which return tract 5 to the tax roll and add approximately $2 million of taxable improvements to tracts 1, 2 and 4 In addition, the City will receive 40% of the funds from sale and lease of the two subject parcels on the Cedar Yard site.

Attachment 5
Map

11. North Carolina Air National Guard Lease

Action: **Approve a 50 year lease agreement with the State of North Carolina for 22 acres of airport property for expansion of the North Carolina Air National Guard base to accommodate the relocation of the North Carolina Army National Guard Armory and maintenance facilities.**

Staff Resource: T. J. Orr

Policy: The Airport Master Plan and the long range development plan for the North Carolina Air National Guard base provide for development of the area between Billy Graham Parkway, Morris Field Drive and the existing Air National Guard base for military support facilities.

Explanation of Request:

- The Air Guard has been a part of the airport since 1947, providing substantial support to the City in the development and operation of the airport. Examples of this continued support include the construction of a state-of-the-art Crash-Fire-Rescue facility and the construction of a number of airfield improvements at no cost to the City.

- The Air Guard furnishes and maintains seven fire trucks valued at $1.8 million at the airport and provides invaluable support in emergency situations.

- This lease agreement with the State provides approximately 22 acres of land for expansion of the Air Guard. This expansion will provide land for construction of new Army Guard facilities. Nine of the proposed 22 acres for expansion are already under a long term lease with the State for Army Guard facilities. This property is located at the corner of Airport Drive and Morris Field Drive. This agreement would terminate the existing long term lease for these nine acres

- The existing Army Guard Armory site, which is owned by the State, was identified in the Airport Master Plan for future acquisition by the City due to its proximity to valuable air cargo facilities and airfield frontage. Discussions held to date have assumed that the City would acquire the existing Armory and a new Armory would be constructed at the airport on another site provided by the City.

- This 50-year Lease Agreement is contingent upon the Army Guard commencing construction of the facilities by September 30, 1997. Rent paid to the City by the Air Guard will continue to be $1 00 per year.

- The new Army Guard project, which is estimated at $6 4 million dollars, would be funded with 75% Federal, 12.5% State and 12.5% airport funds. The acquisition cost of the existing Army Guard site will be the only airport funding for the Army Guard project

12. Transit Advertising Contract

Action: **Award contract to P&C Media for Transit Advertising.**

Staff Resource: Jim Humphrey

Explanation of Request:

- Awarding this contract to P&C Media allows advertising to be sold and placed on Charlotte Transit buses to generate revenue
- Requests for Proposals resulted in six proposals Based upon the Evaluation Team's review of proposals and evaluation criteria, P&C Media is the recommended firm.
- Contract is for three years with a two year renewal option.
- P&C offers an annual minimum per bus guarantee of $1,750 in the first year, $1,800 in the second and $1,850 in the third year. In past years this minimum was $1,020.
- P&C offers 60% of the gross revenue if that is greater than the per bus minimum. In past years it was 55%.
- P&C is the current firm and they have performed very well Revenue for the City this year is $176,000, 39% greater than the per bus minimum guarantee, and 29% greater than last year's revenues.

Background:

- Historically, we have allowed a company to sell and place this advertising on Charlotte Transit buses to generate revenue for the City. Although not required by law, the City has chosen to go through a formal request for proposals. The request for proposals sets criteria of revenue, firm and personnel qualifications.

- The September 29 Mayor and Council Communication contained a detailed explanation of the process. That information is attached.

Attachment 6

13. **Nominations to Boards and Commissions**

Action: **Nominate citizens to fill the following vacancies. Appointments will be made October 23.**

1. **Airport Advisory Committee**
   Two one year positions beginning November 1995 as recommended by the Carolinas Partnership. Incumbents Bayles Mack and Glenn Hilton are eligible and would like to be reappointed.

Attachment 7

2. **Clean City Committee**
   One appointment beginning immediately to fill an unexpired term ending June 1997. Jennifer Miller has resigned.

Attachment 8

3. **Housing Appeals Board**
   One three year appointment to fill an at-large position. The incumbent, Karen Woods, is eligible and would like to be reappointed.

