AGENDA

Meeting Type:	BUSINESS
Date:	02/10/1997

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, February 10, 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.	**Formal Business Meeting**

CITY COUNCIL AGENDA

Monday, February 10, 1997

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5:00 P.M. DINNER BRIEFING
CONFERENCE CENTER

1. **Carolinas Historic Aviation Commission - DC-3 Airplane Purchase**

2. **MWBD Annual Report**

3. **Transportation Priorities for MPO**

4. **Status Report on Old Bus Garage**

6:30 P.M. CITIZENS HEARING
MEETING CHAMBER

CONSENT

5. **Consent agenda items 14 through 23 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: Vi Alexander Lyles

POLICY

6. City Manager's Report on the Process for Review of the Arena Options

Introduction: Pam Syfert

- The purpose of this report is to allow Council to hear from CSL, International, the City's consultant, and the "Citizens' Advisory Committee on the Hornets/Coliseum Issue" The City Manager will also ask Council to approve a process for arriving at a final decision on which option to pursue

- The Hornets/Coliseum Advisory Committee has been meeting to assist the City Manager and staff in evaluating the options facing Council on the Hornets/Coliseum issue Based on information provided by City Staff, the Charlotte Hornets, the Coliseum Authority, 24-UP, and CSL, International, the Advisory Committee has completed their analysis

Analysis of Options: CSL, International

- The analysis (see attachment) evaluates the four options as they relate to the negotiating parameters Council approved last spring The options and the evaluation criteria are listed below

  - **Option 1:** Do Nothing

  - **Option 2:** Renovate the Charlotte Coliseum and/or amend the existing lease with the Hornets

  - **Option 3:** Sell the Coliseum to the Hornets

  - **Option 4:** Assist the Hornets directly or indirectly in the development of a new arena

Evaluation Criteria:

- Maximize the City's financial position
- Serve the long-term needs of the City of Charlotte
- No property tax increase or adverse impact on the City's existing capital priorities
- Maintain economic/civic opportunity for the City of Charlotte

Advisory Committee Report: Summarize the Committee's discussion and analysis

Process for Moving Forward: Pam Syfert

- Request for approval of a process to provide an opportunity between February 10 and March 24 for the Community and City Council to raise questions/issues and to inform the public The process would involve regular briefings to Council, Council workshops to address/respond to issues raised, and opportunities for input from citizens Highlights include

  - **February 10:** City Council Business Meeting - Council hears Advisory Committee Report and adopts process leading up to final recommendation on which option and how to proceed with negotiations
  - **February 17:** Special Council Workshop to address issues and review consultant analyses
  - **February 24:** City Council Business Meeting - Discuss issues raised concerning options
  - **March 17:** Additional Council workshop to address issues raised concerning options

- **March 24:** City Council Business Meeting- Council decision to pursue best option

24-UP Proposal Issues: Pam Syfert

Analysis of the current 24-UP proposal has identified some issues The City Manager, with help from the consultant and the Advisory Committee, would like to explore these issues before any final recommendation is made

Attachment 1

Timetable/Process for Decision-Making & Public Information

7. Transportation Priorities for the Metropolitan Planning Organization

Action: **Direct the City's MPO representative 's vote regarding the adoption of the Transportation Project Priority List.**

Staff Resource: Bill Finger and Joe Lesch

Explanation of Request:

- The Council's policy has been to direct their Metropolitan Planning Organization (MPO) representative's vote on most issues The MPO is scheduled to take action on the Candidate Transportation Project Priority List at their meeting on February 19, 1997

- The Technical Coordinating Committee (TCC) recommended a draft Project List that included the first seven roadway projects

  - Catawba Avenue Widening (I-77 to Sam Furr Road)

  - Mallard Creek Road Widening (Sugar Creek Road to Harris Boulevard)

  - US 74/Sharon Amity Road Interchange (New Interchange)

- Albemarle Road Widening (Pierson Drive to Reddman Road)

- NC 27 Widening (I-85 to I-485)

- I-77/Westmoreland Road Interchange (New Interchange)

