

AGENDA

Meeting Type:	B
Date:	02-22-1982

City of Charlotte, City Clerk's Office

Charlotte

Public Service & Information Department
City Hall, 600 E Trade Street
Charlotte, North Carolina 28202
704/374 2395

Meetings in February '82

THE WEEK OF FEBRUARY 1 FEBRUARY 6

- 2 Tuesday, 7 30 a m. EXECUTIVE COMMITTEE/PLANNING COMMISSION Cameron Brown Building, First Floor Conference Room
Tuesday, 7 30 p m PLANNING COMMISSION Cameron-Brown Building, First Floor Conference Room
3 Wednesday, 12 Noon INSURANCE & RISK MANAGEMENT AGENCY Education Center, Room 239

THE WEEK OF FEBRUARY 7 - FEBRUARY 13

- 8 Monday, 7 00 p m CITIZENS HEARING (DISTRICT 2) Coulwood Junior High, 1901 Kentberry Drive
Monday, 7 30 p m CITY COUNCIL MEETING (DISTRICT 2) Coulwood Junior High, 1901 Kentberry Drive
9 Tuesday, 8 00 a m AIRPORT ADVISORY COMMITTEE Douglas Municipal Airport, Airport Manager's Office
Tuesday, 9 00 a m HISTORIC DISTRICT COMMISSION Edwin Towers, First Floor Conference Room
Tuesday, 3 30 p m PLUMBING ADVISORY BOARD City Hall Annex, Building Inspection Conference Room
Tuesday, 7 00 p m PLANNING COMMISSION/STAFF/TASK FORCE MEMBERS (Workshop, Dilworth Neighborhood Plan) - Pritchard Memorial Baptist Church, S Boulevard, Dining Hall
10 Wednesday, 7 30 p.m HISTORIC PROPERTIES COMMISSION City Hall, Second Floor Conference Room

THE WEEK OF FEBRUARY 14 - FEBRUARY 20

- 15 Monday CITY OFFICES CLOSED FOR WASHINGTON'S BIRTHDAY NO CITY COUNCIL MEETING
Monday, 7 30 p m PLANNING COMMISSION/STAFF (Continuation of Public Hearing on Dilworth Neighborhood Plan) Education Center, Fourth Floor, Board Room
16 Tuesday, 2 00 p m HOUSING AUTHORITY, 1301 South Boulevard
Tuesday, 3 00 p m COMMUNITY FACILITIES COMMITTEE Utility Department Conference Room, 5100 Brookshire Boulevard
Tuesday 7 30 p m CHARLOTTE TREE COMMISSION Park Operations Conference Room, 701 Tuckaseegee Road
17 Wednesday, 8 30 a m CIVIL SERVICE BOARD City Hall, Third Floor Conference Room
Wednesday, 4 00 p m EMPLOYMENT AND TRAINING ADVISORY COUNCIL Belmont Regional Center, 700 Parkwood Avenue
18 Thursday, 2 00 p m TECHNICAL COORDINATING COMMITTEE City Hall Annex, Department of Transportation Conference Room

THE WEEK OF FEBRUARY 21 FEBRUARY 27

- 22 Monday, 10 15 a m AUDITORIUM COLISEUM CIVIC CENTER AUTHORITY Coliseum Conference Room, 2700 E Indp Boulevard
Monday, 11 00 a m COUNCIL/MANAGER LUNCHEON (Tour & Discussion of Improvements Needed) Charlotte Coliseum, 2700 E Indp Boulevard

More

MEETING IN FEBRUARY '82 - Continued

THE WEEK OF FEBRUARY 21 - FEBRUARY 27 (Continued)

22	Monday, 2 00 p m	CITIZENS HEARING - City Hall, Council Chamber
	Monday, 3 00 p m	CITY COUNCIL MEETING City Hall, Council Chamber
	Monday, 7 30 p m	SPECIALIZED TRANSPORTATION ADVISORY COMMITTEE City Hall, Third Floor Conference Room
23	Tuesday, 3 00 p m	ZONING BOARD OF ADJUSTMENT City Hall Council Chamber
	Tuesday, 4 00 p m	MUNICIPAL INFORMATION ADVISORY BOARD Cameron-Brown Building, Third Floor Conference Room
25	Thursday, 4 00 p m.	ELECTRICAL ADVISORY BOARD City Hall Annex, Building Inspection Conference Room
	Saturday, Feb 27 - Tuesday, March 2	NLC CONGRESSIONAL CONFERENCE Washington, D C

Charlotte

IN MEETING ON MONDAY, FEBRUARY 22, 1982

- 11:00 A. M. - Council/Manager Luncheon
..Tour of Coliseum Facility
..Discussion of Needed Improvements
..Executive Pay Plan Presentation
Ovens Auditorium
- 2 00 P. M. - Citizens Hearing
- 2:30 P. M. - Council Discussion
..Farmers Market Presentation
..National League of Cities,
Congressional City Conference
- 3 00 P. M. - Council Meeting
Council Chamber

ITEM NO.

