AGENDA

Meeting Type:	BUSINESS
Date:	10/13/1997

City of Charlotte, City Clerk's Office

Mayor Patrick McCrory *Mayor Pro Tem Al Rousso*

Charles Baker
Patrick Cannon
Malachi Greene
Mike Jackson
Nasif Rashad Majeed
Don Reid
Ella Butler Scarborough
Tim Sellers
Sara Spencer
Lynn Wheeler

Council Agenda

CITY COUNCIL MEETING
Monday, October 13, 1997

5:00 p.m. — **Conference Center**

Dinner Briefing
(See Table of Contents)

7:00 p.m. — **Meeting Chamber**

- **Invocation**
- **Pledge of Allegiance**
- **Awards and Recognitions**
- **Formal Business Meeting**

CITY COUNCIL AGENDA

Monday, October 13, 1997

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7:00 AWARDS AND RECOGNITIONS
MEETING CHAMBER

City Fair Parking Deck PAM

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5:00 P.M. DINNER BRIEFING
CONFERENCE CENTER

1. **Old Convention Center**

2. **Wingate Property Acquisition**

Attachment 1

3. **Fleet Maintenance Bid**

4. **Police Oracle/Laptop Bid**

7:00 P.M. AWARDS AND RECOGNITIONS
MEETING CHAMBER

CONSENT

5. **Consent agenda items 21 through 44 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: Del Borgsdorf

PUBLIC HEARING

6. Public Hearing on the 2015 Plan

Action: **Conduct a public hearing on the 2015 Plan: Planning for our Future document.**

Staff Resource: Garet Walsh

Explanation of Request:

- The 2015 Plan is intended to provide a framework and direction which will guide future decision making The plan identifies and discusses issues in the following areas Transportation, Land Use and Urban Design, Economic Development, Education, Parks and Open Space, Neighborhoods and Regionalism Citizen input has been a vital component of the planning process

- A briefing on the 2015 Plan was provided at the October 6 Workshop Council will be requested to approve the Plan on November 10, 1997

Close Hearing mov
Cond wlc
Reopen Hearing mov
Seell Con
Close Again
Cond wlc mov
Adopt Schedule
wlc Con
mov

Committee Discussion: The Planning Liaison Committee (members representing Council are Don Reid, Mike Jackson and Sara Spencer) conducted a five-month review process to assess the 2015 Plan The Committee recommended the plan go forward to City Council and the County Commission with the addition of information on fiscal implications

Community Input: The community has been involved throughout the plan development process Staff has held four information sessions, fourteen citizen focus group meetings, 36 citizen work group meetings, three public meetings and one public forum In addition to this public hearing with City Council, a public hearing with the County Commission is scheduled for October 21

Planning

7. Public Hearing to Close a Portion of Tyvola Road

Action: Close Start Con mov

A. **Conduct a public hearing to abandon a portion of Tyvola Road; and**

Adopt Con/wlc mov

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

Res # 6
BK34, p 791-792

CDOT

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 Council Action in accordance with the statute

Petitioner:
Feld Development Corporation

Right-of-Way to be abandoned:
A portion of Tyvola Road which is excess right-of-way remaining from the road's construction/realignment in 1988

Location:
From Nations Ford Road southeastwardly approximately 270 feet to realigned Tyvola Road

Reason:
To incorporate the right-of-way into adjacent property owned by Feld Development Corporation, to develop in accordance with rezoning petition 97-15 approved by the City Council on March 17, 1997

Community Input: **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 Associations - Cedar Knoll Association - No objection

Private Utility Companies - No objection

Review by City Departments -
Review by City Departments 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 NCGS 160A-299

Attachment 2
Map

8. Public Hearing to Close a Portion of Loch Leven Street

Action:

A. Conduct a public hearing to abandon a portion of Loch Leven 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 Council Action in accordance with the statute

Petitioner:
Richard L Eppley
John F and Karen D Broome

Right-of-Way to be abandoned:
A portion of Loch Leven Street

Location: From Cheshire Avenue eastwardly approximately 175 feet

Reason:
To incorporate the right-of-way into adjacent property owned by the petitioners

Res # 7
Close
Scan/file
add
what now
BK 34, P 793-794

CDOT

Community Input:

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 Associations - Reid Park Neighborhood Association - No objection

Private Utility Companies - No objection

City Departments
Review by City Departments 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 NCGS 160A-299

Attachment 3
Map

9. Public Hearing to Close Fernbrook Road and an Unnamed Roadway

Action:

A. Conduct a public hearing to abandon Fernbrook Road and an Unnamed Roadway; and

B. Adopt the Resolution to Close.

Pkt #

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 Council Action in accordance with the statute

Withdrawn by Petitioner

Petitioner:
Childress Klein Properties

CDOT

Right-of-Way to be abandoned:
Fernbrook Road and an Unnamed Roadway

Location:
Fernbrook Road - From West Tyvola Road southeastwardly approximately 650 feet to its terminus

Unnamed Roadway - from West Tyvola southeastwardly approximately 300 feet to its terminus

Reason:
To incorporate the right-of-way into adjacent property owned by the petitioner to facilitate construction of the Lakepoint Corporate Center in accordance with rezoning petition 96-48 (c)

Community Input:

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

Neighborhood Associations - Reid Park Neighborhood Association - No objection

Adjoining property owners - No objection

Reid Park Association - No objections

Private Utility Companies - No objection

Review by City Departments -
Review by City Departments 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 NCGS 160A-299

Attachment 4
Map

10. Public Hearing to Close a Portion of Murray Street

Action:

A. Conduct a public hearing to abandon a portion of Murray 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 Council Action in accordance with the statute

Res # 8
Close
Res/ w/ w
adopt Scan/ w/ w
BK34, P. 795-797

Petitioner:
Robert D Moore

Right-of-Way to be abandoned:
A portion of Murray Street

Location:
From Oakwood Drive northwardly approximately 200 feet to its terminus

Reason:
To incorporate the right-of-way into adjacent property owned by the petitioner

Community Input:

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 Associations -
Nevin Community Organization, Inc - No objection
Statesville Road Association - No objection

Private Utility Companies - No objection

CD51

Review by City Departments -
Review by City Departments 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 NCGS 160A-299

Attachment 5
Map

POLICY

11. City Manager's Report – No Report

12. Traffic Calming Program

Action: **Approve the Transportation Committee's recommendation regarding the following Traffic Calming Program items:**

Rev/ Use more A, B1 C See vote on next page

A. Approve speed humps as a neighborhood traffic program remedy;

B. Approve new guidelines for selecting appropriate traffic controls; and

C. Approve a funding mechanism and priorities for traffic controls.

Committee Chair: Sara Spencer

Staff Resource: Randy Jones

Focus Area: Transportation

Policy: Council's Neighborhood Traffic Program

Explanation of Request:

- In the past several years, the City has received an increasing number of citizen requests to control speeding and high through-traffic volumes on residential streets
- In an effort to address these concerns, City Council approved the testing of various traffic calming measures Measures undertaken have shown improvements in neighborhood safety and quality of life issues Council is now asked to

Speed Humps:

A Approve humps as a neighborhood traffic program remedy

- Beginning June 16, 1997, thirty-one humps were installed on ten residential streets Results showed speeds were reduced by 3-10 mph on the test streets

CDOT

VOTE:
VOTE ON (A) now
VOTE ON (B) now
VOTE ON (C) Funding -
Reid MOTION ON C that the device going into a neighborhood be fully funded by the City and if something more expensive is desired, the Neighborhood would pay for it. Amended to SAY that $225,000 would be designated for speed humps and $25,000 for other devices.
NO VOTE ON (C) RAMESO

Response from the public has been very favorable, with fewer than 50 complaints for approximately 2,000,000 vehicle trips over the 31 installed speed humps, and many positive calls from the public with more than 250 requests for speed humps

Guidelines:

B Approve guidelines for selecting appropriate traffic controls which include analysis of traffic volumes and speeding.