- US 74 Expressway with High Occupancy Vehicle lane (Sharon Amity to Idlewild Road)

- The priority of these projects are based on the adopted 2015 Transportation Plan

- Four additional projects were added to the draft list by MPO members at the last MPO meeting (projects #8, 9, 10, and 11) Although these projects may have merit, the TCC does not recommend that these projects be identified as a high priority by being added to the list

- The City's MPO representative (Lynn Wheeler) may need some flexibility when casting her vote at the MPO meeting for negotiating purposes

Background:

- Each year, the MPO prepares a candidate list of Transportation projects to be submitted to the State Board of Transportation. The Board of Transportation uses this list of local priorities in the development of the State's Transportation Improvement Program (TIP)

- This is a seven-year funding document for state and federal transportation improvements The Technical Coordinating Committee (TCC) prepares the draft list each year based on the priorities adopted in the 2015 Transportation Plan The MPO may alter those priorities as they deem appropriate

- The MPO planning area, and representation, includes western Union County and all of Mecklenburg County The City of Charlotte has 9 of 23 total votes on the MPO

- The attached candidate project list includes several categories of projects, major roadway projects, safety projects, bicycle projects, rail projects, and transportation enhancement projects These categories are funded from different sources of revenue, so they do not compete against each other The major roadway projects are listed first and include average annual weekday traffic volume (AAWT) and estimated costs

- Four projects on the list not recommended by the TCC include

  - **#8 Waxhaw-Indian Trail Road** This Union County widening project between US 74 and Monroe Road, was suggested by Mayor Larry Helms of Indian Trail Although recent traffic counts indicate 15,800 vehicles per day on this roadway, it is not a priority in the 2015 Transportation Plan

  - **#9 Stallings Road.** This Union County widening project between US 74 and Monroe Road, was suggested by Union County Commissioner Tommy Tucker Traffic volumes for this road are currently 10,400 per day This project is also not a priority on the 2015 Transportation Plan

  - **#10 Beatty Street Improvements.** This Davidson project for curb, gutter and sidewalk, was suggested by Mayor Russell Knox of Davidson This project is not included in the 2015 Transportation Plan

  - **#11 Airport Access to/from Uptown (along Wilkinson Blvd).** This Charlotte project for a series of improvements along Wilkinson Boulevard was suggested by NC Board of Transportation member Peter Pappas The project is not included in the 2015 Transportation Plan

- A complete reevaluation of roadway project priorities will be done when the 2015 Transportation Plan is updated in 1988 Some of the projects being suggested may become priorities at that time

Attachment 2
Draft Candidate Transportation Project List

8. Boards and Commissions Process

Action:

Approve changes to the Council Boards and Commissions process as recommended by the Council/Manager Relations Committee:

A. Approve changes in the form used to apply for positions on a Council Board or Commission; and

B. Adopt a resolution revising the procedures and administration of the Boards and Commissions Process.

Committee Chair: Al Rousso

Staff Resource: Brenda Freeze

Explanation of Request:

- The Council Manager Relations Committee reviewed the recommendations of a 1994 Council on the Boards and Commissions process
- The Council Manager Relations Committee met four times to consider the changes The Committee recommends the following changes

Application Form

- Require a separate application for each committee, information on political affiliation, and a statement to allow background checks
- State it will be a Council goal to maintain a balance of membership based on race, sex, Council district, and political affiliation and include this on the application

Changes in the Procedures and Administration

The major changes include

- Increasing public notice of vacancies
- Recommending a residency requirement
- Requiring background checks for certain boards and commissions
- Revising reporting requirements to include semi-annual and annual reports
- Increasing attendance requirements

- The Council Manager Relations Committee unanimously approved the recommendations with one exception Council member Greene voted against the attendance requirement that states
  - if any member of a Board or Commission misses three consecutive regular meetings, they will be removed
- The Committee also deferred discussion of changes specific to the Civil Service Board until the City Manager reports on the review of police procedures for responding to citizen complaints
- The attachments detail the changes included in the application form and resolution

Attachment 3
Committee Recommendations

9. Citizens Hearing Process

Action: **Consider changes in the citizens hearing process and Council Meeting Schedule**