1. Invocation
2. Consideration of minutes of regular meeting on February 8, 1982.

PUBLIC HEARINGS

- 3 Joint hearing of City Council and Historic Properties Commission to consider the designation of property known as the "Old Little Rock A M E Zion Church", and the land associated therewith, as historic property

Consider adoption of an ordinance designating the church and land as historic property

The old Little Rock A M E. Zion Church was constructed in 1910-1911 based on plans prepared by noted Charlotte architect J M McMichael The structure is located on the corner of Seventh and N. Myers Streets in the First Ward Urban Renewal Area.

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council agenda

Mayor Eddie Knox

Mayor Pro Tem Harvey B Gantt

Dave Berryhill
Charlie S Dannelly
Laura Page Frech

Ron Leeper
Ralph Reiss McMillan
Pamella G Patterson
Edwin B Peacock, Jr

George K Selden, Jr
Herbert Spaugh, Jr
Minette Conrad Trosch

3.

(continued)

The City of Charlotte issued a notice of intent to acquire the structure on June 19, 1975, in accordance with the First Ward Urban Renewal Plan, for the widening of Seventh Street. On April 28, 1978, the City Council authorized condemnation of the structure and acquired it July 19, 1979 at a cost of \$177,500.00. The Little Rock congregation continued to use the church for several years, awaiting the construction of their new sanctuary. A vacate notice was issued on December 1, 1981, resulting in the structure being released to the City on December 11, 1981. However, in an effort to accommodate the completion of the move to the new sanctuary, the City received full control of the structure on January 12, 1982.

On December 15, 1980, City Council approved the allocation of \$2235.50 for an adaptive re-use feasibility study of the Old Little Rock A. M. E. Zion Church. The Historic Properties Commission contributed \$500, and the National Trust for Historic Preservation contributed \$2000 under a Consultant Services Grant. The firm of Inabinet Associates, Inc., was hired to study and recommend the adaptive re-use of the church building.

City Council also referred the matter to the Community Development and Housing Committee for review. The committee met with Engineering and Transportation staff who indicated that a plan could be devised to improve Seventh Street without taking the church property.

Once the church was evacuated, City Council instructed staff to secure the building against vandalism and to take actions to stabilize the building against further deterioration. The City Council Community Development and Housing Committee is currently considering restoration costs and alternative strategies for community use.

Because many unanswered questions remain regarding long range cost implications to the City, City Council may wish to defer action on the ordinance until the Committee has made its final report.

Attachment No. 1.

4.

Hearing on petition of M. Lee Heath, Jr., Anne Heath Hardage and City National Bank, Trustee under the will of M. Lee Heath to abandon and close a portion of Winton Street, a portion of Kensington Drive, a portion of Clement Avenue, a portion of Chestnut Avenue, a portion of Haywood Court, a portion of an alleyway lying southerly of Chestnut Avenue, alleyways lying northerly of Kensington Drive and westerly of Pecan Avenue, certain alleyways lying between Kensington Drive and Winton Street and easterly of Clement Avenue and other alleys lying between Winton Street and Kensington Drive and westerly of Clement Avenue, certain alleyways

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4. (continued)

lying southerly of Winton Street and westerly of Clement Avenue, located in an area generally easterly of Hawthorne Lane, westerly of Pecan Avenue and northerly of Central Avenue, in the City of Charlotte.

The streets and alleyways in question, with the exception of a portion of Clement Avenue, have never been improved and are not maintained by the City. Clement Avenue extends from Central Avenue to the Heath property where the pavement ends without a proper turnaround. An agreement with the petitioners has been made to ensure the construction of a city standard cul-de-sac upon the future development of the site to be located at the terminus of Clement Avenue.

The abandonment of the streets and alleyways will not deny any person access to their property; the petitioners own the property abutting the streets and alleyways except for a portion of Winton Street and two alleyways which abut Barnhart Manufacturing Company. Barnhart Manufacturing Company has concurred in writing with the closing.

The petitioners intend to incorporate the rights of way of these streets and alleyways into the adjoining property making the existing parcels contiguous, and the land will be more marketable without the restrictions imposed by the rights of way and alleyways.

No city departments object to the closing.

Recommend adoption of a resolution closing and abandoning the rights of way of these streets and alleyways

Attachment No. 2

5. Hearing on petition of the City of Charlotte Engineering Department to close and abandon the right of way of a portion of an alleyway located off the 1800 block of Cleveland Avenue and the 200 block of East Worthington Avenue.

The closing will facilitate the construction of a new fire station at 1819 South Boulevard which will serve the areas presently served by Fire Stations 2 and 9. The right of way will be incorporated into the adjoining parcel of land to be used for parking facilities.

No city departments object to the closing.

Recommend adoption of a resolution to close and abandon right of way of the alleyway.

Attachment No. 3.

POLICY AGENDA

6. Consider adoption of proposed Minority Business Enterprise (MBE) goals for concessions in new airport terminal building.

Recipients of financial assistance from the United States Department of Transportation are required to adopt goals for Minority Business Enterprise participation by concessionaires operating activities for the provision of goods or services to a facility which has been constructed with USDOT funds. The City of Charlotte entered into a grant agreement with USDOT in 1980 that made it the new terminal project subject to these regulations.

