AGENDA

Meeting Type	BUSINESS
Date.	08/25/1997

City of Charlotte, City Clerk's Office

CHARLOTTE

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, August 25, 1997

5:00 p.m. — Conference Center

Dinner Briefing
(See Table of Contents)

6:30 p.m. — Meeting Chamber

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

7:00 p.m.

- **Awards and Recognitions**
- **Formal Business Meeting**

CITY COUNCIL AGENDA

Monday, August 25, 1997

TABLE OF CONTENTS

Item No.		Page No.	Attachment No.
	5:00 P.M. DINNER BRIEFING CONFERENCE CENTER		
1.	Update on Automation of Police Communications and Internal Affairs Case Management Systems	1	
2.	Vest/Irwin -Year One Results	1	
3.	Transportation Committee Report ATE Contract	1	
4.	Community Building Task Force Report	1	1
5.	CWAC Economic Development / Charlotte Chamber Presentation	1	2
	6:30 P.M. CITIZENS HEARING MEETING CHAMBER		
	7:00 P.M. AWARDS AND RECOGNITIONS		
	CONSENT		
6.	Consent Items	1	

Item No.		Page No.	Attachment No.
	PUBLIC HEARING		
7.	Continue Public Hearing to Close an Alleyway South of Laurel Avenue	2	3
8.	Public Hearing to Close Olde Village Drive	4	4
	POLICY		
9.	City Manager's Report	6	
10.	Traffic Signal Alternatives	6	5
11.	Airport Noise Compatibility Program Update	8	6
12.	Memorandum of Understanding Pertaining to Composition of Planning Commission	9	7
	BUSINESS		
13.	Utility Billing System	11	8
14.	Spirit Square Lease and Operating Agreement	13	9
15.	Resolution for Monetary Assistance	14	10
16.	Nominations for Chair and Vice Chair for Police Citizens Review Board	15	11
17.	Appointments to Boards and Commissions	16	12-20

Item No.			Page No.	Attachment No.

CONSENT I

18.	Various Bids			
	A	Irwin Creek Wastewater Treatment Plant - Digester Structural Improvements	20	
	B	Sugar Creek Wastewater Treatment Plant Odor Containment Cover Procurement	21	
	C	Sanitary Sewer Construction - Sewer To Serve Nantz Road and 18716 N C Highway 73	21	
	D	Sanitary Sewer Construction - Four Mile Creek Relief Sewer	21	
	E	Water and Sewer Main Construction FY98 Contract #106 - Street Main Extensions	22	
	F	Water and Sewer Main Construction FY98 Contract #105 - Street Main Extensions	22	
	G	Water and Sewer Main Construction FY98 Contract #104 - Street Main Extensions	22	
	H	Residential Sound Insulation Construction Contract D	23	
	I	Residential Sound Insulation Construction Contract C	23	
	J	Residential Sound Insulation Construction Contract B	23	
	K	Residential Sound Insulation Construction Contract A	24	
19.	Resolution of Intent to Abandon Street and Set Public Hearing - A Portion of Tyvola Road		24	21
20.	Resolution of Intent to Abandon Street and Set Public Hearing - A Portion of Murray Street		24	22

Item No.		Page No.	Attachment No.
	CONSENT I continued		
21.	Resolution of Intent to Abandon Street and Set Public Hearing - Fernbrook Road and an Unnamed Roadway	25	23
22.	Refund of Certain Taxes	25	24
	CONSENT II		
23.	Acceptance of National Arson Prevention Initiative Grant	26	
24.	Police Department Wide Area Network	27	25
25.	Automated Internal Affairs Case Management System	28	
26.	FY97 Storm Water Maintenance Packages - Change Orders	30	
27.	York County Agreement - Amendment #2	32	
28.	Municipal Agreement - Westinghouse Boulevard Extension Sidewalk	32	
29.	Airport Concessions Contract	33	26
30.	FAA Grant Acceptance, Budget Ordinance and Construction Contract	34	
31.	Sale of Property - 2421 Danforth Lane	36	
32.	Sale of Surplus City Property Located at 2716 Statesville Avenue	37	
33.	Property Transactions	38	
34.	Meeting Minutes	41	

5:00 P.M. DINNER BRIEFING
CONFERENCE CENTER

1. **Update on Automation of Police Communications and Internal Affairs Case Management Systems**

2. **Vest/Irwin - Year One Results**

3. **Transportation Committee Report: ATE Contract**

4. **Community Building Task Force Report**

Attachment 1

5. **CWAC Economic Development / Charlotte Chamber Presentations**

Attachment 2

6:30 P.M. CITIZENS HEARING
MEETING CHAMBER

CONSENT

6. **Consent agenda items 18 through 34 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

7. Continue Public Hearing To Close An Alleyway South of Laurel Avenue

Action:

A. Continue the public hearing to abandon Alleyway South of Laurel Avenue; 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 this public right-of-way

- The public hearing for this petition was scheduled for the July 28, 1997 Council meeting Council voted on July 28, 1997 to continue the hearing until August 25th because of concerns of an abutting property owner, James Todd

- Mr Todd, 2418 Vail Avenue, currently has a fence along the rear of his property and does not use the alley for access The petitioner had agreed to provide an easement to Mr Todd for future access to Laurel Avenue

- Prior to scheduling the July 28th public hearing, all abutting property owners were in support of the petition, including Mr Todd On July 28, Mr Todd appeared before Council in opposition to the petition

- The petitioner's and Mr Todd's attorneys continue to meet to resolve this issue If a resolution is not reached by Friday, August 22, it is recommended that this hearing be continued until September 8, 1997

Community Input:

Petitioner:
A L Green & Co , Inc

Right-of-way to be abandoned:
An alleyway off Laurel Avenue

Location:
From Laurel Avenue southeastwardly approximately 250 feet

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

Notification:
In accordance with City Policy the Charlotte Department of Transportation (CDOT) has sent abandonment petitions to adjoining property owners and neighborhood associations