Attachment 9

4. Housing Authority
One three year appointment beginning December 1995. Joshua Neal is eligible and would like to be reappointed.

Attachment 10

5. Parole Accountability Committee
One appointment to fill an unexpired term ending June 1, 1996, and the next full term. Michele Allgood has resigned.

Attachment 11

6. Planning Commission
One three year appointment beginning immediately to fill an unexpired term ending June 30, 1997. Gloria Fenning has resigned.

Attachment 12

7. Storm Water Advisory Committee
One three year appointment beginning immediately to fill an unexpired term ending April 1998. Appointee must represent a school, college, hospital or church. Rick Swain has resigned.

Attachment 13

8. Transit Advisory Committee
One three year appointment beginning immediately and ending January 31, 1997. Must be a neighborhood organization leader. Ervin Woods has resigned.

Attachment 14

9. Tree Advisory Commission
One appointment for a three year term beginning December 1995. Carl Leonard is eligible and would like to be reappointed.

Attachment 15

10. Uptown Development Corporation
Councilmember to serve one year term beginning January 1995 to replace Lynn Wheeler.

One appointment beginning immediately representing uptown business to fill an unexpired term and the next full term to replace Fred West, who has resigned. CUDC recommends Ruth Shaw to fill this position.

Attachment 16

14. Appointments to Political Consolidation Charter Committee

Action: Appoint 10 citizens by voting on the blue paper ballots and giving them to the City Clerk at dinner so that she may announce the results at this point in the meeting.

Political Consolidation Charter Commission

(1) James Alexander by Councilmember Reid
(2) Rod Autrey by Councilmember Campbell
(3) Charlene Bell by Councilmember McCrory
(4) Dan Bishop by Councilmember Wheeler
(5) Doug Booth by Councilmember Baker
(6) Stephanie Carter by Councilmember McCrory
(7) Reverend Carlton by Councilmember Scarborough
(8) Bob Davis by Councilmember Martin

(9) Sharon Decker by Councilmember Scarborough
(10) Carla DuPuy by Councilmember Wheeler
(11) Frank Emory by Councilmember Martin
(12) Linwood Foust by Councilmember Majeed
(13) Michael Gallis by Councilmember Martin
(14) Lamont Grier by Councilmember Cannon
(15) Ken Harris by Councilmember Campbell
(16) Don Harrow by Councilmember McCrory
(17) Mary Hopper by Councilmember Spencer
(18) Betty Hunter by Councilmember McCrory
(19) Lee Keistler by Councilmember Martin
(20) Joe King by Councilmember Martin
(21) Eric Lockler by Councilmember McCrory
(22) Diane Long by Councilmember Scarborough
(23) Barney Lawson by Councilmember Jackson
(24) Phyllis Lynch by Councilmember Majeed
(25) Roy Matthews by Councilmember Campbell
(26) Lindsey McAlpine by Councilmember Reid
(27) Bill McCoy by Councilmember Martin
(28) Loy McKeithan by Councilmember Campbell
(29) Ralph McMillan by Councilmember Wheeler
(30) Tim Meade by Councilmember Majeed
(31) Peter Pappas by Councilmember Campbell
(32) Larry Patterson by Councilmember Baker
(33) Reverend Conrad Pridgen by Councilmember Scarborough
(34) Sarah Rhodes by Councilmember Spencer
(35) Terry Rhodes by Councilmember Majeed
(36) Jim Ross by Councilmember McCrory
(37) Susan Russell by Councilmember Wheeler
(38) Sam Smith by Councilmember Spencer
(39) Betty Turner by Councilmember McCrory
(40) Phil Van Hoy by Councilmember Jackson
(41) Stan Vaughan by Councilmember Baker
(42) George Wallace by Councilmember Spencer
(43) Ken Whitley by Councilmember Jackson
(44) Ed Woodall by Councilmember Jackson
(45) Velva Woollen by Councilmember Campbell

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 MWBD criteria.