Staff Resource: Vi Alexander Lyles

Explanation of Request:

- During the January retreat, Council discussed how the citizens hearing is conducted during Council business meetings

- Issues identified with the current process include

  - Length of the hearing There is no limit to the number of speakers or the length of the hearing The citizens hearing often delays the start of the business meeting Other citizens signed up to speak on business and policy items have to wait for the citizens hearing to end

  - Hearing expectations Council's practice has been to hear from citizens and ask the staff for a report Sometimes Council engages the citizen in a dialogue to clarify the issue This exchange often lengthens the speakers' time at the podium and leads to immediate attempts to solve the problem

  - Staff currently tries to contact citizens who sign up for the hearing to resolve problems earlier, however, most citizens want direct communication with Council

- At the retreat, Council recommended the following change

  - Establish a monthly citizens hearing in conjunction with the first Monday of the month workshop The workshop will be restructured

  - 5 00 pm to 7 00 pm Workshop
    7 00 pm to completion Citizens hearing

- The Business Meeting would be restructured

  - 5 00 pm to 6 30 pm Business Meeting
    Dinner
    6 30 pm to Completion Business Meeting

  - Council's dinner briefing, prior to business meetings would include discussion of workshop-type subjects

- The change could be effective April 1997

- Citizens hearing rules would continue to be
  - Three minutes per speaker
  - 10 to 15 minutes per topic (Mayor determines)
- Council may request staff follow up

Attachment 4
Citizens Hearing Options - March 1996 Workshop

10. Council Rules of Procedure

At the January 1997 Planning Retreat, Council asked staff to prepare an agenda item concerning Council Rules of Procedure This item will be sent in the Friday, February 7, 1997, Council-Manager Memo

BUSINESS

11. Federal Funds for a South Corridor Transitway

Council discussed the application for a federal transportation grant at the 1997 Planning Retreat The action to approve the application will be sent in the Friday, February 7, 1997, Council-Manager Memo

12. Resolution Supporting Day of Unity

This item will be sent in the Friday, February 7, 1997, Council-Manager Memo

13. Closed Session

Action: **Adopt a motion to go into closed session to consult with attorneys employed or retained by the City Council to discuss matters covered by the attorney/client privilege, specifically including North Carolina Railroad v. City of Charlotte; and to establish, or to instruct the Council's staff or negotiating agents concerning the position to be taken by or on behalf of the Council in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease**

Introduction to CONSENT I and II

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

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

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

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

CONSENT I

14. Various Bids

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

Recommendation: The Aviation Director recommends the low bid of $235,090 by Bass & Jones of Winston-Salem be accepted

MWBD Status:	Amount	% of Project	Project Goals
BBE	$235,090	100%	10%

Compliance: Yes

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

Recommendation: The Aviation Director recommends the low bid of $197,748 by Bass & Jones of Winston-Salem be accepted

MWBD Status:	Amount	% of Project	Project Goals
BBE	$197,748	100%	10%

Compliance: Yes

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

Recommendation: The Aviation Director recommends the low bid of $241,522 by Bass & Jones of Winston-Salem be accepted

MWBD Status:	Amount	% of Project	Project Goals
DBE	$241,522	100%	10%

Compliance: Yes

D. Plant Mix Asphalt — CDOT

Recommendation: The Department of Transportation Director recommends a contract be accepted for award to the companies listed below The bids are arranged by section, each geographically surrounding one or more of the local asphalt plants, and reflect low bid when including the estimated hauling cost

Summary of Bids:

COMPANY	CONTRACT AWARD
Section I: Northeast (Charcon Court & Owen Blvd.)	
Blythe Construction (Poplar Tent Plant)	$179,523 75
Section II: Southeast (Kilcullen Drive & Kelford Lane)	
Crowder Construction (Sam Newell Plant)	$386,232 00
Section III: Southwest (South Blvd & Mustang Lane)	
Blythe Construction (Old Nations Ford Plant)	$266,272 50
Section IV: West (Winona Street)	
Blythe Construction (Old Nations Ford Plant)	$787,897 50
Section V: North (Old Statesville Road & Oak Drive)	
Crowder Construction (Reames Road Plant)	$204,217 50
Cold Mix Asphalt	
Rea Construction (Plant not specified)	$95,500 00