Appropriate Uses for Residential Traffic Controls

	No Through Traffic Problem (w/ < 1000 ADT)	Moderate Through Traffic Problem (w/ 1000 to 3000 ADT)	High Through Traffic Problem (w/ 3000+ ADT)
No speeding problem (speeds < 5 mph over limit)	Nothing	Turn restrictions	Turn restriction Multiway stops
Moderate speeding (speeds 5 to 10 mph over limit)	Lowered speed limit Speed humps	Turn restrictions Multiway stops Speed humps Circles	Turn restriction Multiway stops Speed humps
High Speeding (10 mph over limit)	Lowered speed limit Speed humps Circles	Turn restrictions Speed humps Multiway stops Circles	Turn restrictions Multiway stops Speed humps Chicane Speed Table

(ADT = average daily traffic volume)

Funding:

C Approve a funding mechanism and priorities for traffic controls.

- Funding of Traffic Calming devices will be based upon a point system to establish priority

Priority Rating System

Volume	1 point for each 200 vehicles over 1500
Speeding	2 points for each 85% MPH over the speed limit
Schools	5 points if within 1200' of a school
No sidewalks - on one side	9 points if a street has no sidewalk 4 points if sidewalk on one side
School crossing on	7 points if there is an official school crosswalk on the street
Pedestrian generators	5 points if there are activities within 1200 that generate high number of pedestrians
Accidents	5 points for every accident on a street over 3 per year
Residential density	1 point times the R-zoning class number
Waiting List	1 points for each month on this list

- Funding speed humps, and partially funding other more expensive traffic calming techniques (e g , circles, chicanes, and decorative street closures), with neighborhoods eligible for City funding on those devices as follows

  - Stable Neighborhoods - eligible for up to 50% funding by the City

  - Fragile Neighborhoods - eligible for up to ~~75%~~ 100% funding by the City

  - Threatened Neighborhoods - eligible for up to ~~100%~~ 75% funding by the City

- The Committee recommends a $25,000/yr City funding cap for traffic circles from the total $250,000 budget

- Council approved circles as a traffic calming remedy in February 1997 Chicanes are currently in the testing phase

Committee Discussion:

- **The Committee voted 5-0 in favor of (A), (B), and (C).** In particular, the Committee recommended the $25,000 cap for traffic calming techniques other than speed humps because of the added costs associated with those devices

- Transportation Committee Members Sara Spencer (Chair), Al Rousso (Vice-Chair), Mike Jackson, Ella Scarborough, and Lynn Wheeler

Funding: The FY98 Capital Investment Plan included $250,000 for Neighborhood Traffic Controls

Attachment 6
Appropriate Uses for Residential Traffic Controls
Funding Priority System

13. Department of Transportation Director to Establish Residential Speed Limits

To approve Rol Jones 1 NO CANNON then MAJ made a sub. motion - Mayor over Reid the first vote MAJ/CAN - moved they would all come to Council for approval 3 for CANNON. Reid. MAJ ORIGINAL VOTE ON 3 NO SAME CAN - MAJ. Reid

Action: **Approve Transportation Committee's recommendation to authorize the Department of Transportation Director to establish residential speed limits.**

Committee Chair: Sara Spencer

Staff Resource: Randy Jones

Policy: North Carolina General Statute §160A-300 1, approved July 3, 1997, provides the City with the authority to set speed limits

Explanation of Request:

- Prior to the 1997 North Carolina State Legislative Session, speed limit changes required Charlotte City Council approval The State Statute has been amended to permit the Director of Transportation to establish residential speed limits on behalf of the Charlotte City Council

CDOT

- Currently, all speed limit changes must be approved by City Council including residential speed limit reductions where residents have petitioned for the lower speed With approval of the Committee's recommendation, a routine item will be removed from busy City Council agendas, citizen requests expedited (by 2 to 4 weeks), and staff time reduced

Committee Discussion:

- **The Committee voted 5-0 to grant the Director of Transportation authority to establish speed limits.** While the director will have the responsibility to do so, Council will be consulted about any potentially controversial changes prior to final action, or if it involves a major thoroughfare In addition, staff will be providing City Council with quarterly reports on changes made Attached is the administrative policy

- Transportation Committee Members Sara Spencer (Chair), Al Rousso (Vice-Chair), Mike Jackson, Ella Scarborough, and Lynn Wheeler

Attachment 7
Policy for Requesting Speed Limit Change

14. Expansion of the On-Street Parking Program in Uptown

Action: **Approve Transportation Committee's recommendation to expand the On-Street Parking Program:**

Jack / Wh
Wrap

A. Continue existing, on-street parking management contract and expand the system,

B. Continue and emphasize the use of parking meters; and

C. Approve multi-ticketing for repeat violators.

Committee Chair: Sara Spencer

Staff Resource: Randy Jones

Focus Area: Transportation

CPOT

Policy:

In February 1997, City Council approved a pilot phase to test daytime on-street parking in Uptown Charlotte with use of both metered and non-metered spaces

Explanation of Request:

The Uptown business community has repeatedly asked that more parking be made available in Uptown To assist that effort, we originally increased parking by adding 300 metered and 200 non-metered spaces during the pilot phase Council is now asked to approve

A. Continuing the existing, on-street parking contract and expanding the system. The additional parking spaces have

- Increased short-term, daytime, on-street parking which Uptown visitors are using
- Increased turnover in available parking spaces
- Increased available nighttime parking
- Generated sufficient income to support the program

Park It! Operational Financials

	5/19-6/30	7/1-9/30	Total
Expenses	$90 986	$125 294	$216,280
Revenue	41,195	149,419	190,614
Net	(49,791)	24,125	(25,666)
Current Monthly Expense			44,139
Monthly Revenue		May	6,245
		June	34,950
		July	45,936
		August	43,935
		September	59,548

- Shown that privatization of on-street parking management and operation works

B. Continuing the program with emphasis on the use of meters which have

- Assisted motorists in identifying legitimate parking spaces
- Decreased towing where meters were used on 3rd and 4th Streets from 15-20/per day to 2-3/per day
- Helped reduce and simplify signing
- Helped with compliance and enforcement of parking regulations

C. Approve multi-ticketing, which permits the issuance of a parking citation to a vehicle for each hour it remains in violation of parking ordinances Each hour a vehicle is present after the initial violation is considered a separate offense

Multi-ticketing will be used only in cases where a vehicle has received five or more parking citations in five weeks

A maximum of three tickets for a specific violation may be issued to individuals (See attached Use of Multi-ticketing for the Park It! Program)