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

Minority and Women Business Development Program (MWBD) Abbreviations:
BBE - African American
ABE - Asian American
NBE - Native American
HBE - Hispanic
WBE - Non-Minority Women

CONSENT I

15. Various Bids

A. Glenwood Drive/Hoskins Road Sidewalk (Tuckaseegee Road to Taggart Creek) — Engineering and Property Management

Recommendation: The City Engineer recommends the low bid of $371,511.73 by Ferebee Corp. of Charlotte, NC.

MWBD Compliance: Yes, contractor will perform work with their own forces.

B. Park Road Sidewalk (Wyndcrofte Drive to Salem Drive) — Engineering and Property Management

Recommendation: The City Engineer recommends the low bid of $291,810.75 by United Construction Company of Charlotte, NC.

MWBD Status:	Amount	% of Project	Project Goals
ABE	$291,810.75	100%	0%

Compliance: Yes.

Item No.

C. **Voice Logging Recorder** — **Charlotte-Mecklenburg Police Department**

Recommendation: The Purchasing Director recommends the low bid of $116,811 by Communication Systems, Inc., of Memphis, Tennessee.

MWBD Compliance: Yes, there were no known MWBD vendors who supply this product.

D. **Water and Sewer Main Construction - FY96 Contract #7 - Street Main Extensions** — **CMUD**

Recommendation: The Charlotte-Mecklenburg Utility Director recommends the low bid of $748,064.50 by McDaniel Construction Contractors, Incorporated of Bostic, North Carolina.

MWBD Status:	Amount	% of Project	Project Goals
BBE	$0	0%	2%
WBE	$748,064.50	100%	3%

Compliance: Yes, the Contractor has complied with the MWBD Contract Provisions which allow her to perform all work with her own forces. The Contractor has met and will exceed the project goal for WBE participation.

16. Lower Speed Limit

Action: Adopt an ordinance to lower the speed limit on four Charlotte streets.

Garthwood Road (Ramblewood)	25 MPH
Hartford Avenue (Colonial Village)	25 MPH
Moravian Lane ((Myers Park)	25 MPH
Woody Ridge Road (Ramblewood)	25 MPH

CONSENT II

17. York Road Landfill Restoration/Grading

Action: The City Engineer recommends:

A. Adopting a budget ordinance appropriating $250,000 in Environmental Protection Bonds; and

B. Awarding a contract to Morgan Corporation totalling $254,365 for restoration/grading of the York Road Landfill.

Explanation of Request:

- This action appropriates $250,000 in 1993 Environmental Protection Bonds and provides for a construction contract for maintenance of the landfill. The construction contract will include about 2,000 truck loads of fill and grading at the site.

- The contract is necessary to maintain the landfill according to state law which specifies that water should not be allowed to pond. The work being performed will correct ponding, erosion and settling problems.

- Maintenance of the landfill was previously performed by Parks and Recreation crews under the City Since consolidation of Parks and Recreation, no maintenance has been performed on the landfill. Future maintenance contracts will be required for the landfill.

MWBE Status:	Amount	% of Project	Project Goals
BBE	$12,500	5%	4%
WBE	$ 9,500	4%	3%

Attachment 17
York Road Landfill Update

18. Storm Water Maintenance Formal Package 95D, Change Order #1

Action: **Approve Change Order #1 for $150,000 to the contract with United Construction Company that will increase the contract amount from $318,450 to $468,450.**

Explanation of Request:

- This change order recognizes good performance by the contractor and good existing unit prices. These contracts are initially bid in the range of $300,000 to provide bidding opportunity to all licensed contractors. Where the contractor's work has been of good quality, a change order is recommended to extend the contract.

- Change Order #1 for United Construction Company will provide funds to continue remedial repair work under this contract, and will extend the contract approximately five months past the original one year period.

Background:

- The Storm Water Maintenance Program provides a method to perform repairs to existing infrastructure identified through citizens' requests Repair projects are prioritized and assigned to the contractors continuously, with payment based on unit prices.