MWBD Compliance: Yes There are no known MWBD vendors

E. Firefighters Protective Clothing — Fire

Recommendation: The Fire Chief recommends the low bid meeting specifications as submitted by Action Fire & Safety, Charlotte, NC be accepted for award as a unit price contract in the amount of $864 06 Purchases are subject to appropriations by City Council and actual needs The total estimated FY97 expenditure for this clothing is $172,812 The contract awarded will be for two years with an option for two more years

MWBD Compliance: Yes One MWBD vendor submitted a bid but was not the recommended vendor for contract award

CONSENT II

15. Grounds Maintenance Phase II

Action: **Award the low bid of $285,327 from John Todd Landscaping of Charlotte, N.C.**

Explanation of Request:

- This three-year grounds maintenance project will provide turf and landscape maintenance at the following locations
  - Animal Control
  - Alexander Street
  - Amay James
  - Belmont
  - Greenville
  - TMOC Centers
  - Fire Investigation Arson Task Force
  - Landscape Management
  - Oliver St and Sirus St Medians
  - Spratt St Facility
  - Strawn Village Park
  - Sweden Road Fleet Management
  - Street Maintenance

Competition Status:

- The Landscape Management Division has traditionally performed this work Award to the private contractor will result in the elimination of four positions A placement plan was submitted with the City's bid to guide.
  - selection of the employees who will be displaced,
  - evaluation of placement opportunities within the City, and
  - and end of City employment if necessary.
- All major areas of work in Landscape Management have been subjected to competition Landscape Management has won the bids in some areas, and will continue to compete to ensure the lowest cost service

MWBD Status: Service contracts are typically self-performed by prime contractor Of the nine bids received on this project, two are certified MWBD firms

Summary of Bids:

Todd Landscaping of Charlotte, NC	$285,327 00
Dixie Lawn Service of Gastonia, NC	$363,386 10
Roundtree Lawn of Charlotte, NC	$365,809 50
Busy Bee Lawn Care of Charlotte, NC	$403,777.50
Green Touch Tree &Turf of Charlotte, NC	$424,197 94
City of Charlotte	$427,897 89
Lan-Scape Services of Lancaster, SC	$462,924.00
Merecom Corp , of Monroe, NC	$489,106 80
Geoscapes of Newell, NC	$517,179 35
D B Landscaping of Charlotte, NC (WITHDREW BID 1/17/97)	$143,283 00

16. Speed Limit Change

Action:

Adopt ordinances to lower the speed limit on two Charlotte streets:

Neighborhood 25 MPH Program
Old Reid Road (Spring Valley)

Transportation Engineering Evaluation:
Hickory Grove Road from 45 mph to 35 mph

Explanation of Request:

This ordinance lowers the speed limit, in accordance with Council's approved policy on the Neighborhood 25 MPH Program, on old Reid Road street and lowers the speed limit on Hickory Grove Road, in accordance with policy regarding speed reductions based on transportation engineering evaluations

Funding:

Department of Transportation's Operating Budget

Background:

Old Reid Road: At request of residents, the street was evaluated for appropriateness of 25 MPH speed and eligibility based on program criteria The policy requires that residents submit a petition signed by 75 percent of the households or property owners on the streets They met this requirement

Hickory Grove Road: The disabled community in this area requested assistance in accessing area services The City made the following improvements

- sidewalk
- curb cuts
- bus shelter
- traffic signal at Hickory Grove Road and Shamrock Drive

- CDOT also conducted a transportation engineering evaluation It showed

  Vertical and horizontal alignments not conducive to travel at 45 mph

- Numerous hazards adjacent to the right-of-way, such as drainage ditches, culvert ends, and utility poles

- Narrow travel lanes

17. Continue Public Hearing to Close an Unnamed Street off Lansdowne Road

Action: **Continue the public hearing to abandon an unnamed street off Lansdowne Road until March 24, 1997.**