Committee Discussion: **The Transportation Committee voted 5-0 to approve A, B, and C.**

Transportation Committee Members Sara Spencer (Chair), Al Rousso (Vice-Chair), Mike Jackson, Ella Scarborough, and Lynn Wheeler

Funding: Self-supporting, privatized program

Attachment 8
Park It! Pilot Phase Results
The Use of Multi-ticketing for the Park It! Program

15. Beer and Wine at Sidewalk Restaurants

Action: **Amend Ordinance Section 15-3 (Consumption; possession of open containers; disposal of containers) to allow consumption of beer and wine at restaurants permitted for sidewalk dining.**

Staff Resource: Tom Flynn

Focus Area: Economic Development

ORDF 23
#931 (NO X)
BK48, P 255

Policy: On July 28, 1997, City Council approved the Sidewalk Dining Ordinance This Ordinance allows the City to permit restaurants, under certain guidelines to use a portion of City sidewalks for sidewalk dining areas

Explanation of Request:

- Current City Ordinance prohibits the consumption of beer and wine on City sidewalks Approval of this request would allow restaurants to sell beer and wine to their customers in their sidewalk dining areas The restaurant would need City staff approval for a sidewalk dining area, according to the Council-approved guidelines

- Restaurants that want to sell beer and wine in their sidewalk dining area would also have to receive approval from the State ABC Board The Charlotte/Mecklenburg Police Department would review these requests as part of the State ABC Board approval process Staff will review our experience with this policy in January 1999 and report to City Council

- Allowing beer and wine consumption at sidewalk dining areas will make these restaurants, primarily in Uptown and older areas of the City, competitive with suburban restaurants for customers wanting to dine outdoors

- Wilmington and Asheville, N C allow beer and wine consumption in sidewalk dining areas They have reported no problems with these dining areas

Wheel Row
3 NO
Can
Sell
MAJ

TMF
City Mgr's Rpt

- Staff has been contacted by four restaurants that are interested in serving beer and wine to their customers in sidewalk dining areas

Attachment 9
Ordinance Section 15-3, as proposed to be amended
Sidewalk Dining Ordinance

BUSINESS

16. Transit Management Contract Extension

Action: **Approve the Transportation Committee's recommendation to exercise a two-year contract option, not to exceed $853,000, with ATE Management and Service Company, Inc. for transit management service.**

Committee Chair: Sara Spencer

Staff Resource: Lynn Purnell

Explanation of Request

Carl Scar To approve under

On September 8, the Transportation Committee reviewed three options for the transit management contract

1. Exercise the option to extend ATE contract for two more years
2. Prepare and advertise a Request for Qualifications (RFQ)
3. Prepare and advertise a Request for Proposals (RFP)

Committee Discussion:

- **The Committee recommended Option 1, exercise the two-year contract option. The vote was 5-0.**

CPOT

- Staff recommends exercising Option 1 because of ATE's satisfactory performance, involvement in several major purchases, knowledge of the 5-Year Transportation Plan, and time table for upcoming labor negotiations which begin in January 1998

- Transportation Committee members include Sara Spencer (Chair), Al Rousso (Vice Chair), Mike Jackson, Ella Scarborough, and Lynn Wheeler

Funding:

The FY98 budget includes funds for the management contract The total not-to-exceed amount for the first year is $410,000 and $443,000 for the second year

Background:

- On July 28, 1997, Council directed staff to solicit proposals for transit management services rather than authorize the Director of Transportation to exercise a two year renewal option included in the current agreement with ATE

- The City's three-year contract with ATE, scheduled to end on August 31, 1997, was extended to November 30 to permit Transportation Committee review of solicitation options

- Under the terms of the 1994 agreement, the increase in the management fee will be 4% each year of the two-year contract options, and an additional increment, not to exceed 4% each year, based on ATE's performance in the areas of service delivery, safety, reliability, and cost efficiency

- In 1999, CDOT staff will issue a Request for Proposals for transit management services The Federal Transit Administration requires competitive procurement of management services every five years

Attachment 10
Information on options presented to the Transportation Committee

17. Fall Cankerworm Abatement Program

Action: **Approve an abatement program to address a high infestation level of Fall Cankerworms.**

Staff Resource: Don McSween

Explanation of Request:

- The Fall Cankerworm has been at high population levels for the last ten years An aerial spray in 1992 and trapping programs helped decrease the population until 1996, when numbers increased dramatically This year, the Fall Cankerworms increased in both number and geographical area

- The City Arborist has developed an abatement program for the coming winter/spring seasons which include installation of traps, public information activities, and aerial spraying if necessary

- In October and November, as a part of the Abatement Program, contractors will begin installing traps on more than 3,000 street trees in the worst infestation areas at an estimated cost of $60,000

- A public information campaign will encourage citizens to install traps on private trees and take other measures to mitigate the impact of the infestation

- Trapping counts and other assessments by City staff will determine the level of aerial sprays necessary in the spring It is anticipated that the aerial sprays would be conducted on 5,850 acres at an estimated cost of $200,000 The targeted neighborhoods extend from South Boulevard to Randolph Road to Sardis Road (map attached)

- Based on approval of this action, a request will be forwarded to the North Carolina Department of Agriculture for permission to conduct two aerial sprays Upon the completion of any aerial spraying, an application will be submitted to the

McSween / Landscaping

USDA Forest Service for reimbursement of half the cost Reimbursement would be based on the Forest Service's assessment of the effectiveness of the spraying

Community Notification:

- A public meeting is planned for the first two weeks of December Information on the Fall Cankerworm and aerial spraying will be given, and citizens will have an opportunity to give input and have their questions answered
- The City Arborist is also available to speak to neighborhood organizations or other groups
- Final approval of any aerial sprays will be considered by the City Council in February 1998 The affected neighborhoods will be notified

Funding:

Council approved an appropriation of $200,000 in the annual wind-up ordinance for the Cankerworm Abatement Program Additional funding, if needed, will be included in the mid year ordinance (February 1998)

Attachment 11
Aerial Spray Location Map

18. Regional Community Policing Institute

Action:

Jack / Scan
uman

A. Approve a cooperative agreement between the Charlotte-Mecklenburg Police Department and the U.S. Department of Justice to create a Regional Community Policing Institute; and

B. Adopt a budget ordinance appropriating $1,000,000 from the Justice Department to fund the institute.

ORD # 24
#932-X
BK48, P 256

Staff Resource: Chief Dennis Nowicki

Focus Area: Public Safety

P.L.o

Explanation of Request:

- The Justice Department has selected the Charlotte-Mecklenburg Police Department to be one of the Regional Community Policing Institutes that are being created across the country

- The Regional Community Policing Institute will develop training for law enforcement agencies and colleges and universities in North and South Carolina The training will center on problem solving techniques with an emphasis on the use of technology in developing problem solving strategies The Institute will enable the Police Department to offer a wider variety of training options to its officers, including more self paced courses

- The Regional Community Policing Institute will be a collaborative partnership between the Police Department, The Urban Institute at UNCC, and Charlotte's Web It will draw heavily upon communications links already established by UNCC and Charlotte's Web

Funding:

- The Justice Department has approved $1,000,000 to hire project staff and develop training materials The funds require no match from the City Funds are renewable contingent upon the successful performance of the institute

- The budget ordinance appropriates $1,000,000 to the Police budget

19. Nominations for Boards and Commissions

Action: **Nominate candidates to serve on the following boards.**

Move Reappointment

Unan

A. **AIRPORT ADVISORY COMMITTEE**
Two one year terms as recommended by the Carolinas Partnership Stephen Gedney and Michael Stacy are both eligible and would like to be reappointed

Attachment 12

B. **CHARLOTTE MECKLENBURG DEVELOPMENT CORPORATION**

Nominate two citizens to work on promoting commercial redevelopment of the CWAC area Terms will be for three years beginning in October One appointee should represent a community based, non profit organization within the CWAC area, and the other is at large with no category Nominations made on September 8 are as follows

At Large

1 Deborah Cauthen by Councilmember Cannon
2 Henry Hicks by Councilmember Greene
3 Harry Nelson by Councilmember Baker
4 Ronald Vance by Councilmember Rousso

Non Profit Organization within CWAC area.