19. Storm Water Projects - Engineering Services

Action: **Approve an Agreement for Planning and Design Services for $162,561 with Espey, Huston & Associates, Inc.**

Explanation of Request:

- This agreement is for the Randolph Park neighborhood, mainly Cavendish and Cloister Streets. It is one of 17 high priority storm water projects identified for acceleration by the 1994 Storm Water Bonds.
- The consultant was chosen for this project using the Council approved consultant selection process.
- The cost of these services is comparable to the cost of similar work for other storm water drainage projects.

20. Transportation Design Projects - Engineering Services

Action: **Approve the Agreement for Engineering Services with TGS Engineers for $167,419.**

Explanation of Request:

- This agreement will provide the planning and design of improvements to the intersection at 7th/Central/Kings.
- The Accelerated Transportation Program is a plan to accelerate road and intersection projects necessary to expend 1988 Street Bonds within the time constraints specified by state and federal law.
- This agreement is the ninth agreement that will be monitored under the Accelerated Transportation Program
- The consultant was chosen using the Council approved consultant selection process.
- The cost of these services is comparable to the cost of similar work for other transportation projects

21. City Bridge Repairs - Engineering Services

Action: **Approve an agreement for engineering services for bridge repairs with DS Atlantic for $93,227.**

Policy: The federal government mandates that bridges/culverts greater than 20 feet in span be inspected every two years

Explanation of Request:

- The City is contracting with DS Atlantic to.
  - prepare construction documents and specifications,
  - assist City staff in the bid phase, and
  - administer contracts for repairs to City bridges
- Under a contract with the North Carolina Department of Transportation, DS Atlantic performed bridge inspections throughout the State in accordance with Federal regulations. The firm's experience gained during bridge inspections in Charlotte in 1994 benefit the City in preparing plans and bid documents for needed repairs.
- DS Atlantic's proposed fee for engineering services is comparable to design and administration costs incurred on similar projects.

22. Work Physiology Associates Contract Renewal

Action: **Renew a contract with Work Physiology Associates for $79,860 to administer physical fitness program for Police and Fire Department personnel.**

Item No.

Explanation of Request:

- One year ago City Council approved a contract with Work Physiology Associates to administer physical fitness programs for Police and Fire personnel.
- City Council's action included an intention to renew for one year dependent upon satisfactory performance
- The performance of Work Physiology Associates has been satisfactory
- The contract cost is the same as for the first year of the contract.
- If City Council approves the recommended renewal the contract will be placed out for competitive proposal next year.

Funding:

- The original contract was funded by the savings created through eliminating two Physical Fitness Coordinator positions. Funding for the second year of the contract will be through the Police and Fire Department operating budgets.

Background:

- Work Physiology Associates is a company created by two former City employees.
- The City saved $13,500 by awarding the contract to Work Physiology Associates and eliminating two positions
- The contract with Work Physiology Associates is consistent with research by the Reason Foundation that shows "privatization via employee ownership" has the potential to be a successful form of privatization.

Item No.

23. **Raise Speed Limit**

Action: **Adopt an ordinance to raise the speed limit on John Price Road.**

Explanation of Request:

- This street is recommended for the speed limit change subsequent to an engineering evaluation by N.C. Department of Transportation. The evaluation determined that a 45 MPH speed limit is appropriate instead of 35 MPH. Only approximately 200 feet of John Price Road is within the City limits.

24. **Construction Contract for Site Preparation and Paving of Taxiway "F"**

Action:

A. **Adopt a Budget Ordinance appropriating $6,666,667 provide funding for FY95 Airport Improvement Projects that includes the Site Preparation and Paving of Taxiway 'F'.**

B. **Award a construction contract to APAC-Georgia, Inc., Augusta, GA in the amount of $6,140,643.51 for the Site Preparation and Paving of Taxiway 'F' Project.**

C. **Award a quality assurance testing contract to Law Engineering Co. in the amount not to exceed $150,000.**

Explanation of Request:

- The project is identified in the Airport Master Plan and the Airport Capacity Enhancement Plan and will expand the air carrier ramp and construct an additional taxiway In 1994 the airport convinced the FAA Capacity Office in Washington to analyze operations in Charlotte for future airfield expansion. The FAA began a series of computer simulation studies and

determined that the expansion of Ramp B and the addition of Taxiway F would produce a delay cost avoidance of $9 million to the airlines

- In an effort to implement the findings of the computer simulations, the airport pursued a FAA grant in the amount of $5,000,000 to provide the federal share of this construction project. This grant consists of discretionary funds to enhance airfield capacity. The Airport was awarded the grant.