Neighborhood association(s): - No objection
Charlotte Council of Garden Clubs
Elizabeth Community Association

Attachment 3
Map

8. Public Hearing To Close Olde Village Drive

Action:

A. Conduct a public hearing to abandon Olde Village Drive; 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

- This public street right-of-way was a requirement of the old zoning ordinance for the Olde Towne Village Shopping Center located at the northwest corner of the Carmel and Quail Hollow Roads intersection The right-of-way and street pavement were incorporated into the shopping center's access to Carmel Road The current zoning ordinance does not require this right-of-way to be public The site plan was modified to remove this condition as well as to address other issues through a Site Plan Amendment to the rezoning petition (96-62) approved by City Council on September 16, 1996

Petitioner:
The Crosland Group, Inc

Right-of-Way to be abandoned:
Olde Village Drive

Location:
From Carmel Road westwardly approximately 220 feet to its end

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, private utility companies and City Departments for review

Adjoining property owners - No objection

Private Utility Companies - No objection

Review by City Departments has identified no apparent reason this closing would

- Be contrary to the public interest, or,
- Deprive any individual(s) owning property in the vicinity reasonable ingress/egress to his property as outlined in NCGS 160A-299

Attachment 4
Map

POLICY

9. City Manager's Report

10. Traffic Signal Alternatives

Action: **Consider vetoed items from Council's July 28, 1997 Business Agenda:**

A. To install a traffic signal at Parkwood Avenue and Seigle Avenue.

B. To operate the Park Road/Arbor Pointe Drive (South Mecklenburg High School traffic signal) four hours each school day.

Committee Chair: Sara Spencer

Staff Resources: Bill Finger and Randy Jones

Policy:

- CDOT evaluates intersections for traffic signals according to the Federal and State guidelines associated with the mandated Manual On Uniform Traffic Control Devices (MUTCD) City Code 14-57(d) requires the Manual be followed, except by resolution of Council

- On July 28, the Mayor vetoed Council actions regarding traffic signals at two locations The vetoed items must be reconsidered by City Council at its next meeting Seven votes are required to approve the items

Explanation of Request:

- Several citizen groups approached City Council for new traffic signals at two locations The Department of Transportation had informed citizens that the locations do not meet requirements for signal justification The requests were forwarded to the Transportation Committee for recommendation Transportation Committee members include Sara Spencer, Chair, Lynn Wheeler, Vice-Chair, Mike Jackson, Ella Scarborough, and Al Rousso

Parkwood Avenue: A Parkwood Avenue - citizen concern is for pedestrian traffic

At the July 28, 1997 City Council meeting, Council voted 6-5 in support of a substitute motion to install a traffic signal at Parkwood and Seigle Avenue The Mayor vetoed the action

The Department of Transportation will implement the following improvements

- Purchase and demolish the building which is a sight obstruction at Parkwood Avenue and Pegram Street,
- Add a guardrail in the curve on Parkwood Avenue at Cordelia Park, and
- Work with the neighborhood to provide a median on Parkwood Avenue

Park Road: B Park Road at South Mecklenburg High School (currently a school signal which operates an average of two hours every school day) - citizens are concerned about accidents (a fatality occurred there on April 14, 1997)

At the July 28, 1997 City Council meeting, Council voted 6-5 in support of a substitute motion to operate the school signal two hours each morning and afternoon (4 hours/day) The Mayor vetoed the action

Community Input:

- Citizens interested in each traffic signal location appeared before the Transportation Committee and full Council to speak in favor of or in opposition to the proposed traffic signal location being discussed

Attachment 5
July 28 Agenda items

11. Airport Noise Compatibility Program Update

Action: **Approve the recommendation of the Economic Development and Planning Committee to approve Part 150 Airport Noise Compatibility Program Update.**

Committee Chair: Lynn Wheeler

Staff Resource: Jerry Orr

Focus Area: Economic Development

Policy: Federal Aviation Regulations

Explanation of Request:

- On April 28, 1997, City Council deferred approval of the Part 150 Noise Compatibility Program Update and referred the proposed Program Update to the Economic Development and Planning Committee for further review and to consider a consultant/ombudsman to review Westside issues The Economic Development Committee met twice, on July 2 and July 21

Committee Discussion:

- At their July 2nd meeting, the Committee discussed the issue of residential zoning in the noise contours The Committee decided to advise Council that they were not in favor of residential zoning within or near the airport noise contours

- At their July 21, 1997 meeting, with all Committee members present, as well as Council-member Cannon, the Committee unanimously recommended that City Council approve the Part 150 Noise Compatibility Program Update

- The Committee, with input from leaders of the Westside Political Action Committee, decided the Airport was only one part of the Westside's concerns The Committee directed staff to work directly with the residents to bring proposals back later to address those other concerns

- The Noise Compatibilty Program details the measures intended to regulate the impact of significant noise exposure on residential areas near the airport as well as measures to regulate new, incompatible uses in locations exposed to significant noise levels

Community Input:

- The Airport Advisory Committee has monitored the planning effort closely, reviewing the progress at each of their monthly meetings, and recommends approval

- Additionally, there was an extensive public information and participation process with five public workshops, concluding with the Public Hearing on March 19, 1997 before the Airport Advisory Committee and City Council

Attachment 6
Summary of Current and Proposed Noise Compatibility Program

12. Memorandum of Understanding Pertaining to Composition of Planning Commission.

Action: **Adopt a Memorandum of Understanding among the City of Charlotte, County of Mecklenburg, and Charlotte-Mecklenburg Board of Education pertaining to the Charlotte-Mecklenburg Planning Commission and the Charlotte-Mecklenburg Board of Education.**