On September 22, 1980 City Council adopted a resolution addressing MBE participation in the existing passenger terminal which authorized Mayor Knox to submit a document indicating that the City was developing a plan for concessions in the new terminal, including MBE participation goals, that would be submitted to the Federal Aviation Administration upon completion.

Since September 1980 the following actions have been taken by City Council regarding MBE participation in new terminal concessions:

- . . Authorized lease with Dobbs Houses, Inc. for sit-down restaurant and two concourse snack bars through 1996. Dobbs is required to sublease one of the two concourse snack bars to an MBE.
- . . Authorized five rental automobile concessions. City staff is continuing to negotiate with potential MBE for a sixth concession.
- . . Authorized advertising concession with female business enterprise.

Proposed MBE Goals for Remaining Concessions

Seven (7) specific services have been identified for which contracts would be awarded on a competitive basis with no advantage being given to minorities. (However, neither performance nor bid bonds would be required and MBE liaison officer would be available to provide technical assistance to MBEs.) Those seven services are

- . . 1 Barber Shop
- . . 2 Banks
- . . 1 Ice Cream Parlor
- . . 1 Game Room
- . . 1 Shoe Shine Stand
- . . 1 Travel Insurance Counter

Four (4) other spaces would be available for let to unspecified concessions. Two (2) of these would be conditionally reserved for MBE firms with final approval reserved for City Council

Attachment No. 4.

7. Consideration of an ordinance designating the property known as the "Charles Moody House" and the land associated therewith as historic property, at 830 Providence Road in the City of Charlotte, North Carolina, and recorded on Parcel No. 155-051-05 in the Mecklenburg County Tax Office.

This item was deferred by City Council at its meeting on February 8, 1982 in the absence of Councilmember Dave Berryhill. A public hearing was held on Monday, January 25, 1982 at which time City Council deferred action on the designation to allow the property owner additional time to respond.

Attachment No. 5.

8. Decision on Petition No. 81-68 by David D. Little, III, for a R-9MF(CD) site plan amendment and a change in zoning from R-9MF to R-9MF(CD) for a 5.26 acre tract fronting 395 feet on the east side of Craig Avenue and adjoining Delane Avenue.

The Planning Commission recommends the petition be approved with the installation of additional screening

Attachment No. 6.

9. Decision on Petition No. 81-69 by Greenland Avenue Crime Watch Association for a change in zoning from O-6 and I-1 to R-6MF and O-6 for properties comprising the 2400 block of Arty Street, and the 2200 block of Monument Street.

The Planning Commission recommends the petition be approved.

Attachment No. 6.

10. Decision on Petition No. 81-72 by NCNB as Trustee for Elizabeth Swayngim for a change in zoning from R-6MF to O-6(CD) for a .16 acre parcel fronting 50.36 feet on the south side of Ideal Way, approximately 415.7 feet west of the intersection of Ideal Way and Park Road.

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A protest petition has been filed sufficient to invoke the 3/4 Rule requiring nine affirmative votes of the Mayor and City Council in order to rezone the property.

The Planning Commission recommends the petition be denied.

Attachment No. 6.

11. Decision on Petition No. 81-73 by Harley B. Gaston, Jr. for a change in zoning from O-6 to B-1 for a .366 acre parcel located at the southeast corner of Providence Road and Alberto Street with frontages of 117.22 feet on Providence Road and 108.26 feet on Alberto Street.

A protest petition has been filed sufficient to invoke the 3/4 Rule requiring nine affirmative votes of the Mayor and City Council to rezone the property.

The Planning Commission recommends the petition be denied.

Attachment No. 6.

12. Decision on Petition No 81-74 by Eastover Homeowners Association for a change in zoning from R-6MF and O-6 to R-6 for properties comprising the 100 and 200 blocks of Altondale Avenue.

The Planning Commission recommends the petition be approved.

Attachment No. 6.

13. Decision on Petition No. 81-75 by Charlotte-Mecklenburg Planning Commission for a change in zoning from B-2 and I-1 to R-9 for a 8.25 acre tract located at the southwest corner of North Tryon Street and Hilo Drive, with frontages of 602.41 feet on North Tryon Street and 642.59 feet on Hilo Drive.

The Planning Commission recommends the petition be approved.

Attachment No. 6.

14. Decision on Petition No. 81-77 by Georgia H. Bradley for a change in zoning from R-12 to B-2 of a 2.65 acre tract located off the north side of Interstate 85, approximately 467 feet west of Little Rock Road.

The Planning Commission recommends the petition be approved.

Attachment No. 6.