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 November 25, 1996 Council meeting Council voted on January 13 to continue the hearing until February 10 because of outstanding concerns of Shalom Park Foundation, Inc and the petitioner's request for additional time to meet to resolve those concerns,

- Staff met with the petitioners and representatives of Shalom Park Foundation and the Lansdowne Civic League on December 17, 1996 to resolve concerns An agreement was reached in principle at the meeting and a draft agreement was prepared which is currently being circulated to all parties for review Staff held a meeting on January 30 to resolve remaining concerns It is anticipated that by the March 24, 1997 meeting the final agreement will be executed by all parties and that the petitioners will submit a request to the Council to withdraw the petition

Background:

Petitioner:
Harold G and Helen L Gibson
Peter M and Deborah F Sauvin

Right-Of-Way to be abandoned:
Unnamed street off Lansdowne Road - right-of-way is unimproved and unused

Location:
From Lansdowne Road (600 block) westwardly approximately 200 feet to its terminus

Reason:
To eliminate the potential for increases in traffic on Lansdowne Road that may result from development of adjacent property

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

Adjoining property owners - Foundation of Shalom Park, Inc /Alan Feldman opposes the abandonment of this right-of-way because it limits potential access to their undeveloped property (The undeveloped portion of their property has potential access to Jefferson Drive or to Providence Road through the existing developed portion See attached map)

Neighborhood association(s) - No objection
Lansdowne Civic League

City Departments review has not identified a 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 the statutes

Attachment 5
Vicinity Map

18. Engineering Design Services for Airfield Lighting Vault

Action:

A. Adopt a budget ordinance to appropriate $145,000 to fund the engineering design contract for a new airfield lighting vault; and

B. Award engineering design contract to Talbert & Bright, Inc. for $115,000 for an additional airfield lighting vault.

Explanation of Request:

- A lighting vault is a building that houses electrical transformers which distribute power to the runway and taxiway lighting circuits It also includes an emergency generator
- As part of the Airport Master Plan, this project will construct an additional airfield electrical lighting vault The additional vault will supplement an existing electrical lighting vault that is over capacity It will be connected to a different Duke Power substation for an alternate source of electricity This contract will provide professional engineering services for the design of this project
- The design contract is 8 85% of the estimated total construction costs of $1,300,000 Initially, Talbert & Bright, Inc submitted a fee proposal of $219,391, which was negotiated to a lump sum of $115,000, including reimbursable expenses
- This design contract, includes IMDC, Inc of Orlando, FL, a Disadvantaged Business Enterprise (DBE), performing 52% of the design of this project
- The remaining $30,000 of the appropriation includes surveying and geotechnical investigations and a 10% contingency

Funding:

The Airport will fund the design of this project and will be reimbursed at a later date through a Federal Aviation Administration Grant and future revenue bond

Background:

Talbert & Bright, Inc was selected to design various airfield projects based on proposals submitted from fifteen airfield engineering consultants in December 1994

19. FY96 Storm Water Maintenance Package C, Change Order #2

Action:

Approve Change Order #2 for $340,500 to the contract with Blythe Development Company for continued construction of FY96 Storm Water Maintenance Package C. The change order will increase the contract amount from $860,105 to $1,200,605.

Explanation of Request:

- This change order includes renegotiated unit prices for ten of the more than 120 unit price items, and includes a project cost adjustment factor for projects less than $10,000 These new unit prices and adjustment factor are identical to those for the same items in a newer contract with Blythe Development, and are comparable to other FY97 contracts

- This type of contract is bid so that it provides bidding opportunities to all licensed contractors Where the contractor's work has been of good quality and the prices are still competitive, a change order is recommended to extend the contract

- Change Order #2 for Blythe Development Company (FY96C) will provide funds to continue work under this contract for approximately three months from the approval date

Funding:

Storm Water Fund

Background:

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

- Previously, change order #1 was approved September 24, 1996, in the amount of $340,500 This change order allowed for continued work under the original contract up to this time