1 Alfreda Barringer by Councilmember Majeed
2 James Ross by Councilmember Greene
3 Ted White by Councilmember Cannon

Attachment 13

C. **CITIZENS OVERSIGHT COMMITTEE FOR CABLE TV**

One position to fill an unexpired term beginning immediately and ending March 31, 1999 Rahman Khan has resigned

Attachment 14

D. **CLEAN CITY COMMITTEE**

One position beginning immediately to fill an unexpired term ending June 30, 1998 Stephen Hayes has resigned

Attachment 15

E. **CMUD ADVISORY COMMITTEE**

One position beginning immediately and ending June 30, 2000 to represent a small town Richard Marshall has moved out of state

One position beginning immediately and ending June 30, 2000 to fill the financial expert category Stephan Willen has resigned

Attachment 16

F. **HOUSING APPEALS BOARD**

One three year position beginning January 1998 to represent a City Within a City tenant Alberta Williams does not wish to be reappointed

Attachment 17

G. **HOUSING AUTHORITY**

Two three year appointments beginning December 18, 1997 Velva Woolen is not eligible to be reappointed, Roy Matthews is eligible and would like to be considered for reappointment

Attachment 18

H. **PLANNING COMMISSION**

One position beginning immediately to fill an unexpired term ending June 30, 1999 Jerry McMurray has resigned

Attachment 19

I. **TREE ADVISORY COMMITTEE**

Two positions beginning December 14, 1997 for three years Kipling Wilson would like to be reappointed, Barry Flynn does not wish to be reappointed

Attachment 20

J. **WASTE MANAGEMENT ADVISORY BOARD**
One recommendation to the County Commission for a position beginning immediately and expiring September 30, 2000 Must be a member of a Chamber of Commerce Jim McMullan does not wish to be reappointed

Attachment 21

20. Appointments to Boards and Commissions

Action: **Vote for one candidate on blue paper ballots. Give to City Clerk at dinner for tabulation purposes.**

A. **TAXICAB REVIEW BOARD**
One appointment beginning immediately to fill a two year term Appointees must have affiliation with cab drivers

1 Anthony Basini by Councilmember Greene
2 Osy Okafor by Councilmember Scarborough
3 Kenneth Swanger by Councilmember Rousso

Attachment 22

Introduction to CONSENT

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

Pull- 21 N 25 I 33 34 31 + 40 move others Carl Scan unan

CONSENT

21. Various Bids

Pulled From Agenda Purchasing

A. Purchase of Trucks Equipped With Sewer Rodder/Vacuum System — CMUD

Recommendation: Charlotte-Mecklenburg Utility Director recommends the low bid of $430,845 by Jet-Vac Sanitary Services, Incorporated of Sumpter, South Carolina

This contract establishes a unit price of $143,615 for the purchase of three trucks equipped with hydraulic vacuum cleaner/rodder systems

MWBD Compliance: Yes

Purchasing

B Irwin Creek Wastewater Treatment Plant - Accelerated Biosolids Improvements - Sludge Pump Procurement — CMUD

Recommendation: Charlotte-Mecklenburg Utility Director recommends the low bid of $106,897 02 by Moyno Industrial Products of Springfield, Ohio

MWBD Compliance: No known MWBE vendors available

C. **Water and Sewer Main Construction - FY98 Contract #109 - Street Main Extensions** **CMUD**

Recommendation: Charlotte-Mecklenburg Utility Director recommends the low bid of $846,063 70 by Propst Construction Company of Concord, North Carolina

MWBD Status:	Amount	% of Project	Project Goals
MBE	$15,000	1 8%	2%
WBE	$30,000	3 6%	3%

Motion to Excuse Sellers Carlson

D. **Water Main Construction - 16-Inch Water Main Along Blair Road (N.C. 51) to Bainbridge Subdivision** **CMUD**

Recommendation: Charlotte-Mecklenburg Utility Director recommends the low bid of $295,482 60 by R H Price, Incorporated of Charlotte, North Carolina

MWBD Status:	Amount	% of Project	Project Goals
MBE	$0	0%	4%
WBE	$295,482 60	100%	4%

E. **Water Main Construction - 16-Inch Water Main Along Wilgrove-Mint Hill Road - From N.C. 51 To Wilson Woods Drive and 6-Inch Water Main Along Happy Hollow Road and Orrview Drive** **CMUD**

User Department: Charlotte-Mecklenburg Utility

Recommendation: Charlotte-Mecklenburg Utility Director recommends the low bid of $610,289 72 by Foster Utilities, Incorporated of Pineville, North Carolina

MWBD Status:	Amount	% of Project	Project Goals
MBE	$0	0%	2%
WBE	$0	0%	2%

MWBD Compliance: Yes The Utility Department has reviewed the Contractor's documentation and determined that Foster will self-perform all work on this project

F. **Residential Sound Insulation Construction Contract 97-9A** — **Aviation**

Recommendation: The Aviation Director recommends the low bid of $142,005 by Rayco Construction of Charlotte, North Carolina

MWBE Status:	Amount	% of Project	Project Goals
DBE	$13,500 (BBE)	9 5%	10%

G. **Residential Sound Insulation Construction Contract 97-9B** — **Aviation**

Recommendation: The Aviation Director recommends the low bid of $131,756 by Rayco Construction of Charlotte, North Carolina

MWBE Status:	Amount	% of Project	Project Goals
DBE	$13,500 (BBE)	10 25%	10%

H **Residential Sound Insulation Construction Contract 97-9C** — **Aviation**

Recommendation: The Aviation Director recommends the low bid of $146,261 by Rayco Construction of Charlotte, North Carolina

MWBE Status:	Amount	% of Project	Project Goals
DBE	$9,000 (BBE)	6 15%	10%

I. **Residential Sound Insulation Construction Contract 97-9D** — **Aviation**

Recommendation: The Aviation Director recommends the low bid of $54,760 by Moretti Construction of Charlotte, North Carolina

MWBE Status:	Amount	% of Project	Project Goals
DBE	$3,690 (BBE)	6 74%	10%

J. **Lincoln Heights Neighborhood Improvements** — **Engineering and Property Management**

Recommendation: The City Engineer recommends the low bid of $1,494,282 55 by 7-Star Construction Company of Charlotte, North Carolina