15. Decision on Petition No. 82-3 by Charlotte-Mecklenburg Planning Commission to amend the text of the City Zoning Ordinance to
(1) Change the definition of one-family attached dwellings to allow buildings in multi-family projects to have a minimum of two units instead of the current three-unit minimum; and
(2) Change the allowable minimum width for one-family attached dwellings from 16 feet to 12 feet.
- The Planning Commission recommends the text amendment be approved.
- Attachment No. 6.
16. Decision on Petition No. 82-6 by W. H. Keistler, Jr. and wife, Dorothy R. Keistler for a change in zoning from R-6MF to B-2 for a .75 acre parcel fronting 217 feet on the south side of North Cloudman Street, approximately 198 feet east of Rozzells Ferry Road.
- A protest petition has been filed sufficient to invoke the 3/4 Rule requiring nine affirmative votes of the Mayor and City Council to rezone the property.
- The Planning Commission recommends the petition be denied.
- Attachment No. 6.
17. Decision on Petition No. 82-7 by Ann F. Maxwell for a change in zoning from R-9MF to O-15(CD) of a 7.4 acre tract located on the north side of Yorkmont Road, approximately 385 feet west of the intersection of Yorkmont Road with frontages of 773.9 feet on Yorkmont Road and 803.22 feet on Airport Parkway (no access)
- A protest petition has been filed sufficient to invoke the 3/4 Rule requiring nine affirmative votes of the Mayor and City Council in order to rezone the property.
- The Planning Commission recommends the petition be approved.
- Attachment No. 6.
18. Decision on Petition No. 82-9 by James Varnadore for a change in zoning from B-2 to B-D(CD) for a 3.0 acre parcel located at the northeast corner of Independence Boulevard and Margaret Wallace Road with frontages of 288.96 feet on Independence Boulevard and 340 feet on Margaret Wallace Road.
- The Planning Commission recommends the petition be approved with the addition of a note on the site plan concerning the architectural treatment of the building fronting on Independence Boulevard.
- Attachment No. 6.

19

Consider the endorsement of single member districts in legislative re-apportionment, as proposed by Councilmember Ed Peacock

Councilmember Peacock is preparing a resolution that will be forwarded to City Council on Friday

20.

Consideration of appointments to Boards and Committees.

(a) Local Development Company - 18 positions.

Local Government

1) 1 position, 2 years - J. W. Walton

Private Lending Institution

- 2) 1 position, 1 year - James A. Abbott
- 3) 1 position, 1 year - Robert R. Anders, Jr.
- 4) 1 position, 1 year - Graham Denton
- 5) 1 position, 2 years - Linda H. Lilien
- 6) 1 position, 3 years - Thomas W. Shaw, Jr.
- 7) 1 position, 3 years - W. J. Smith

Business Association

- 8) 1 position, 1 year - David L. Anderson
- 9) 1 position, 1 year - Michael Evans
- 10) 1 position, 2 years - Boyd Falls
- 11) 1 position, 2 years - Omar Leatherman
- 12) 1 position, 3 years - Gale Pendergraph
- 13) 1 position, 3 years - L. J. Stanley

(Mayor) William Cunningham

Community Organization

- 14) 1 position, 1 year - Greg Finnican
- 15) 1 position, 1 year - William H. Grigg
- 16) 1 position, 2 years - William O. Hoey
- 17) 1 position, 3 years - William Barry Jenkins
- 18) 1 position, 3 years - Hank Neely

(Mayor) Varie Brusso
George Free

The Certified Development Company Program was enacted as an amendment to the Small Business Investment Act to help communities by stimulating the growth and expansion of small businesses within a defined area of operation. SBA certified development companies organized under the provisions of Section 503 will provide long term, fixed asset financing, and will enable communities to create jobs, increase the local tax base, expand business ownership opportunities and offer improved communities services

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(b) Charlotte Safety Action Committee - 3 positions

- 1) Rev. Eugene Owens (Trosch nomination)
- 2) Mr. Allen Dixon (McMillan nomination)
- 3) Dr. Raleigh Bynum (Frech nomination)
- 4) Mr. Willie Stratford, Sr., (Leeper nomination)
- 5) Ms. Pat Locke Williamson (Patterson nomination)
- 6) Mr. Ted Summer (Frech nomination)
- 7) Mr. Terry Findley (Spaugh nomination)

Action on this item was deferred at the Council meeting on February 8th to allow additional review of candidates.

Attachment No. 7.

21.

Consider adoption of a resolution approving the by-laws of the Charlotte-Mecklenburg Advisory Energy Commission (AEC) and the appointment of four representatives for the City, as recommended by the City Council Planning and Public Works Committee.

The Advisory Energy Commission was formed in June 1980 as a joint City-County body to investigate energy conservation needs. In August 1981 City Council adopted a resolution establishing the Charlotte-Mecklenburg Advisory Energy Commission as a permanent body with responsibility to study community energy problems and to develop an annual Energy Management Plan (EMP) to be approved by the City Council and County Commission. The first annual EMP was presented to City Council in August and referred to the Planning and Public Works Committee and the City Manager for review.

The actions before City Council today are to approve the by-laws and to make four appointments for the period of one year in the areas specified below:

- . . Electric Utility Representative
- . . Petroleum Industry Representative
- . . Consumer Advocate Representative
- . . Engineering/Technical Representative

Three of the four appointees would be selected by City Council. One appointee would be selected by the Mayor. The appointee selected by the Mayor would be rotated during each appointment period.

Attachment No. 8

22.

Consideration of nominations to fill the following positions.