- This ordinance appropriates an additional $1,666,667 of Airport discretionary monies

- The quality assurance testing contract will provide testing to ensure compliance that is required by the FAA.

Funding:

- The FAA has offered a grant in the amount of $5,000,000, from FY95 discretionary funds. The City's share of $1,666,667 will be repaid through airline rates and charges

- The remaining grant monies ($376,024) will be used for other costs associated with the project such as engineering services.

Background:

- June 1995 - City Council awarded the engineering design contract for this project to Talbert & Bright, Inc City Council also appropriated $625,000 of airport monies to fund the design.

- September 1995 - City Council gave the Aviation Director authority to accept an FAA grant if offered prior to September 30.

- The Airport Advisory Committee is recommending this contract

25. Mallard Creek Road and W.T. Harris Boulevard Water Transmission Mains - Professional Services Contract

Action: **Approve a professional services contract with W. K. Dickson for design and construction management of water transmission mains in North and East Mecklenburg County for $441,600.**

Explanation of Request.

- CMUD's Water Distribution System Studies have determined:
  - A 36-inch water transmission main is necessary to provide a large volume of water from the North Mecklenburg Water Treatment Plant to the 960-foot pressure zone in Eastern Mecklenburg County, and
  - A 24-inch water main is required to improve and strengthen CMUD's distribution system in the rapidly growing areas of East Mecklenburg County.
- The professional services contract with W. K. Dickson is for surveying, design and construction management of selected water mains throughout northern and eastern Mecklenburg County. This contract will include water mains along.
  - Mallard Creek Church Road to Old Concord Road, and
  - W.T. Harris Boulevard - Highway 49 to Plaza Road Extension
- The consultant was selected by a competitive process based on qualifications and experience and according to the City's approved consultant selection process.

Background:

- Funding for both water mains was approved in the FY96 Capital Investment Program.

26. Approve the following property acquisitions A-G and adoption of the condemnation resolutions H-J.

For Acquisitions A-D, the purchase price was determined by an independent appraiser and was reviewed by a second appraiser. Each appraisal takes into consideration the specific condition and size of the house. The tax value is determined on a more generic basis and will be higher or lower for houses with certain features. 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 Donald Johnson
Property Address: 2433 Newberry Street
Property to be acquired: .191 acres
Improvements: 2 bedroom, 1 bath, ranch
Tax Value: $31,650
Purchase Price: $28,000

B. **Project: F. A. R. Part 150 Land Acquisition**
Owner(s). Mr. Kleomenis Balatsias & Mr Spero Kalevis
Property Address: 2328 Eatonton Street
Property to be acquired: .561 acres
Improvements: 2 bedroom, 1 bath, ranch
Tax Value: $37,860
Purchase Price: $40,000

C. **Project: F. A. R. Part 150 Land Acquisition**
Owner(s): Mr. Kleomenis Balatsias & Mr Spero Kalevis
Property Address: 2326 Eatonton Street
Property to be acquired: .306 acres
Improvements: 3 bedroom, 1 bath, ranch
Tax Value: $45,500
Purchase Price: $52,000

D. **Project: F. A. R. Part 150 Land Acquisition**
Owner(s): Mr. Kleomenis Balatsias & Mr Spero Kalevis
Property Address: 2334 Eatonton Street
Property to be acquired: .996 acres
Improvements: 3 bedroom, 1 bath, ranch
Tax Value: $41,960
Purchase Price: $45,000

E. Project· Carmel Road Widening, Parcel # 116
Owner(s): Harry Grimmer & Company, Incorporated
Property Address· 7601 Red Oak Lane
Property to be acquired 6,396.66 sq.ft. (10.146 ac.) plus temporary construction easement of 3,327 22 sq.ft.(0.0764 ac.)
Improvements: Trees
Tax Value: $54,000 (entire parcel)
Purchase Price $18,500
Remarks: This road widening project requires fee simple, permanent and temporary easement acquisition. Property owner will lose approximately 32 feet in depth of his property. Compensation amount is based upon appraisals.