Staff Resources: Dick Black and Mac McCarley

Policy: Interlocal Cooperation Agreement for comprehensive planning and plan implementation

Explanation of Request:

- The City of Charlotte, County of Mecklenburg, and Charlotte-Mecklenburg Board of Education desire to have the opportunity to evaluate the participation of the Board of Education through a possible tripartite interlocal cooperation agreement

- The City of Charlotte and County of Mecklenburg each agree to appoint one person nominated by the Board of Education to the Charlotte-Mecklenburg Planning Commission to evaluate how well a revised interlocal cooperation agreement with three parties would work

- The Mecklenburg Board of County Commissioners and the Charlotte-Mecklenburg Board of Education each adopted the Memorandum of Understanding at their August 12 meetings

Committee Discussion:

- At the July 28 City Council meeting, Council considered amending the Interlocal Cooperative Agreement to make the Charlotte-Mecklenburg Board of Education a signatory partner with two appointments to the Planning Commission By a 6 to 5 vote, Council approved relinquishing its appointment to the Planning Commission that expires in July of 1998 to the Board of Education These three elected bodies would review the process in the year 2000 to see if it is working well and decide if a permanent change is desirable

Community Input:

- On July 21, a public hearing was held by Council on the question of amending the Interlocal Agreement to make the Board of Education a signatory partner with two appointments

Attachment 7
Memorandum of Understanding

BUSINESS

13. Utility Billing System

Action:

A. Adopt a budget ordinance to appropriate $5,400,000 for the purchase of a new Utility Billing System and related project implementation expenses.

B. Approve contracts with SCT Utility Systems for the purchase of the new utility billing system for up to $2,621,981.

Staff Resources: Richard Martin, Doug Bean and Susan Johnson

Focus Area: Restructuring Government

Explanation of Request:

- A comprehensive study of the utility billing system was conducted by the City's consultant, James Martin and Company, in November 1995 They recommended that the City issue a Request for Proposal (RFP) to purchase a new utility billing system Council appropriated the funds on April 22, 1996 for vendor selection and implementation planning

- Staff issued the RFP and selected SCT Utility Systems, the low bidder SCT is the leading software vendor in the utility billing industry

- The existing billing system has the following problems
  - Not Year 2000 compliant,
  - 25 years old,
  - Inflexible with expansion, and
  - Limited technical support due to age

- The new billing system is expected to provide the following benefits

  - Solve the Year 2000 problems,

  - Allow billing flexibility,

  - Support Utilities projected customer growth,

  - Increase revenue and cash flow by reducing the amount of time required to produce a bill from 20 days to 1 day, and

  - Improve response time to customer inquiries by having the correct information easily available

- The proposed system will result in the following cost avoidance/elimination

  - The 15 year amortized cost of the new system minus the County's share will be $313,000/year This cost will be reduced by projected annual maintenance savings of $230,000

  - The purchase of a new system will also result in a one-time cost avoidance of $500,000 This is the amount needed to convert the current system to be Year 2000 compliant

  - The County preliminarily agreed to pay $736,000 to support its portion of the system

  - The system is expected to be operational by January 1, 1999

Council Discussion:

- At their April 17, 1996 meeting, Council's Restructuring Government Committee agreed to recommend extending the City's consultant contract to proceed with the next series of steps in the process

- A detailed presentation on the utility system was made at Council's July 28, 1997 dinner meeting

Attachment 8

14. Spirit Square Lease and Operating Agreement

Action: **Approve the following actions:**

A. Cancellation of the current Spirit Square lease;

B. Resolution declaring the City's intent to lease Spirit Square to the North Carolina Performing Arts Center at Charlotte; and

C. Authorize publication of a notice announcing this action.

Staff Resource: Vi Alexander Lyles

Explanation of Request:

- The Spirit Square Arts Center Corporation has requested termination of their lease with the City for the operation and management of Spirit Square

- The Performing Arts Center (PAC) will operate and manage an arts education program at Spirit Square The PAC will make capital modifications to the center at an estimated cost of $900,000

- A new, ten year lease agreement with the PAC has the same provisions as the Spirit Square Arts Center lease with one change if the City terminates the lease, the City will reimburse the PAC $45,000 annually for each year left on the lease for leasehold improvements This provision was requested by the PAC from both the City and the County

- Other provisions for the lease require that the City pay the debt service for the facility and make structural repairs through the City's Capital Budget process

- The Spirit Square facility does not fall under the City's Cultural Action Plan

- Final approval of the lease agreements will be included on Council's September 8th business agenda The lease agreements, one for the Spirit Square Arts Center and the other for the Spirit Square parking lot, are in Council's library

- The County approved the lease agreement on August 12, 1997

Attachment 9
Resolution Declaring Intent to Lease Spirit Square

15. Resolution for Monetary Assistance

Action: **Approve a resolution to appeal to the governor of North Carolina for monetary assistance for of citizens affected by the flood event of July 23, 1997.**

Staff Resource: Jeb Blackwell

Explanation of Request:

- On July 23, 1997 Charlotte North Carolina experienced the highest rainfall and flood levels ever recorded The damage that occurred in Charlotte was assessed at $12 million by FEMA Staff has received reports from affected citizens that are estimated to exceed $60 million Due to FEMA's assessment, Charlotte was turned down for grants that would accompany a disaster declaration from the President Some citizens have experienced flood damages and losses to both homes and businesses from which they may never recover financially The only assistance available are the Small Business Administration loans

Community Input:

- A meeting was held on August 7, 1997 by citizens where they expressed their concerns to the City officials present They asked that the City do all it could to help them with their situation

Attachment 10
Resolution for Monetary Assistance

16. Nominations for Chair and Vice Chair for Police Citizens Review Board

Action: **Nominations for the positions of Chair and Vice Chair from the membership:**