MWBD Status:	Amount	% of Project	Project Goals
BBE	$1,494,282 55	100%	5%
WBE	$0	0%	3%

K. Fire Station 31 Construction — **Engineering and Property Management**

Recommendation: The City Engineer recommends the low bid of $1,537,042 00 by Grant Construction Co of Charlotte, North Carolina

MWBD Status:	Amount	% of Project	Project Goals
BBE	$90,000	6%	16%
WBE	$85,102	6%	15%
NBE	$5,160	35%	1%

L. Storm Water Channel Maintenance, FY-98 A — **Engineering and Property Management**

Recommendation: The City Engineer recommends the low bid of $117,395 00 by KIP Corporation of Charlotte, North Carolina

MWBD Compliance: Yes KIP Corporation can and will self-perform all work on this project

Program Director Concur: Yes

M. Ford Automotive Repair Parts — Purchasing **Business Support Services**

Recommendation: The Business Support Services Key Business Executive recommends a cost plus contract for the cost of parts plus 10% by Harrelson Ford, Inc , Charlotte, North Carolina be accepted Purchases are anticipated subject to appropriations by City Council and actual identified needs The contract award is for one year and may be extended for two additional periods of one year each

MWBD Compliance: Yes

Purchasing **Police**

N. Mobile Video Recorders

Scan sell to approve as recommended unan

Recommendation: The Charlotte-Mecklenburg Police Chief recommends the low bid of $3,890 00 per recorder (including three years extended warranties) by Mobile Vision, Inc , Boonton, New Jersey be accepted as a unit price contract

Purchases are anticipated subject to appropriations by City Council and actual identified needs The estimated FY98 expenditure is $1,692,150 00 The contract award is for three years and may be extended by the City for two additional periods of one year each

This contract establishes a unit price and an extended three-year warranty for 435 Mobile Video Recorders anticipated for purchase by the Charlotte-Mecklenburg Police Department This purchase will cover all marked police cars and some unmarked police cars

MWBD Compliance: Yes

22. Abandon Street and Set Public Hearing - Charles Street and an Unnamed Street

Action:

A. Adopt the Resolution Of Intent to abandon Charles Street and an Unnamed Street; and

B. Set a Public Hearing for November 10, 1997.

Res # 1
BK34
P 779-783

Attachment 23
Map

CDOT

23. Abandon Street and Set Public Hearing - Unnamed Right-of-Way off Lyon Court

Action:

A. Adopt the Resolution Of Intent to abandon Unnamed Right-of-Way off Lyon Court; and

B. Set a Public Hearing for November 10, 1997.

Res # 2
BK34
P 784-786

Attachment 24
Map

CDOT

24. Refund Certain Taxes

Action:

Adopt a resolution authorizing the refund of certain taxes assessed through clerical or assessor error in the amount of $14,106.62

Rest 3
Bk 34, P 787-788

Clyde Polson
F. Prince

Attachment 25
Taxpayer listings

25. In Remedy

For In Rem Remedy #A - #N, the public purpose and policy are outlined here.

Public Purpose

- Eliminate a blighting influence in a City Within a City neighborhood.
- Reduce the proportion of substandard housing from 2.3% to 1% in 1997. (One of the goals of City Within a City is to continue housing preservation efforts.)
- Increase tax value of property by making land available for potential infill housing development.

Policy:

- City Within a City
- Community Safety Plan

The In Rem Remedy items were initiated from three categories:

1. Public Safety - from Police and/or Fire Dept.
2. Complaint - from a petition by citizens, from a tenant or from a public agency
3. Field Observation - from concentrated code enforcement program

The In Rem Remedy items are listed below by category identifying the street address and neighborhood.

Public Safety

A. 1804 Baxter Street (Cherry)
B. 308 East Todd Lane (Todd Park)
C. 2650 Englehardt Street (University Park)
D. 1315 Onyx Street (Washington Heights)
E. 5608 Wilkinson Boulevard (Airport) - Commercial Structure
F. 512 E. 19th Street (Belmont)
G. 1551 Duckworth Street (Seversville)
H. 421 Jones Street (Lakewood)

Complaint

I. 2626 Brentwood Place (Revolution Park)
J. 9842 Feldbank Drive (Trinity Park)
K. 525 Spruce Street (Wilmore)
L. 5831 Peach Street (Derita)

Field Observation

M. 1916 Cliffwood Place (Wilmore)
N. 139 S. Cloudman Street (Hoskins/Thomasboro)

Public Safety

Ordn # 1 #909-X BK 48, P 232

A. 1804 Baxter Street

Action: **Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 1804 Baxter Street (Cherry), located in the City Within a City boundary.**

Attachment 26

Ordn # 2 #910-X BK48, P233

B. 308 East Todd Lane

Action: **Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 308 East Todd Lane (Todd Park), located in the City Within a City boundary.**

Attachment 27

Ordn # 3 #911-X BK48, P234

C. 2650 Englehardt Street

Action: **Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 2650 Englehardt Street (University Park), located in the City Within a City boundary.**

Attachment 28

Ordn # 4 #912-X BK48, P235

D. 1315 Onyx Street

Action: **Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 1315 Onyx Street (Washington Heights), located in the City Within a City boundary.**

Attachment 29

Ordn # 5 #913-X BK48, P236

E. 5608 Wilkinson Boulevard

Action: **Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the commercial structure at 5608 Wilkinson Boulevard (Airport) located outside the City Within a City boundary.**

Attachment 30

Ord # 6
914-X
BK 48, P. 237

F. 512 E. 19th Street

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 512 E. 19th Street (Belmont), located in the City Within a City boundary.

Attachment 31

Ord # 7
#915-X
BK 48, P 238

G. 1551 Duckworth Street

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 1551 Duckworth Street (Seversville), located in the City Within a City boundary.

Attachment 32

Ord # 8
#916-X
BK 48, P 239

H. 421 Jones Street

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 421 Jones Street (Lakewood), located in the City Within a City boundary.

Attachment 33

Complaint

Speaker

I. 2626 Brentwood Place

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 2626 Brentwood Place (Revolution Park), located in the City Within a City boundary.

Attachment 34

Ord # 9
Approved with 90 Extension
Scarf for urn
#917-X
BK 48, P 240

J. 9842 Feldbank Drive

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 9842 Feldbank Drive (Trinity Park), located in the City Within a City boundary.