(a) Clean City Committee - 2 positions

- 1) Unexpired term of Johnny McCoy (failed to meet attendance requirement) - to expire June 30, 1982.
- 2) Unexpired term of Jerry Pace (resigned) - to expire June 30, 1983.

The Clean City Committee is responsible for initiating, planning, directing and coordinating litter control activities in the City of Charlotte.

(b) Employment & Training Advisory Council - one position.

- 1) Unexpired term of Mrs. M. E. Wiebler (resigned) to expire November 4, 1983.

The Council is federally mandated, advises the Mayor in setting the basic goals, policies and procedures for the implementation of manpower programs which meet the standards of the Comprehensive Employment and Training Act of 1973. It monitors all manpower programs and other related programs under this Act for the purpose of improving the utilization and coordination of the delivery of services and making recommendations to the Mayor.

Attachment No. 9

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The City Attorney advises that Agenda Item Nos. 23 through 48 may be considered in one motion. However, any member of Council may request an item be divided and voted on separately

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Bids and Contracts

23.

Recommend adoption of an ordinance to amend Ordinance No. 980-X, the 1981-82 Budget Ordinance, transferring funds from the Water/Sewer Fund Balance/Sewer Tapping Privilege to the Sewer Tapping Privilege Expense Account, in the amount of \$200,000.

This appropriation will be used to install street sewer mains in accordance with the Water/Sewer Extension Policy, whereas Charlotte-Mecklenburg Utility Department receives petitions for construction of street mains to serve various areas of the City.

24.

Recommend approval of bids as follows.

Water Distribution Project
24-inch and 8-inch Water Main
Along North Davidson Street

Utility Dept.

- (a) Recommend award of contract to the low bidder, Rand Construction Company, in the amount of \$62,395.00, on a unit price basis, for 24-inch and 8-inch water main along North Davidson Street.

The following bids were received:

Rand Construction Company	Richfield, N. C.	\$ 62,395.00
Sanders Brothers, Inc.	City	67,255.00
Lockwood Construction Company	Pineville, N. C.	73,980.00
Rea Brothers, Inc.	Pineville, N. C.	90,780.00
Palmer Mountain Farm	Concord, N. C.	94,765.00
Blythe Industries, Inc.	City	120,295.00

Sanitary Sewer Construction
Sanitary Sewer to eliminate the
Lift Station at 6300 South Boulevard

Utility Dept.

- (b) Recommend award of contract to the low bidder, Blythe Industries, Inc., in the amount of \$130,120.00, on a unit price basis, for sanitary sewer to eliminate the lift station at 6300 South Boulevard.

The following bids were received

Blythe Industries, Inc.	City	\$130,120.00
Lockwood Construction Company	Pineville N. C.	141,230.00
Rand Construction Company	Richfield, N. C.	154,290.00
Palmer Mountain Farm	Concord, N. C.	167,280.00
Sanders Brothers, Inc.	City	176,325.00

On both of these projects the low bidder proposes to perform subject work solely with own work forces and not through sub-contractors. Award of these contracts is therefore consistent with the citywide Minority/Women Business Enterprise policies for construction projects.

25.

Recommend authorization to enter into a maintenance agreement with Burroughs Corporation in the amount of \$10,599 60 per month for the period March 1, 1982 through June 30, 1982 to cover computer equipment procured under the original contract with Burroughs, which has recently been paid off.

The equipment to be covered by this maintenance agreement represents that set of equipment still in use by the City from the original procurement in 1975. Because of the age of the equipment this

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maintenance agreement is vital until such time as new equipment is purchased. The period of time to be covered under the maintenance contract requested by this action is four months because on July 1, 1982 the annual maintenance contracts for all equipment must be renewed, including this set of equipment. No additional appropriation is required.

26. Recommend approval of a contract between the City of Charlotte and the Employment Security Commission of North Carolina in the amount of \$20,575 (FY81 carryover funds) for planning and implementation of the CETA Title IV Summer Youth Employment Program (SYEP) for economically disadvantaged youth, ages 14-21. Contract Period: March 1, 1982 to September 30, 1982.

The Fiscal Year 1982 Summer Youth Program, which is scheduled to begin on June 21, 1982 will serve approximately six hundred and fifty (650) economically disadvantaged youth between 14 and 21 years of age. These carryover funds will be used by ESC to hire temporary staff to conduct advance planning to identify work sites and initiate outreach and recruitment. A report from the Budget and Evaluation Department indicates that the contractor has successfully met past performance objectives under this program.

27. Recommend approval of an "Amendment to the Performance Contract dated October 1, 1981, between the City of Charlotte and the Cherry Community Organization, Inc. (CCO) relative to a Rehabilitation Management and Sales Program principally and primarily for the residents of Cherry Neighborhood Strategy Area.

On November 4, 1981 the United States Department of Housing and Urban Development sent a letter to Mayor Knox as a follow-up to its review of the Cherry Three-Year Plan and approval of 50 units of public housing in Cherry. They requested that the City move quicker to eliminate blighted areas scheduled for major repair prior to November 1983, the anticipated completion date of the 50 units of new housing. This would mean the addition of 21 units to the current workload of the CCO. (The current contract calls for completion of 32 units prior to October 1, 1982. Eight units have been completed to date.)