Maxine R. Crowder-Wilson
George Daly
Anthony Fox
Brian D. Gott
Robbie Harrison
Sharon High
Calvin D. Jackson
Faison Kuester, Sr.
Bobby Miller
John R. Phillips
Suzanne B. Varner

The Council will vote on the appointments to Chair and Vice Chair for the Board on September 8

Attachment 11

17. Appointments to Boards and Commissions

Action: **Vote on blue paper ballots and give to City Clerk at dinner so that she may be prepared to announce the results.**

A. AIRPORT ADVISORY COMMITTEE
One appointment to fill a three year term beginning immediately and ending July 31, 2000
Appointee must have an aviation affiliation

1 Ivey Cook, Jr by Councilmember Rousso
2 Don Edwards by Councilmember Jackson
3 Ron Frazier by Councilmember Scarborough
4 Robert Kimrey by Councilmember Cannon
5 James Sgueglia by Councilmember Reid
6 Joe Simpkins by Councilmember Baker

Attachment 12

B. CLEAN CITY COMMITTEE
One position beginning immediately to fill an unexpired term ending June 30, 1998

1 John Hall by Councilmembers Jackson and Wheeler
2 Janinea Shelton by Councilmember Scarborough
3 Alisa Watson-Delgado by Councilmember Rousso

Attachment 13

C. **DOMESTIC VIOLENCE ADVISORY BOARD**
One appointment for three years beginning September 1997

1 C Patricia Allen by Councilmember Rousso
2 Carmen Alphandary by Councilmember Spencer
3 Sondra Morgan by Councilmember Cannon
4 Sherry Talkington by Councilmembers Jackson and Wheeler
5 Peggy Van Dyke by Councilmember Scarborough

Attachment 14

D. **HISTORIC DISTRICT COMMISSION**
One position beginning immediately to fill an unexpired term ending June 30, 1998

1 Terri Arrowood by Councilmember Reid
2 Lenore Deutsch by Councilmembers Rousso and Wheeler
3 Thomas Dwyer by Councilmember Jackson
4 Joe Howie, Jr by Councilmember Greene

Attachment 15

E. **MAYOR'S INTERNATIONAL CABINET**
Two three year appointments beginning immediately and ending June 2000 One appointee should represent an ethnic organization

Ethnic Organization
1 Peter Akerblom by Councilmember Baker
2 Peter Awute by Councilmember Majeed
3 Mary Boyd by Councilmember Cannon
4 Paul Erdos by Councilmember Majeed
5 Dawn Griffiths by Councilmember Wheeler
6 Sherise Jones by Councilmember Cannon
7 Balkunje P Shenoy by Councilmember Scarborough
8 Wolfgang Spille by Councilmember Sellers

No Category

1 Lewis Allen Dancy by Councilmember Baker
2 Robert Ett by Councilmembers Rousso and Jackson
3 Edwin Maddrey by Councilmember Reid
4 Greg Pilkington by Councilmember Sellers
5 Carol Stephenson by Councilmember Greene
6 Jack Sommer by Councilmember Reid

Attachment 16

F. SISTER CITIES COMMITTEE

Three appointments to fill unexpired terms beginning immediately and ending April 1998

1 Jill Bullard by Councilmember Wheeler
2 Mary Boyd by Councilmember Scarborough
3 Aukram Burton by Councilmember Scarborough
4 Dr Keith Lee Cannon by Councilmember Cannon
5 Timothy Crawford by Councilmembers Jackson and Sellers
6 Joe Delane by Councilmember Greene
7 Elyn Dortch by Councilmember Spencer
8 Robert E Fudge by Councilmember Cannon
9 Audrey Gatewood by Councilmember Baker
10 Judith Ghoneim by Councilmember Spencer
11 Sherise Jones by Councilmember Majeed
12 Lorne Lassiter by Councilmember Wheeler
13 Richard LeBel, Jr by Councilmember Jackson
14 Lori McElrath by Councilmember Cannon
15 Melissa Madura-Altman by Councilmember Reid
16 Sondra Morgan by Councilmember Majeed
17 Charles Parnell by Councilmembers Jackson and Reid
18 Rosa R Paul by Councilmember Rousso
19 Robert Percival by Councilmembers Rousso and Wheeler

Attachment 17

G. **STORMWATER ADVISORY COMMITTEE**

One appointment to fill an unexpired term beginning immediately and expiring April 1998 Must represent a school, college, hospital or church

1 Frank Barnes by Councilmembers Jackson and Reid
2 Reverend Clyde Owens by Councilmember Cannon
3 Annie Robinson by Councilmember Scarborough

Attachment 18

H. **TAXICAB REVIEW BOARD**

One two year term beginning September 1997 in the cab driver category NOTE Nominations are still open John Murphy has declined the nomination

1 John Murphy by Councilmember Scarborough

Attachment 19

I. **YOUTH INVOLVEMENT COUNCIL**

One three year appointment beginning immediately

1 Daphne Huntley by Councilmember Scarborough
2 Rahman Khan by Councilmember Majeed
3 Mason Siers by Councilmember Reid
4 Jennifer Stuebbe by Councilmembers Jackson and Wheeler
5 Lois Davis Ware by Councilmember Rousso

Attachment 20

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

CONSENT I

18. Various Bids

A. Irwin Creek Wastewater Treatment Plant - Digester Structural Improvements **CMUD**

Recommendation: Charlotte-Mecklenburg Utility Department Director recommends the low bid of $938,388 by Crowder Construction Company of Charlotte, North Carolina

MWBD Status:	Amount	% of Project	Project Goals
MBE	0	0%	4%
WBE	$135,160	13%	2%

MWBD Compliance: Yes

B. Sugar Creek Wastewater Treatment Plant Odor Containment Cover Procurement — **CMUD**

Recommendation: Charlotte-Mecklenburg Utility Department Director recommends the low bid of $669,800 by ILC Dover, Incorporated of Frederica, Delaware