- Blythe Development Company has committed to a MWBD utilization of 12% for work items that include hauling and masonry construction This commitment extends through this change order

20. Agreement with Huntersville Land Company for the Development of a Sanitary Sewer Collection and Treatment System

Action: **Approve agreement with Huntersville Land Company, et al, for the expansion of the Charlotte-Mecklenburg Utility Department's (CMUD) sewer system on the eastern side of Huntersville.**

Explanation of Request:

- This is a public-private partnership agreement that facilitates development of sanitary sewer service

- CMUD has received a request from the Huntersville Land Company for the expansion of the sewer system on the eastern side of Huntersville This agreement stipulates that

  - Huntersville Land Company will finance and construct the treatment plant, the collection system, and the outfall within their development This will eliminate two existing CMUD lift stations currently serving the eastern part of Huntersville and avoid the need to upgrade these facilities

  - CMUD will operate the plant, maintain the collection system, bill customers and retain all revenues

  - CMUD will pay Huntersville Land Company $290,000 per year for four consecutive years This payment is for the purchase of the completed outfall that CMUD would have otherwise constructed and compensation for the temporary treatment capacity provided by the project The treatment capacity will serve both the new development and existing CMUD customers

- When the CMUD lines currently in the five year Capital Investment Plan are complete, the developer will deed all of the lines built to CMUD

- The developer will hold the discharge permit for the plant at all times, and will be responsible for dismantling and removing the plant when the CMUD Capital Improvement Program lines are complete

- The Town of Huntersville supports this agreement

Funding: Sewer Capital Funds

Background:

- Huntersville Land Company has a discharge sewer permit to construct a half million gallons per day (mgd) wastewater treatment plant on Clark's Creek This plant will be located on the eastern side of Huntersville Huntersville Land plans to begin a 250-acre residential development in this area within the next few months

- CMUD's Capital Investment Plan provides for the extension of sewer service into this area Construction is planned over the next five years in conjunction with the CMUD-Cabarrus County Regional Agreement

- Approval of this agreement will allow CMUD to participate in development of a system that avoids a long term package treatment plant

- If this agreement is not approved, several actions are likely

  - the developer can continue with a private sewer system,

  - the collection system may not be built to CMUD standard and/or,

  - residents of neighborhoods with private sewer systems will continue to ask CMUD to acquire these systems

Attachment 6
Map

21. Amendment #1 To Cabarrus County Sewer Agreement

Action: **Approve Amendment #1 to the Cabarrus County Regional Wastewater Agreement to provide for construction of Clark Creek Outfall Phase I.**

Explanation of Request:

- This amendment provides for CMUD to reimburse the Water and Sewer Authority of Cabarrus County 90% of the cost of extending a sewer trunk line in Cabarrus County from Rocky River to a development that is in both Mecklenburg and Cabarrus County The developer is building sewer lines that will be donated to CMUD and that will flow into this line

- The land area that this line will serve is 90% in Mecklenburg County and 10% in Cabarrus County The reimbursement will be 20% of the total, actual project cost each year for five years The total estimated cost of the project is $1,179,762

Funding: No funding is required for approval of this amendment Council will be asked to approve a construction contract for this project that will determine the actual amount of funds required and will identify the funding source

Background:

- On December 11, 1995, Council approved a regional water and sewer agreement with the Water and Sewer Authority of Cabarrus County (WSACC) The agreement became effective June 13, 1996 This agreement provided for construction of the Rocky River Outfall in Cabarrus County to the Mecklenburg County line and for the City to obtain treatment capacity in the existing WSACC treatment plant The agreement also provided for amendments to address additional sewer lines that may be required along tributaries of Rocky River to extend into Mecklenburg County

- A developer with property in both Mecklenburg County and Cabarrus County has requested that WSACC and CMUD extend this line to provide service to his development The developer is to fund construction of this line through a 5-year reimbursable contract with WSACC Since the land that the line will serve is 90% within the CMUD service area, CMUD needs to participate in construction costs in order to obtain rights to capacity in the line

- WSACC will own and operate the sewer line and will administer the construction contract subject to CMUD review and approval