City staff has worked carefully with the CCO to plan a work schedule to complete this number of units. No new appropriation is involved since funding was set aside for this work in Fiscal 1983, but can be moved back to 1982.

Budget Ordinances

28. Recommend adoption of an ordinance to amend Ordinance No. 980-X, the 1981-82 Budget Ordinance, transferring \$500,000 from the 1981 Street Improvement Bond Fund to establish an additional appropriation for the Tryon Street Transit Mall.

In adopting the Capital Improvement Program Budget back in June of 1981, City Council authorized an initial allocation of \$400,000 for the design contract on the transit mall. This ordinance revises the budget for the transit mall project. On January 11, 1982 City Council approved a contract with Skidmore, Owings, and Merrill in the amount of \$803,370. Since payments to SOM are based on a percentage of completion, the Budget and Evaluation Department has recommended that the total contract amount be encumbered. Charges already made against this account have included design completion expense, public relations, and related Engineering staff time.

29. Recommend adoption of an ordinance to amend Ordinance No. 980-X, the 1981-82 Budget Ordinance, estimating Federal and State Grant revenues and transferring funds from the unappropriated balance of the 1981 Transit Facilities Bond Fund to provide an appropriation for the Transit Operations and Maintenance Facility, in the amount of \$8,687,600.

This budget ordinance establishes funding in the amount of \$7,060,000 from the Urban Mass Transportation Administration (80%), \$882,500 from the North Carolina Department of Transportation (10%), and \$745,100 from the City (10%). This total of \$8,687,600 will be combined with \$137,400 previously appropriated in Fiscal 1982 to bring the appropriation to the estimated project cost of \$8,825,000.

These funds will be used for land acquisition, construction, and equipping of a new Transit Operations and Maintenance Facility for the Charlotte Transit System.

30. Recommend adoption of a budget ordinance revising budgetary accounts and departmental charges for the Radio Division of the General Services Department, in the amount of \$6,060.

This ordinance will increase user departmental charges to allow the Radio Division to recover costs incurred in the installation and rental of a site on top of the Charlotte Plaza Building for nine radio transmitters to be used by the Transportation, Police, Utilities, and Fire Departments. No new appropriation is involved as this is a bookkeeping device.

Personnel Actions

31. Recommend adoption of an ordinance authorizing the position of Coordinator for Transportation Planning under the direction of the Planning Commission Director as defined in the Memorandum of Understanding for Transportation Planning - Charlotte Urbanized Area.

The Memorandum of Understanding for Transportation Planning - Charlotte Urbanized Area establishes a continuing transportation planning process and responsibilities as defined and agreed to by the City of Charlotte; Towns of Cornelius, Davidson, Huntersville, Matthews, Mint Hill, Pineville, Mecklenburg County; and the North Carolina Department of Transportation. The duties of the Transportation Planning Coordinator were defined as that of administrative coordinator for the Charlotte-Mecklenburg Metropolitan Planning Organization and the Technical Coordinating Committee.

The Personnel Department has classified this position a Planner II, Pay Range 21 (\$19,766 - \$25,227 annually). The Planning Commission budget will absorb the personnel cost of \$7,600 for the remainder of Fiscal 1982.

32. Recommend adoption of a resolution amending the pay plan to add the classification of Assistant Police Chief, Pay Range 31 (\$32,196-41,092 annually), as a special assignment of the class of Police Major.

As the Police Department is currently structured, the Police Chief supervises the heads of four major divisions (Administration, Field Operations, Services and Investigations), and also personally supervises other specialized activities. In view of the magnitude and sensitivity of Police Department programs and increasing demands upon the Police Chief's time, the current span of control is too great. The addition of an Assistant Chief position to supervise the heads of the four major divisions will allow for the delegation of most day-to-day management tasks, thus providing the Police Chief with needed time for policy development, long-range planning, community activities and overall direction of the department.

The new position will also provide an identifiable second-in-command while improving accessibility to top management. Designation of the Assistant Chief, in addition to Division Commander, as a special assignment of Police Major will allow the Police Chief latitude in appointing and transferring his primary assistants, while ensuring that these position incumbents are afforded full Civil Service protection within the attained rank of Major. This action will not require a new position being

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added to the table of organization; rather, a vacant clerical position will be traded off for the position. The projected additional cost through FY82 is approximately \$9,000, which is the difference in trading off a clerical position for a top level administrative position. The actual cost in terms of a salary increase would be substantially less since the position would be filled by a higher ranking Police Officer in the Department.

33.

Recommend adoption of a resolution amending the Play Plan to change the pay range assignment of the Police Communications Center Supervisor Classification from 16 to 17 (\$16,261 - \$20,754 annually).

The Personnel Department has reviewed the classification of Police Communications Center Supervisor and has identified the need to increase the pay range by five percent in order to provide appropriate differential with subordinates.

Fiscal 1982 cost of implementing this recommendation is approximately \$1,700.