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

MWBD Compliance: No known MWBE vendors available

C. Sanitary Sewer Construction - Sewer To Serve Nantz Road and 18716 N.C. Highway 73 — **CMUD**

Recommendation: Charlotte-Mecklenburg Utility Department Director recommends the low bid of $366,789 58 by Sanders Utility Construction Company, Incorporated of Charlotte, North Carolina

MWBD Status:	Amount	% of Project	Project Goals
MBE	$0	0%	3%
WBE	$366,789 58	100%	4%

MWBD Compliance: Yes

D. Sanitary Sewer Construction - Four Mile Creek Relief Sewer — **CMUD**

Recommendation: Charlotte-Mecklenburg Utility Department Director recommends the low bid of $3,710,059 26 by State Utility Contractors, Inc of Monroe, North Carolina

MWBD Status:	Amount	% of Project	Project Goals
MBE	$78,800	2 1%	3%
WBE	$7,350	0 1%	5%

MWBD Compliance: Yes

E. Water and Sewer Main Construction - FY98 Contract #106 - Street Main Extensions **CMUD**

Recommendation: Charlotte-Mecklenburg Utility Department Director recommends the low bid of $944,363 95 by Rea Brothers, Incorporated of Pineville, North Carolina

MWBD Status:	Amount	% of Project	Project Goals
MBE	$5,000	0 5%	2%
WBE	$22,950	2 5%	3%

MWBD Compliance: Yes

F. Water and Sewer Main Construction - FY98 Contract #105 - Street Main Extensions **CMUD**

Recommendation: Charlotte-Mecklenburg Utility Department Director recommends the low bid of $832,896 20 by R H Price, Incorporated of Charlotte, North Carolina

MWBD Status	Amount	% of Project	Project Goals
MBE	$0	0%	2%
WBE	$832,896 20	100%	3%

MWBD Compliance: Yes

G. Water and Sewer Main Construction - FY98 Contract #104 - Street Main Extensions **CMUD**

Recommendation: Charlotte-Mecklenburg Utility Department Director recommends the low bid of $948,616 10 by Tar Heel Construction Company of Denver, North Carolina

MWBD Status:	Amount	% of Project	Project Goals
MBE	$0	0%	2%
WBE	$113,950	12%	3%

MWBD Compliance: Yes

H. Residential Sound Insulation Construction Contract D — **Aviation**

Recommendation: The Aviation Director recommends the low bid of $60,573 by Moretti of Charlotte, North Carolina

DBE Status:	Amount	% of Project	Project Goals
BBE	$350	0 5%	10%

MWBD Compliance: Yes

I. Residential Sound Insulation Construction Contract C — **Aviation**

Recommendation: The Aviation Director recommends the low bid of $243,795 by Bass & Jones of Winston-Salem, North Carolina

DBE Status:	Amount	% of Project	Project Goals
BBE	$243,795	100%	10%

MWBD Compliance: Yes

J. Residential Sound Insulation Construction Contract B — **Aviation**

Recommendation: The Aviation Director recommends the low bid of $237,433 by Bass & Jones of Winston-Salem, North Carolina

DBE Status:	Amount	% of Project	Project Goals
BBE	$237,433	100%	10%

MWBD Compliance: Yes

K. Residential Sound Insulation Construction Contract A — **Aviation**

Recommendation: The Aviation Director recommends the low bid of $225,845 by Bass & Jones of Winston-Salem, North Carolina

DBE Status:	Amount	% of Project	Project Goals
BBE	$225,845	100%	10%

MWBD Compliance: Yes

19. Resolution Of Intent To Abandon Street and Set Public Hearing - A Portion of Tyvola Road

Action:

A. Adopt the Resolution Of Intent to abandon a Portion of Tyvola Road; and

B. Set a Public Hearing for September 22, 1997.

Attachment 21
Map

20. Resolution Of Intent To Abandon Street and Set Public Hearing - A Portion of Murray Street

Action:

A. Adopt the Resolution Of Intent to abandon a Portion of Murray Street; and

B. Set a Public Hearing for September 22, 1997.

Attachment 22
Map

21. Resolution Of Intent To Abandon Street and Set Public Hearing - Fernbrook Road And An Unnamed Roadway

Action:

A. Adopt the Resolution Of Intent to abandon Fernbrook Road and an Unnamed Roadway; and

B. Set a Public Hearing for September 22, 1997.

Attachment 23
Map

22. Refund Certain Taxes

Action:

Recommend adoption of a resolution authorizing the refund of certain taxes assessed through clerical or assessor error in the amount of $34,297.26.

Attachment 24

CONSENT II

23. Acceptance of National Arson Prevention Initiative Grant

Action: **Approve the following actions:**

A. Accept National Arson Prevention Initiative Grants of $20,000; and

B. Adopt budget ordinance totaling $20,000.

Explanation of Request:

- The Federal Emergency Management Agency (FEMA) has chosen Charlotte as one of three cities to pilot the National Arson Prevention Initiative The goal of this program is to involve all members of the community in the effort to decrease the incidence of arson fires

- To support the program, FEMA made a grant of $10,000 This has been matched by a grant of $10,000 from the North Carolina Department of Crime Control and Public Safety Council is asked to accept and appropriate these grants to the Fire Department for use by the Fire Investigation Task Force

- The funds will be used for the following

  - Initial meetings and technical assistance,

  - Public arson awareness and prevention education campaigns,

  - Public billboards,

  - Production of public service announcements,

  - Design and implementation of a juvenile firesetters information system,

  - Intervention training for staff and counselors, and

- Video/audio equipment for use with juvenile firesetters program

- Charlotte was chosen to pilot the National Arson Prevention Initiative because of the success of the Fire Investigation Task Force Charlotte uses a team approach which includes fire investigators, police investigators, agents of the Bureau of Alcohol, Tobacco and Firearms, and the State Bureau of Investigation to investigate, identify, and arrest perpetrators of arson fires