Attachment 35

Ord # 10
#918-X
BK 48, P. 241

Ord # 11
#919-X
BK48, P.242

K. **525 Spruce Street**

Action: **Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 525 Spruce Street (Wilmore), located in the City Within a City boundary.**

Attachment 36

Ord # 12
#920-X
BK48, P 243

L. **5831 Peach Street**

Action: **Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 5831 Peach Street (Derita), located outside the City Within a City boundary.**

Attachment 37

Field Observation

Ord # 13
#921-X
BK48, P 244

M. **1916 Cliffwood Place**

Action: **Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 1916 Cliffwood Place (Wilmore), located in the City Within a City boundary.**

Attachment 38

Ord # 14
#922-X
BK48
P 245

N. **139 S. Cloudman Street**

Action: **Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 139 S. Cloudman Street (Hoskins/Thomasboro), located in the City Within a City boundary.**

Attachment 39

Res #4 Bk34, P 789

CONSENT II

26. Purchase of Replacement Transit Buses - Resolution, Budget Ordinance and Contract Award

Ord # 15
#923-X
Bk48, P 246

Action:

A. Adopt a resolution amending the FY98-02 Capital Investment Plan;

B. Adopt a budget ordinance transferring $62,000; and

C. Award a contract to Nova Bus Inc. for the low bid of $245,024 per bus.

Explanation of Request:

- The resolution amends the FY98-02 Capital Investment Plan to accelerate the timing of the bus purchase
- The budget ordinance transfers $62,000 from a completed grant to provide supplemental funding for the purchase of buses
- The contract establishes the unit price for the replacement of 31 transit buses which were originally purchased in 1982.
- The total estimated expenditures for FY98 are $7,595,744

Funding:

The funding formula is based on 80% federal, 10% state and 10% city

Purchas 29

27. Vehicle Physical Damage Repair Services

Action:

Approve a contract totaling $340,000 for Vehicle Physical Damage Repair Services from National Fleet Services of Hicksville, New York.

Explanation of Request:

- This service was privatized four years ago based on a productivity study of the City's vehicle maintenance operations The study concluded that the City could reduce auto body repair costs, vehicle downtime and administrative costs by contracting for the repair of vehicles

B 35

- This contract provides the following services
  - Certify auto shops who will perform repair work for the City
  - Obtain three estimates for each repair to be performed
  - Determine if repair estimates are reasonable
  - Audit the repair costs
  - Provide weekly status and cost reports on repairs being performed
- The term of this contract will be for three (3) years, and at the City's option, extended for two additional periods of twelve months each

  MWBD: MWBD participation is stated at 30% of gross billings

28. Computer Infrastructure Contract Award

Action: **Approve an amendment to increase the contract for computer infrastructure upgrade with Mitretek Systems, Inc. by an amount not to exceed $147,700.**

Explanation of Request:

- On February 13, 1997, Council approved the City's Information System Network Conceptual Plan, of which one step was to purchase and install new and upgraded routers, wires and servers - computer infrastructure
- A contract was executed in April 1997 with Mitretek Systems to provide technical assistance to implement the City s computer infrastructure plan

B55

- An amendment to the contract is needed to increase the level of effort by Mitretek Systems in assisting City staff with analyzing, measuring and designing the new computer infrastructure The increased assistance resulted from the staff's decision to manage the infrastructure plan in-house instead of contracting for these services

- Mitretek Systems has extensive experience in complex network analysis and design, including dedicated staff and special design tools

- Mitretek Systems is familiar with the City's infrastructure based upon their previous contract work Switching vendors at this point would result in increased costs to the City and unnecessary delays

Attachment 40
Information System Network Conceptional Plan

29. Group 6 Accelerated Transportation Program Amendment No. 3

Action:

Not on to Excuse Baker Scal car uran

Approve Amendment No. 3 for $215,533.00 to the Contract with HDR Engineering, Inc. of North Carolina (HDR) to provide engineering services for Group 6 Accelerated Transportation Program (ATP). The Amendment will increase the Contract amount from $494,968.50 to $710,501.50.

Explanation of Request:

Scal Rev uran

- Group 6 is a collection of similar road and intersection projects grouped together to accelerate implementation

- Amendment No 3 will provide funds for construction administration services for all Group 6 projects, and additional design, bid phase, and real estate services for the NC51 / Strawberry Lane project due to an increase in the scope of work

- The original Group 6 Contract was approved May 22, 1995, for $411,650 00 for planning, design and real estate services for eight projects

CP OT

- Amendment No 1 was approved September 19, 1996, for $23,279 00 for design and bid phase services

- Amendment No 2 was approved March 19, 1997, for $60,039 50 for additional design, bid phase and real estate services

- HDR 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 transportation projects

MWBD: WBE 11%

Funding: General Capital Improvement Fund

Attachment 41
Project Information

30. USGS FY98 Cooperative Agreement

Action: **Approve the FY98 cooperative program agreement with the United States Geological Survey (USGS) for storm water resource activities in the amount of $289,850**

Explanation of Request: The FY98 cooperative program agreement with the USGS includes

- Continued maintenance and operation of rainfall and streamflow gaging sites,

- Sampling for water quality at six sites,

- Real time hydrologic data collection, and

- Official documentation of 1995 and 1997 floods as well as an interpretive report documenting work done in area of water quality

Eng'

The total cost of the service is $579,160 00 The City's share is $289,850 The USGS will pay the remainder of the cost

Funding: Storm Water Services Operating Budget

31. Purser Drive/Finchley Drive Storm Drain Phase II - Change Order #1

Action: **Approve change order #1 for $221,403.00 to the contract with Kip Corporation for additional work requested by Engineering and Property Management.**

Explanation of Request:

- Additional soil from an off site is required in the roadway due to poor soil conditions that were encountered during construction
- Prices for this change order are based upon existing contract unit prices

Funding: Storm Water Services Capital Budget

6-9.

32. Public Safety/911 Communications Tower Site Lease - Town of Matthews

Action: **Approve a Site Lease Agreement between the City of Charlotte and Martin Marietta Materials, Inc., for the construction of a Public Safety Telecommunications Tower in the Town of Matthews, North Carolina.**

Explanation of Request:

- The construction of a communications tower in the southeast area of Mecklenburg County is part of an overall plan to improve the quality and reliability of voice transmission of public safety personnel
- City staff has located a site on property owned by Martin Marietta Materials, Inc , in the Town of Matthews

- On April 28, 1997, after several public meetings, the Town of Matthews Commissioners approved an amendment to their tower ordinance that would allow the construction of a tower on the Martin Marietta property The approval included a stipulation that the City's tower must be able to accommodate a minimum of two co-locators from other communication systems to reduce the number of towers in Matthews Township

- A 400-foot tower would be built within Martin Marietta's rock quarry off Independence Blvd and Sam Newell Road The property is zoned industrial and surrounded by industry, business, and railroad tracks The nearest residential dwelling is over one-quarter of a mile away

- The tower should be operational in December of 1998

- Martin Marietta has demonstrated admirable corporate citizenship by their willingness to lease more than 3 65 acres of land for one dollar per year for a public safety tower Should the City sublease space on the tower, the City will share the revenues equally with Martin Marietta

- Terms of the Agreement
  - Term Twenty years with three twenty-year extensions
  - Rent One dollar per year plus one half of all sublease revenues received by the City
  - Access Preferred access is through an adjoining vacant industrial property which would provide a more direct route to the site and would be a more cost effective route Negotiations are underway to secure this route Otherwise, Martin Marietta Materials agrees to provide access to the site through their property

Funding: Funds for construction of the new tower were approved in the FY98-02 Capital Investment Plan

Attachment 42
Location Map

Request for Council Action

33. City Fair Parking Facility Operation and Management Contract

Action: **Reject all bids for City Fair Parking Facility operation and management services, and authorize the City Manager to re-bid the contract**

Staff Resource: Benny Aldridge

Explanation of Request: On August 19, 1997, four bids were received for operation and management of the City Fair Parking Facility Service contracts of this type do not require a formal bidding process, however, the Engineering & Property Management Department chose to advertise for bids in order to seek the best financial arrangement for the City in operation of the parking facility

The four bidders were notified that Central Parking of Charlotte, NC was determined to be the low bid.