The Police Communications Center is staffed by Police Radio Dispatchers, Pay Range 14, who are now assigned permanent shift work in receiving 911 calls and dispatching police patrols or contacting other dispatch functions for medical emergency calls. Five Communications Center Supervisors direct the work of six to ten subordinates, depending on the shift, by coordinating dispatch functions and assisting in complex situations.

34.

Recommend adoption of a resolution amending the Summer Recreation Pay Plan to increase existing pay ranges for temporary summer employees by 7 percent.

This action would provide a 7 percent pay adjustment for summer employees consistent with that provided regular City employees in the Fiscal 1982 budget. No additional appropriation will be needed for implementation in this budget year.

Property Transactions

35.

Recommend authorization for the Mayor to execute a Quitclaim Deed to Mrs. Margaret Keever Walden of the underlying fee simple interest in 2,470 square feet within existing city right of way with reservation by the City of public right of way.

This action is necessary to clarify ownership of adjacent property involved in the City Council decision to close Reddman Road in February 1981.

ITEM NO.

36.

Consider adoption of a resolution cancelling a contract with John J Conway for the sale of land in the West Morehead Neighborhood Strategy Area, and approving refund of "good faith" deposit in the amount of \$2,710.10.

Mr. John J Conway of Carolina Shaver and Appliances Services entered into a sales agreement with the City on September 14, 1981 to purchase 17,246 square feet of land in Block No. 27, Parcel No. 1, in the West Morehead Neighborhood Strategy Area, in the amount of \$27,101, to be redeveloped as a sales/servicing facility. By letter dated January 8, 1982, Mr Conway has informed the City his company desires to be relieved of its obligation under the sales agreement since it is financially impossible to complete the project. Under the terms of the sales agreement, Council has a legal right to retain the good faith deposit.

37.

Recommend sale of City-owned land located at the intersection of Wilmont, Yorkmont and Billy Graham Parkway to Mr. Marc Silverman, in the bid amount of \$40,000.

On November 23, 1981 City Council declared the above property as surplus and gave approval to advertise the property to be sold by the sealed bid process on January 21, 1982. This parcel was a portion of a large tract belonging to the Charlotte-Mecklenburg Utility Department and was severed from the remainder of this large parcel by the construction and relocation of the new Yorkmont Road and Billy Graham Parkway.

One bid was received at the January opening for \$40,000. The bid was submitted by Mr. Gene Davant, acting as agent for Mr Marc Silverman. This bid is in accordance with appraised value.

Attachment No. 11

Condemnation Settlement

38.

Recommend settlement in the condemnation case of City of Charlotte v Torrence B. Wilkinson, et al, Sanitary Sewer to serve Wilmont Road Project, Parcel 1, in the amount of \$2,750.00.

On November 12, 1981, the City condemned a sanitary sewer easement through the central portion of the Wilkinson property. The property contains 9,669 acres and contains a single family residence. The property is located at the end of Horseshoe Lane in the general vicinity of Douglas Municipal Airport.

At the time the condemnation was filed, the City deposited \$1,750.00 in Court as the estimate of the decrease in the fair market value of this property as a result of the condemnation. The owner contends that the damages caused by this condemnation are substantially higher. The compromise settlement calls for the additional payment of \$1,000.00 above the amount already deposited.

Refund of Taxes

39. Recommend adoption of a resolution authorizing the refund of certain taxes in the amount of \$8,304.66 which were collected through clerical error or illegal levy against 46 tax accounts.

Housing Rehabilitation Loan

40. Recommend approval of a loan agreement with Turner Brothers, Inc. for the rehabilitation of property located at 409-11, 413-15, and 417-19 in the Grier Heights Neighborhood Strategy Area in the amount of \$25,400.

This will be a 20-year loan at 3% interest per annum. The loan application has been reviewed by the City Loan Officer in the Community Development Department, and all criteria for qualifying for financial assistance has been met by the applicant in accordance with the requirements outlined for the Community Development Loan and Grant Program.

Ordinances Declaring Housing Unfit

41. Recommend adoption of ordinances affecting housing declared "unfit" for human habitation. The ordinances request demolition of dwellings at the following locations

- (a) 1817 Double Oaks Road
- (b) 2424 Rozzells Ferry Road

Resolution Endorsing SpringFest 1982

42. Recommend adoption of a Resolution of the Charlotte City Council endorsing SpringFest 1982, and authorizing certain actions:
- (a) The closing of the following streets on the specified dates: North Tryon Street during April 24-25, between Fifth and Seventh Streets, North Church Street during April 23-25, between Fifth and Seventh Streets; North Poplar Street during April 23-25, between Fifth and Seventh Streets, and West Sixth Street during April 23-25, between College and Pine Streets.
 - (b) The use of City sidewalks within the boundaries of the closed streets for the location of exhibits, booths, displays, artists and vendors.
 - (c) The use of Fourth Ward Park, Settler's Cemetery, and other open public property for children and recreational activities, crowd assembly and control and other planned activities, and

(continued)

42. (continued)

(d) Approval to contract for the sale of beer and/or wine at SpringFest. Subject to all applicable ABC regulations.