- This project was approved in the FY97-2001 Capital Investment Plan

Attachment 7
Map

22. Property Transactions

Action: **Approve the following property acquisitions (A-E) and adopt the condemnation resolutions (F-G)**

For items A-D, the purchase price was determined by an independent appraiser and was reviewed by a second appraiser Each appraisal takes into consideration the specific size and condition of the land and house The tax value is determined on a more generic basis and will be higher or lower for property with certain features 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

Acquisitions:

A. **Project:** F A R Part 150 Land Acquisition
Owner(s): Mr and Mrs Arthur Donat, Jr
Property Address: 8635 Todd Road
Property to be acquired: 383 acres
Improvements: Ranch/Basement house
Tax Value: $74,340
Purchase Price: $97,000

B **Project**: F A R Part 150 Land Acquisition
Owner(s): Mr James Albert Brown
Property Address: 7927 Tuckaseegee Road
Property to be acquired: 2 37 acres
Improvements: Ranch house
Tax Value: $56,520
Purchase Price: $60,000

C **Project**: F A R Part 150 Land Acquisition
Owner(s): Mr James W Gager and Mr and Mrs Randel B Gager
Property Address: 8000 Byrum Drive
Property to be acquired: 2 802 acres
Improvements: Two Story house
Tax Value: $137,880
Purchase Price: $145,000

D **Project**: Master Plan Land Acquisition
Owner(s): Southern Spindle & Flyer Co Inc
Property Address: 3901 Harlee Avenue
Property to be acquired: 1 729 Acres
Improvements: Vacant Land
Tax Value: $130,320
Purchase Price: $121,950

E **Project**: - Fourth/Kings/Third Intersection Improvement, Parcel # 6
Owner(s): State Employees Credit Union, Inc
Property Address: 1130 E Third Street
Property to be acquired: 835 sq ft (019 ac) plus Temporary Construction Easement, 2,851 sq ft (065 ac)
Improvements: Oak trees, pear tree, boxwoods and other shrubs
Tax Value: $2,979,860 (entire property)
Purchase Price: $25,500
Appraiser: Fitzhugh L Stout
Remarks: This acquisition is needed to construct the proposed Kings Drive intersection improvements The compensation amount is based upon independent appraisal
Zoned: B2 **Use**: Office

Condemnations:

F

Project: Duke Power McGuire Sanitary Sewer Line, Parcel #4
Owner(s): Larry D Sherman and any other parties of interest
Property Address: 6300 Jim Kidd Road, Huntersville, NC 28078
Property to be acquired: 25,734 sq ft (59 ac) plus Temporary Construction Easement, 19,316 sq ft (44 ac)
Improvements: Eight walnut trees
Tax Value: $81,600 (entire property)
Purchase Price: $4,200
Appraiser: Charles M Creech
Remarks: This area is needed for sewer right-of-way across the property The property owner refused appraisal offer and wanted the right-of-way narrowed to reduce tree damage The easement width cannot be reduced Compensation includes the value of trees to be removed within easement area as reflected in the City's independent appraisal
Zoned: R-3 **Use** Single family

G.

Project: 1995 Sewer Lines-Mint Hill, Parcel #7
Owner(s): Gordon E Klocko and Wife, Kathleen A Klocko and any other parties of interest
Property Address: 6229 Phyliss Lane
Property to be acquired: 8,674 sq ft (0 1991 ac)
Improvements: Trees, shrubs and a portion of the septic tank drain field
Tax Value: $221,540 (entire property)
Purchase Price: $7,200
Appraiser: Charles M Creech, Jr
Remarks: Acquisition area is needed to construct a sewer line to serve Mint Hill The owner requested the easement be moved to another location to avoid existing septic system City staff considered the request but were unable to realign due to public wells on adjoining properties Compensation is based on an independent appraisal
Zoned: R **Use:** Residential

23. Minutes

Action: **Approve minutes as follows:**

- **January 6, 1997 Council Workshop**
- **January 13, 1997 Business Meeting**
- **January 14, 1997 Legislative Breakfast**