- Arson is a growing crime in Charlotte

Fiscal Year	#Arson Fires	#Warrants	#Convictions	Arson Losses
FY95	329	173	96	$2 242 534
FY96	437	169	86	5 570 874
FY97	444	143	41	3 234 843

24. Police Department Wide Area Network

Action: **Approve a three year contract with Time Warner Communications in the amount of $1,022,386 for the Police Department's High Speed Wide Area Network**

Staff Resource: Major Piper Charles

Explanation of Request:

- The Police Department is creating a High Speed Wide Area Network (WAN) to enable all of its eighteen locations throughout Mecklenburg County to access the computer resources at the Law Enforcement Center These resources include the mugshot and fingerprint systems, the Windows NT network and, eventually, the records management and CAD systems The network will also enable the department to move to a single desktop computer for its users, eliminating the need to have separate computers to access the Windows network and the police mainframe It will also enable all remote locations to share information with officers in the field through their laptop computers

- The Police Department requested proposals from BellSouth and Time Warner Communications, the only two WAN providers who could link all of the Police Department's remote locations throughout the county The bid selection committee determined that the proposal from Time Warner best meets the department's current and projected needs The Time Warner proposal guarantees network availability and has a greater capacity to handle the future growth of the system The two bid proposals are discussed in greater detail in an attachment

Summary of Bids:

Time Warner Communications	$1,022,386
Bell South	$1,022,400

Funding: Funds are available in the Police Department's budget

Attachment 25
Summary of Bid Proposals for Police Department Wide Area Network

25. Automated Internal Affairs Case Management System

Action: **Approve a contract in the amount of $149,296 with KPMG Peat Marwick to create an automated case management system for the Police Department's Internal Affairs Section.**

Staff Resource: Major Dave Stephens

Focus Area: Public Safety

Explanation of Request:

- The Police Department recommends the automation of its internal affairs case files to allow for more complete and timely analysis of the data related to allegations of employee misconduct, use of force incidents, vehicle and personal injury accidents, pursuits, discharge of firearms, and raids and searches

- The automated system will allow the Department to track complaints by
  - employee,
  - complainant,
  - unit of the department,
  - geographic area of the city,
  - type of incident, and
  - date and time of incident

- The system will also have an early warning component which will enable the Department to use information related to complaints to identify potential problems and training issues on a timely basis

- Automation of these records will improve the case flow in Internal Affairs, enhance the Department's accountability, and provide better information to be used in policy and training decisions It will also facilitate the flow of information to the Citizens Review Board

- There were six bids in response to the RFP for design of the system Four of the bids were substantially higher than KPMG Peat Marwick The low bid of $104,800 was submitted by Tactics The system design they proposed did not meet the Department's needs and their bid required use of the Department's computer technology personnel to do a substantial portion of the design work

- KPMG has the most experience with police of any of the vendors and its design team can complete all of the required project activities KPMG conducted a recent audit of the Department's complaint review process and can use their understanding of the process in automating the system

Summary of Bids:

Tactics	$104,800
KPMG Peat Marwick	$149,296
The Revere Group	$196,000
Oracle Corporation	$312,750
Metro Information Services	$362,800
TRW	$427,000

Funding: Council appropriated $88,000 from the Police Department's assets forfeiture funds on March 24, 1997 The remaining funds will come from a federal grant for the design of the Police Department's information system

26. FY97 Storm Water Maintenance Packages - Change Orders

Action: **Approve change orders on two existing storm water maintenance contracts in order to make emergency storm drainage repairs.**

A. Approve Change Order #2 for $365,400 to the contract with Showalter Construction Company for continued construction of FY97 Storm Water Maintenance Package A. The change order will increase the contract amount from $730,000 to $1,095,400.

B. Approve Change Order #4 for $340,500 to the contract with Blythe Development Company for continued construction of FY97 Storm Water Maintenance Package C. The change order will increase the contract amount from $1,541,105 to $1,881,605.

Explanation of

- These change orders recognizes good performance by the contractors and competitive unit prices These contracts were bid in a range that provides 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

- These change orders will provide funds to continue work for approximately three months from the approval date The requested change order for Showalter Construction is the second of three renewals as anticipated in the bid We are requesting a fourth renewal to the contract with Blythe Development so we may proceed immediately with repairs of a culvert on Archdale Road The funds will also provide for additional emergency repairs likely to be needed following the storm of July 23

MWBD:

- Showalter Construction has committed to self-performing under this contract Their commitment will extend through this change order

- Blythe Development has committed to 6% BBE and 6% WBE utilization on contract FY97C This commitment also extends through this change order

Funding: Storm Water Capital Fund

27. York County Agreement - Amendment #2

Action: **Approve Amendment #2 to the Agreement between the City of Charlotte and York County.**

Explanation of Request:

- Amendment #2 will allow York County an additional two years to complete sewer construction in their service area The existing agreement between York County and Charlotte - Mecklenburg Utility Department (CMUD) will expire on September 3, 1997 The agreement was entered into on September 3, 1985, for the purpose of providing the County with the ability to provide water and wastewater services to development in the Carowinds Boulevard area of York County

- While York County has pursued the construction of major water and wastewater facilities to serve the Carowinds area, the construction of wastewater transportation facilities has been delayed

- Construction of all required improvements is currently underway and York County anticipates that all construction will be complete by October 1998

28. Municipal Agreement - Westinghouse Boulevard Extension Sidewalk

Action: **Recommend approval of a budget ordinance totaling $50,000 for participation in State highway project for Westinghouse Boulevard extension to add sidewalks.**

Explanation of Request:

- The Westinghouse Boulevard Extension Project is under construction by the State Prior to the 1997 annexation, the portion of Westinghouse Boulevard from Carpet Street to Downs Road was outside Charlotte City limits, and the City was unable to participate in building the sidewalk

- The City will fund 50% of the sidewalk construction cost We will be able to take advantage of the relatively low price the NCDOT's contract offers and provide sidewalk in this newly annexed area

Funding: Participation in State Road Projects Capital Account

29. Airport Concessions Contract

Action: **Approve an extension to the contract with Host Marriott to operate terminal concessions at the Airport.**

Staff Resource: Jerry Orr

Focus Area: Economic Development

Explanation of Request:

- Host Marriott has proposed an expansion of concessions in the concourse areas of the terminal by replacing the existing concessions with new, national brand concepts They have requested their lease be extended to 2010 to allow amortization of their required $7 - $10 million investment

- A contract extension now allows the project to move forward immediately The alternative is to wait until closer to the contract expiration date and rebid This alternative would cost the Airport $3 - $4 million in lost income (between now and 2003) and would limit the availability of the national brand products that surveys indicate passengers want

- Host Marriot made a presentation to Council at the July 28th dinner. Information responding to concerns raised by Councilmembers at that time is included in an attachment

- Host Marriott currently operates all concessions in the terminal building at the Airport They acquired the Gift/News contract through a bid process in 1986 and it expires in 1999. They acquired the Food & Beverage contract from Dobb's House, Inc in 1992, and it expires in 2003

- In 1992, Host Marriott undertook a program to revamp the concessions in the terminal to feature national brands and street pricing, a trend in the industry The new program has increased sales from $25 8 million in 1994 to $46 9 million in 1997 and increased Airport income from $4 0 million in 1994 to $6 9 million in 1997 It also has raised customer perception of the quality and value of concessions in Charlotte from 11th in 1992 to the top 5 in 1997, based on a nationwide survey of the 30 largest airports There are now 42 outlets, 18 are subtenants and 14 of those are locally owned

- Host Marriott subcontracts 12 of the 42 outlets (which represents 20% of gross receipts) operations to minority partners under the Airport's FAA-mandated Minority Participation Plan (Approved by Council in 1979)

Community Input: The Airport Advisory Committee voted 11-0 to recommend the contract extension

Attachment 26
Charlotte concession philosophy
Condensed proposal presentation

30. FAA Grant Acceptance, Budget Ordinance and Construction Contract

Action:

A. Adopt a resolution accepting a Federal Aviation Administration (FAA) grant in the amount of $8,353,000 for Ramp B Expansion Phase 3 and the Airport's Part 150 Noise Compatibility Program;

B. Adopt a $9,470,667 Budget Ordinance to appropriate the FAA grant and $1,117,667 of Airport funds for constructing Ramp B Expansion Phase 3; and

C. Award a $3,793,507 construction contract to Blythe Development Company of Charlotte to construct the Ramp B Expansion Phase 3.

Explanation of Request:

- The FAA has offered a grant in the amount of $8,353,000 to fund the completion of a high priority Airfield Capacity Improvement Project - Terminal Ramp expansion ($3,353,000) and the Airport's Noise Compatibility Program ($5,000,000)

- Each year, the FAA provides entitlement funds based on passenger enplanements FY97 entitlement funds of $6,961,350 were accepted by Council on May 12, 1997

- In addition to the entitlement funds, the FAA provides funding (at the Secretary of Transportation's discretion) for high priority airport projects on a national basis Charlotte has been offered discretionary funding of $8,353,000 this year The total amount of FAA funds accepted this year is $15,314,350

- In 1987, the Airport Master Plan identified the expansion of the terminal ramp to accommodate traffic growth Other actions by Council regarding this project are as follows

  - Award of design contract June 1995

  - Grant acceptance and award construction contract for Ramp B-Phase 1 Sept 1995

  - Grant acceptance and award construction contract for Ramp B-Phase 2 June 1996

MWBD:

Goal	21%
DBE participation	18%

Community Input: The Airport Advisory Committee is recommending the approval of this grant acceptance, budget ordinance and construction contract

Summary of Bids:

Blythe Development Co.	**$3,793,507.00**
APAC-Georgia, Inc	$3,812,947 97
Curtin Brothers Contracting	$4,061,029 00
W C English, Inc	$4,132,604 50

Funding: This Ordinance appropriates $8,353,000 from the Federal Grant and $1,117,667 from the Airport Discretionary Fund for a total of $9,470,667

31. Sale of City Property - 2421 Danforth Lane

Action: **Approve the sale of City owned property located at 2421 Danforth Lane.**

Explanation of Request:

- Council is requested to approve the sale of City owned property in compliance with the provisions of North Carolina Statutes and pursuant to the terms of the offer

Property Address	2421 Danforth Lane
Tax Code	061-101-04
Buyer's Name	John Brown
Offer	$55,000

- In accordance with the Part 150 Plan, the Airport acquired 31 homes in the Wandawood community, near Harding High School, because they were located in the highest noise zones Noise levels have subsequently decreased to a level where noise insulation is an acceptable remedy under the Part 150 Plan (less than 75DNL)

- The Airport provided noise insulation to 2421 Danforth Lane and listed the property in the Multiple Listing Service for sale to the public at the appraised price of $54,000

- An offer to purchase was extended to the Airport The offer was $55,000 with the Airport paying for the realty fee of 3% ($1650) and landscaping the yard ($300) This offer is contingent upon FHA/VA financing, and the binder is to be returned if buyer is unable to obtain a loan

- The prospective purchaser signs a Residential Property Disclosure Statement acknowledging "The property is located in proximity to Charlotte/Douglas International Airport in a noise impacted area and to an industrial park A racing engine machine shop (Panther Racing) is located in the aforementioned industrial park adjacent to the Wandawood Subdivision "