At the citizens hearings on September 3 and October 6, Mr Roger Stacks of Preferred Parking Service, Inc alleged improprieties in the evaluation and handling of the bids by the Engineering & Property Management Department

The City Attorney has fully investigated the allegations of Mr Stacks, and concluded that **no portion** of this bidding process was compromised or improperly managed. The City Attorney's report addressing Mr Stack's allegations in detail is attached.

The primary source of the misunderstanding over these bids is that the low bidder and another bidder structured the bid in a way that was not anticipated in the bid advertisement. The low bid by Central Parking is a legally valid bid for the service as advertised, and is considered a good financial arrangement for the City. The City Engineer would be very comfortable in recommending award of the contract to the low bidder, Central Parking of Charlotte, NC.

However, the structure of two of the four bids provides the operator a greater incentive to increase parking revenues than the structure anticipated in the bid advertisement and used by the other bidders.

Motion to approve City Manager's recommendation to award to Central Parking
1 Sec
Green
1 Nay Romero

Even though increasing revenues are not anticipated because of competing facilities coming on line in the coming year, it could be advantageous to the City for the operator to have a significant incentive to increase revenues A new bid, structured around that premise, would incent the new low bidder to aggressively manage the facility attempting to increase gross revenues.

Therefore, it is recommended that City Council reject the August 19 bids, and authorize the City Manager to re-bid the contract

The revised bid structure will eliminate any confusion over the bidding results, and has the potential to result in a better "incentive" bid The disadvantage is that the new low bid may not be as favorable to the City as the first low bid.

Attachment October 11, 1997 report by City Attorney McCarley

repma01 013

33. City Fair Parking Facility Operation and Management Contract

This item will be in the Council/Manager Memo on Friday, October 10, 1997

34. Speed Limit Change - Thoroughfares

Action: **Request adoption of ordinances to change the speed limit on three Charlotte streets.**

Explanation of Request:

ORD# 16 (No X) #924 BK 48, P 247

- Adopt an ordinance to change the speed limit, in accordance with Council's approved policy on portions of three streets

- Carmel Road from 35 MPH to 45 MPH between Quail Hollow Road and NC51 Construction is now complete in this area and it is recommended that the preconstruction speed limit of 45 MPH be restored The improvements to the road make it safe to travel at this speed

Ord# 17 (No X) #925 BK48 P 248-249

- W T Harris Boulevard from 55 MPH to 45 MPH from David Cox Road to a point 900 feet east of Sugar Creek Road The same reduction would apply to the section from Research Drive to a point 35 miles east of University City Boulevard Rapid growth in this area makes the current 55 MPH speed limit unsafe This is a State System Street and a concurring ordinance from NCDOT has been received

Jack/Speed 1990 Ronesso

- Providence Road in the vicinity of Charlotte Latin School will be reduced from 45 MPH to 35 MPH for 30 minutes before to 30 minutes after school begins and ends on school days only This variance to Council's School Speed Zone Policy is requested by NCDOT and a concurring ordinance has been received

Funding: The cost of new signage is included in the CDOT operating budget

CDOT

35. Ordinance Relating to Fire Lane Enforcement

Action: **Adopt an ordinance amending Chapter 14 of the City Code entitled "Motor Vehicles and Traffic" to make it a violation of the law to park in a fire lane and to allow the Fire Department to issue citations for parking in fire lanes.**

Explanation of Request:

Ord #19
#926 (no X)
BK 48, P. 250

- The North Carolina General Assembly recently passed legislation amending the City Charter of the City of Charlotte to allow Fire Department personnel to issue citations for violations of local ordinances prohibiting parking in a fire lane, parking within 15 feet of a fire hydrant, or parking within 20 feet of a fire station driveway

- At present, there is no City ordinance prohibiting parking in fire lanes, consequently all charges for this offense are based on the state statute prohibiting parking in fire lanes The state statute must be enforced by a sworn law enforcement officer

- Council is also requested to amend Chapter 14 of the City Code to make it a violation to park in a fire lane Violators would be issued a citation with a $100 00 fine

- Council is also asked to grant the Fire Department the authority to issue citations for parking in a fire lane Allowing Fire Department personnel to issue citations will enhance the efficiency of enforcement

file

36. Acquisition of Parks Farms Subdivision Water System

Action: **Approve contract totaling $823,425 with Carolina Water Service, Incorporated of North Carolina for the purchase of the water distribution system serving Parks Farm Subdivision.**

Explanation of Request:

- Parks Farm is part of the City's 1997 Six Mile Creek West Annexation Area

Cmwd

- As an alternative to installing new annexation water mains for fire protection, CMUD recommends the purchase of the Parks Farm system

Funding: Water and Sewer Capital Improvement Fund

37. Acquisition of Landen and Ellington Park Sanitary Sewer Systems

Action:

A. Approve contract totaling $1,250,000 with Blakeney Heath Limited Partnership for the purchase of sewer collection system serving the Landen Subdivision.

B. Approve contract with 2728 Holding Corporation for the donation of sewer collection system serving the Ellington Park Subdivision.

Explanation of Request:

- Landen is part of the City's 1997 Six Mile Creek West Annexation Area Ellington Park adjoins Landen, but was not annexed Ellington Park sewer system is an extension of the Landen sewer system The Landen treatment plant serves Ellington Park

- A provision of this acquisition contract requires Blakeney Heath Limited Partnership to continue operating the Landen Plant, at City expense, until the elimination of the plant by CMUD's Six Mile Creek Sewer Capital Project

- As an alternative to installing new annexation sewer trunks to serve Landen, CMUD recommends the purchase of the Landen sewer system and the donation of the Ellington Park sewer system

Funding: Water and Sewer Capital Improvement Fund

38. Replace Water Aerial Crossing - Budget Ordinance

Action: **Adopt a budget ordinance transferring $120,000 for reconstitution of an aerial crossing.**

Explanation of Request:

- An aerial crossing is water main piping over creeks and stream crossings
- Mecklenburg County employees accidently damaged an aerial crossing over Irwin Creek near Greenleaf Avenue The accident caused breakage to the 20-inch water main, pier wash-out and severe creek bank erosion
- CMUD has decided to replace the aerial crossing with an underground installation CMUD will request payment from Mecklenburg County for the portion required to repair the aerial Any cost associated with betterment will be assumed by CMUD

Ord # 19
#927-X
BK48, P 251

Funding: Water and Sewer Capital Improvement Fund

CMUD

39. Airport Property Exchange

Action: **Approve a resolution authorizing the exchange of Airport property for an equal value of real property with Duke Power Company.**

Explanation of Request:

- Duke Power's Little Rock Operation Center is located on 49 6 acres adjacent to Airport Satellite Parking Duke has agreed to exchange a portion of their property for a portion of Airport property of equal value located on West Boulevard adjacent to property owned by Crescent Resources, also a subsidiary of Duke Energy
- The properties involved in the exchange have been appraised The exchange will involve 7 93 acres of Airport property valued at $58,000/acre for 7 36 acres of Duke Power property valued at $62,500/acre, or an equal value of $460,000

Res # 5
BK34
P 790

Av. AT, OP

- Currently, the rear service entrance to Duke's Operation Center splits the Airport Satellite Parking Lot in half This acquisition will allow the Airport to close the rear entrance, merge the operation of the Satellite Parking Lots and provide for future expansion

Community Input: The Airport Advisory Committee recommends approval

40. Airport Carpet Replacement for Concourse B and C

Action:

Ord # 22 # 930-X BK48, P 254 Book/Sell

A. Adopt a $425,000 Budget Ordinance to appropriate funds for carpet replacement; and

B. Approve a $408,900 Construction Contract to Bonitz Flooring Group, Inc., of Charlotte, NC, to replace carpet on Concourse B and C on base bid.