SpringFest 82 will be a three-day outdoor celebration of the City and will be Charlotte's salute to spring. Scheduled for April 23-25, 1982, SpringFest 82 will consist of a variety of planned activities and events including, but not limited to, a juried original fine arts, crafts, and photography festival, performers and live entertainment, children's activities, food vendors; arts and crafts exhibits; and participation by artists, merchants, vendors and others active in uptown promotion.

SpringFest, Inc. appeared before Council in November 1981 with a slide presentation of SpringFest 82. On November 23, Council adopted a resolution endorsing the organization of SpringFest, Inc. plans for SpringFest 82 and authorized City staff to assist in coordination of this event.

Amendment to the City Code

43. Recommend adoption of an amendment to Chapter 10, entitled "Health and Sanitation" of the Code of the City of Charlotte to clarify refuse collection at apartment complexes.

In 1980 City Council decided to provide refuse collection services only to single and multi-family residences. Collection to apartment complexes with bulk storage units is provided by contract.

Some new apartment complexes plan to install a different type of bulk storage unit than is specifically defined in the current Code. These are called detachable containers. This amendment would clarify that detachable containers can be collected under the existing contracts for apartment collection without additional cost.

Encroachment into Floodway Area

44. Consider request from the Beverly Woods East Racquet and Swim Club, Inc., located at 3801 Huckleberry Drive, to issue a Floodway Special Use Permit for encroachment of a proposed structure into the floodway area as defined along McMullen Creek.

The proposal is to construct a barbeque grill and picnic shelter 50 feet by 25 feet within the floodway Encroachment District.

(continued)

44. (continued)

At a meeting held on Tuesday, January 5, 1982, the Charlotte-Mecklenburg Planning Commission, by the following vote, recommended that the request be approved.

Yeas Boyce, Culbertson, Cummings, Curry, Ervin, Jernigan, Lawing
McCoy and Trotter.
Nays None

This approval is based upon the relatively minor effect this encroachment would have as reviewed by the Engineering Department.

This request does not require a public hearing processs, but consistent with the desire expressed by City Council on earlier requests, adjacent property owners have been notified that this action is scheduled for the City Council agenda on February 22, 1982.

Municipal Agreement

45. Recommend approval of a Municipal Agreement for installation of a traffic signal at the intersection of Lumarka Drive, Monroe Road, and Thermal Road.

The North Carolina Department of Transportation will provide necessary road widening for a left turn storage lane on Monroe, and will fund up to \$7,500 of the cost of the traffic signal equipment. City forces will install the traffic control equipment and perform other work necessary to put signal in operation. (City expense is estimated at \$12,000.)

This recommendation is made as a result of comprehensive investigation at the intersection by the Charlotte Department of Transportation staff, which shows that signal installation meets the minimum traffic engineering standards.

Amendment to Zoning Ordinance

46. Recommend approval of an amendment to Ordinance No. 769-Z, adopted July 16, 1979 under Zoning Petition No. 79-31, to make minor changes in the legal description.

The petition was filed by John D. Little and James A. White for a change in zoning from R-6MF to B-2 of a 5.94 acre tract located at the northwest corner of Interstate 77 and Pressley Road.

The discrepancy in the description was found by the Planning staff recently in discussions with the property owner.

Resolution Providing for Public Hearings

47. Recommend adoption of a resolution providing for public hearings on Monday, March 15, 1982, 6:00 p. m., Education Center, on Petitions 82-10 and 82-13 through 82-21 for zoning changes.

Special Officer Permits

48. Recommend approval of the renewal of special officer permits for a period of one year, on the premises of Charlotte Parks & Recreation:

- (a) Sanford Thomas Wise, Sr.
 - (b) Bobby Moore
 - (c) Garrick Von Hughes
-

PENDING MATTERS

In meeting on Monday, March 8, 1982, City Council will make nominations to fill the following positions:

(a) Council on Aging - 1 position

- 1) Virginia Bowser was appointed to this position October 22, 1979, and has now resigned. Appointment will be for a three-year term to expire March 30, 1985.

(b) Housing Appeals Board - 1 position

- 1) William H. Stalljohann's term expires April 4, 1982. He has served two full terms and is not eligible for reappointment.

Appointment is for a three-year term, and must be a building contractor whose primary business is in the area of residential construction or repair.

(c) Charlotte-Mecklenburg Art Commission - 2 positions

The Commission was established by joint resolution of City Council (November 23, 1981) and the County Commission (February 15, 1982).

One of the initial appointments is for a one-year term, one for a three-year term. (The Mayor makes one appointment for a two-year term.)

SCHEDULE OF MEETINGS
FEBRUARY 22 THRU MARCH 5, 1982

Monday, February 22

Council/Manager Luncheon
& Tour -Discussion of Improvements
Needed
Ovens Auditorium
2700 East Independence Boulevard

11 00 A.M

Citizens Hearing
Council Discussions
Council Meeting
Council Chamber - City Hall

2 00 P M.

2:30 P M.

3 00 P M.

Saturday, February 27 -
Tuesday, March 2

National League of Cities
Congressional Conference
Washington, D C