Zoned: R-3 Use: Vacant
Tax Code. 211-161-01

F. Project: Beatties Ford Road Left Turn Lane, Parcel # 12
Owner(s): Furr Realty Company, Inc.
Property Address: 2100 Beatties Ford Road
Property to be acquired. 836 sq.ft. (0.0192 ac.) in fee plus 1,930 sq.ft (0.0443 ac) temporary construction easement.
Improvements: Asphalt paving, advertising sign & light pole
Tax Value: $224,860 (entire parcel)
Purchase Price· $12,700

Remarks: This project causes the loss of 6' ± of road frontage, loss of asphalt and the relocation of an advertising sign and decorative light pole Compensation is based on the appraisal.

Zoned B-1 **Use**: Fast/Foods Commercial
Tax Code· A portion of: 075-039-03

G. **Project**: Beatties Ford Road Left Turn Lane, Parcel # 31
Owner(s): Franchise Realty Interstate Corporation
Property Address: 2518 Beatties Ford Road
Property to be acquired: 884 sq ft. (0.020 ac.) plus temporary construction easement 1,511 sq.ft (0.0347 ac.)
Improvements: Directional signs, shrubs, trees & asphalt paving
Tax Value: $532,710 (entire parcel)
Purchase Price· $12,135
Remarks: This project requires the loss of from 3 to 6 feet of road frontage on this parcel Compensation is based on the appraisal and includes payment to relocate directional signs, loss of landscaping irrigational system and paving

Zoned. B-1 **Use**· Fast Foods/ Commercial
Tax Code· A part of· 075-011-03

Condemnations:

H. **Project**· Beatties Ford Road Left Turn Lane, Parcel # 8
Owner(s): James K. Fowler and any other parties of interest
Property Address: 2425 Beatties Ford Road
Property to be acquired· 4,430 sq.ft. (0.1 ac.)
Improvements· Sign, landscaping, pavement
Tax Value: $221,350 (entire parcel)
Purchase Price: $18,475

Remarks· This project causes loss of property, business sign and pavement. After numerous personal contacts, phone calls and letters, the owner has yet to accept the City's offer which was based on an appraisal

Zoned· B-1 **Use**: Dry Cleaners
Tax Code: 069-172-36

I. **Project**: Beatties Ford Road Left Turn Lane, Parcel #6
Owner(s): Petro Associates of South Carolina and any other parties of interest.
Property Address: 2301 Beatties Ford Road
Property to be acquired. 3,467 sq.ft. (0 08 ac.)
Improvements: Sign
Tax Value: $303,640 (entire parcel)
Purchase Price· $18,000
Remarks: This project causes loss of property, business sign and pavement. After numerous personal contacts, phone calls and letters the owner has yet to accept the City's offer which was based on an appraisal.

Zoned: B-1 **Use**. Convenience Store
Tax Code· Part of . 069-172-22

J. **Project**. Beatties Ford Road Left Turn Lane, Parcel # 13 & 14
Owner(s): WAL Investors, Inc. and any other parties of interest.
Property Address. 2116/2120 Beatties Ford Road
Property to be acquired: 5,022 sq ft. (0 12 ac.)
Improvements Asphalt pavement, business sign
Tax Value: $192,350 (entire parcel)
Purchase Price: $17,650

Remarks: This project causes the loss of asphalt pavement and a business sign along the front of the property. An environmental study revealed ground water contamination on the owner's property away from the area needed for this road project. The owners want the City to be responsible for any environmental clean-up. Condemnation is requested in order to protect the City if the sub soil is found to be contaminated.

Zoned: B-1 **Use**: Convenience Store
Tax Code: Part of: 075-039-02,01