Explanation of Request:

- The carpet in "B" and "C" Concourses is five years old and badly worn Replacement is the Airport's responsibility The cost will be repaid by US Airways through increased rents

MWBD:	DBE Goal	10%
	DBE Participation	5%
	DBE Amount	$20,445 (HBE)

Community Input: The Airport Advisory Committee recommends approval

Funding: Aviation Capital Improvement Fund

AVIATION

41. US Airways Travel Club and Additional Retail Space

Action:

Ord # 20 # 928-X BK48, P 252

A. Adopt a $7,780,000 budget ordinance to appropriate funds for construction of a US Airways Travel Club; and

B. Approve a $7,076,000 single prime construction contract with Edison-Foard Inc. of Charlotte to construct the US Airways Travel Club.

AVIATION

Explanation of Request:

- This contract will expand the terminal building by 27,000 square feet, which will provide a new US Airways Travel Club and additional retail space

- US Airways will lease the club space (24,885 square feet) and their lease payments will repay the city's debt service The additional retail space (2,715 square feet) will be added to Host-Marriott's lease for additional retail shops and they will repay the city's debt service through increased concession payments

MWBD:

DBE Goal	15%
DBE Participation	9%
DBE Amount	$630,000 00

Community Input: The Airport Advisory Committee recommends approval

Funding: Aviation Capital Improvement Fund

42. Airport Concourse "A" Reroofing

Action:

A. **Adopt a $300,000 Budget Ordinance to reroof Concourse A; and**

B. **Approve a $244,880 Construction Contract to Flex Tech Roofing, Inc., of Charlotte, North Carolina.**

Ord # 2
#929-X
BK48, P 253

Explanation of Request:

- The roof of Concourse "A" was damaged by a severe windstorm in the Spring of 1997 This contract will replace the roofing Insurance proceeds will cover approximately $230,000 of project costs Airline tenants on the concourse will repay the balance through increased rents

MWBD:

DBE Goal	5%
DBE Participation	0%
DBE Amount	0

Community Input: The Airport Advisory Committee recommends approval

Funding: Aviation Capital Improvement Fund

AVIATION

43. Property Transactions

Action: **Approve the following property acquisitions (A-G).**

Acquisitions:

A. **Project:** F A R Part 150 Land Acquisition
Owner(s): Mr and Mrs Kenneth Johnston
Property Address 4430 Beam Road
Property to be acquired: 2 098 acres
Improvements Ranch house
Tax Value $78,800
Purchase Price $187,800
Remarks: The purchase price was determined by an independent appraiser and was reviewed by a second appraiser Each appraisal takes into consideration the condition and size of the land and house The tax value is determined on a more generic basis and will be higher or lower for land/ house with certain attributes Residential property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970 Acquisition and relocation costs are eligible for Federal Aviation Administration reimbursement

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B. **Project:** F A R Part 150 Land Acquisition
Owner(s): TransTechnology Corporation
Property Address: 5535 Wilkinson Bv
Property to be acquired: 11 16 acres
Improvements Warehouse
Tax Value: $2,217,730
Purchase Price: $1,200,000
Remarks: The purchase price was determined by an independent appraiser and was reviewed by a second appraiser Each appraisal takes into consideration the condition and size of the land and house The tax value is determined on a more generic basis and will be higher or lower for land with certain attributes

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C. **Project**: F A R Part 150 Land Acquisition
Owner(s): Julie Ann Cook Lee
Property Address: 8315 Tuckaseegee Road
Property to be acquired: 1 acre
Improvements: Ranch house
Tax Value: $57,520
Purchase Price: $71,000
Remarks: The purchase price was determined by an independent appraiser and was reviewed by a second appraiser Each appraisal takes into consideration the condition and size of the land and house The tax value is determined on a more generic basis and will be higher or lower for land/house with certain attributes Residential property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970 Acquisition and relocation costs are eligible for Federal Aviation Administration reimbursement

AVIATION

D. **Project**: Master Plan Land Acquisition
Owner(s): Dorothy P Howie Estate
Property Address: 6207 Wilkinson Blvd
Property to be acquired 985 acres
Improvements: Ranch house
Tax Value: $86,810
Purchase Price: $130,000
Remarks: The purchase was determined by an independent appraiser and was reviewed by a second appraiser Each appraisal takes into consideration the condition and size of the land The tax value is determined on a more generic basis and will be higher or lower for land/house with certain attributes Property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform of the Uniform Acquisition and Relocation Act of 1970 Acquisition costs are eligible for Federal Aviation Administration reimbursement

AVIATION

E. **Project:** Northwest Circumferential Grade Separation-ATP 8, Parcel #13
Owner(s): Shirley Walters
Property Address: 139 Valleydale Road
Property to be Acquired: 28,749 60 sq ft (66 ac)
Improvements: Single Family Residence & Outbuilding
1991 Tax Value: $38,460
Purchase Price: $60,000
Remarks: Total acquisition of this property is required for the Northwest Circumferential Grade Separation project Compensation is based on two independent appraisals made on this property

Zoned: R-17 **Use:** Residential
Tax Code: 031-011-07

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F. **Project:** Northwest Circumferential Grade Separation-ATP 8, Parcel #14
Owner(s): Tony L Riddle & wf , Dorothy A Riddle
Property Address: 205 Valleydale Road
Property to be Acquired: 38,768 40 sq ft (89 ac)
Improvements: Single Family Residence & Outbuilding
1991 Tax Value: $74,010
Purchase Price: $89,500
Remarks: Total acquisition of this property is required for the Northwest Circumferential Grade Separation project Compensation is based on two independent appraisals made on this property

Zoned: R-17 **Use:** Residential
Tax Code: 031-011-08

RE

G. **Project:** Northwest Circumferential Grade Separation-ATP 8, Parcel # 12
Owner(s): Joseph M Evans & wf , Garnett G Evans
Property Address: 131 Valleydale Road
Property to be Acquired: 30,012 84 sq ft (0 689 ac)
Improvements: Single Family Residence & Outbuildings
1991 Tax Value: $49,050
Purchase Price: $85,000
Remarks: Total acquisition of this property is required for the Northwest Circumferential Grade Separation project Compensation is based on two independent appraisals made on this property

Zoned: R-17 **Use:** Residential
Tax Code: 031-011-06

RE

44. Minutes

Action: **Approve minutes as follows:**

- **August 25, 1997 Business Meeting**
- **September 3, 1997 Workshop and Citizens Hearing**
- **September 8, 1997 Business Meeting**