- Additionally, a perpetual easement for the flight of aircraft over the property is attached to the deed The easement covers noise vibrations, fumes, etc , so long as the noise level does not increase more than three decibels

- The offer to purchase was advertised for 10 days in accordance with North Carolina General Statute 160A-269 for upset bid No upset offers were received

Community Input: The Airport Advisory Committee has approved this sale

32. Sale of Surplus City Owned Property Located at 2716 Statesville Ave.

Action: **Approve the sale of City-owned property located at 2716 Statesville Avenue (tax code 077-077-26) to St. Luke's Baptist Church.**

Explanation of Request:

- An offer has been received for the purchase of City-owned property located at 2716 Statesville Avenue The property consists of a 0 230 acre lot zoned B-1 The Planning Commission concurs with the mandatory referral The property was advertised for upset bid based on the offer from St Luke's Baptist Church of $15,500, which is the appraised market value There were no upset bids

33. Property Transactions

Action: **Approve the following property acquisitions (A-D) and adopt the condemnation resolutions (E-H).**

Acquisitions:

A. **Project:** F A R Part 150 Land Acquisition
Owner(s): Remus Townes & Althea Johnson
Property Address: 4620 Denver Avenue
Property to be acquired: 1 047 acres
Improvements: Ranch house
Tax Value: $55,420
Purchase Price: $76,000
Remarks: 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 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

B. **Project:** Ronda Avenue Culverts, Parcel # 4
Owner(s): Raymond A Fledderman & wf , Betty C Fledderman
Property Address: 6914 Waldorf Court
Property to be Acquired: 17,598 sq ft ± (404 ac)
Improvements: Single family house
Purchase Price: $155,900
Remarks: Project design requires acquisition of the entire property and all improvements thereon for the Ronda Avenue Culvert Project Compensation is based on a certified independent appraisal
Zoned: R-3 **Use:** Residential
1991 Tax Value: $108,440
Tax Code: 189-191-25

C. **Project**: Seventh Street Boulevard, Parcel #4
Owner(s): Seventh Street Investors, LLC
Property Address: 411 East Seventh Street
Property to be Acquired: 2,031 sq ft (0 0466 ac) of right-of-way plus 841 sq ft (0 0193 ac) of Temporary Construction Easement
Improvements: None
Purchase Price: $35,700
Remarks: Areas are needed to construct the Seventh Street Project Compensation is based on an independent, certified appraisal
Zoned: UMUD **Use**: Warehouse
1991 Tax Value: $201,260
Tax Code: 080-064-07

D. **Project**: Seventh Street Boulevard, Parcel #5
Owner(s): Alvin E Levine & Seventh Street Investors, LLC
Property Address: 419 East Seventh Street
Property to be Acquired: 4,258 sq ft (0 0977 ac) of right-of-way plus 1,501 sq ft (0 0344 ac) of Temporary Construction Easement
Improvements: None
Purchase Price: $73,900
Remarks: Areas are needed to construct the Seventh Street project Compensation is based on an independent, certified appraisal
Zoned: UMUD **Use**: Commercial
1991 Tax Value: $ 239,870
Tax Code: 080-064-08

Condemnations:

E. **Project**: 1995 Sewer Lines Mint Hill Trunk, Parcel #144
Owner(s): C B Barbre & wf , Jo S Barbre & any other parties of interest
Property Address: 34 455 acres on Kuck Road
Property to be Acquired: 60,888 sq ft (1 3977 ac)
Improvements: Trees
Purchase Price: $8,200
Remarks: Areas are required for the construction and maintenance of a sanitary sewer line The property owners were unhappy with location of line The Charlotte Mecklenburg Utility Department reviewed the request and was unable to revise alignment Compensation is based upon an independent, certified appraisal

Zoned: R **Use**: Vacant
1991 Tax Value: $ 155,030
Tax Code: 137-043-13

F. **Project**: Seventh Street Boulevard, Parcel #24
Owner(s): Beaty Realty Company, Ltd & any other parties of interest
Property Address: 316 East Seventh Street
Property to be Acquired: 5,312 sq ft (0 1219 ac)
Improvements: None
Purchase Price: $64,875
Remarks: Areas are required to construct the Seventh Street Project Property owner wants an amount that is substantially higher than property values in the area without the benefit of an appraisal City's offer is based on an independent, certified appraisal
Zoned: UMUD **Use**: Commercial/Parking
1991 Tax Value: $ 364,800
Tax Code: 080-024-11

G **Project**: Seventh Street Boulevard, Parcel #23
Owner(s): L Rea, Marilu Rea Sorrells & any other parties of interest
Property Address: 325 East Seventh Street
Property to be Acquired: 1,272 sq ft (0 0292 ac)
Improvements: None
Purchase Price: $14,041
Remarks: Areas are required to construct the Seventh Street Project Property owner wants an amount that is substantially higher than property values in the area without the benefit of an appraisal City's offer is based on an independent, certified appraisal
Zoned: UMUD **Use**: Commercial/Parking
1991 Tax Value: $77,470
Tax Code: 080-021-10

H. **Project**: Seventh Street Boulevard, Parcel #3
Owner(s): Beaty Realty Company, Ltd & any Other parties of interest
Property Address: 401 East Seventh Street
Property to be Acquired: 4,702 sq ft (0 1079 ac)
Improvements: None
Purchase Price: $57,600
Remarks: Areas are required to construct the Seventh Street Project Property owner wants an amount that is substantially higher than property values in the area without the benefit of an appraisal City's offer is based on an independent, certified appraisal
Zoned: UMUD **Use**: Parking Lot
1991 Tax Value: $129,000
Tax Code: 080-064-06

34. Minutes

Action: **Approve minutes as follows:**

- **July 21, 1997 Zoning Meeting**
- **July 28, 1997 Business Meeting**