AGENDA

Meeting Type:	BUSINESS
Date:	11/24/1997

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, November 24, 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, November 24, 1997

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5:00 P.M. DINNER BRIEFING
CONFERENCE CENTER

1. Traffic Enforcement Strategies

2. Episcopal School Land Purchase

Attachment 1

3. Joint Maintenance Agreement with NCDOT for the I-77/I-277 Loop

Attachment 2

4. Housing Counseling Services Competition

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6:30 P.M. CITIZENS HEARING
MEETING CHAMBER

CONSENT

5. Consent agenda items 20 through 31 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

ZONING DECISION

6. Decision on Petition No. 97-83

Action:

- **Decision on Petition No. 97-83 by the Hanover Company for a change in zoning for approximately 18.5 acres on the westerly corner of Mallard Creek Road and Baucom Road from R-3 to R-17MF(CD).**

- **A protest petition has been filed and is sufficient to invoke the 20% rule requiring affirmative votes of 3/4 of the Mayor and Council Members, not excused from voting, in order to rezone the property.**

- **The Zoning Committee voted to recommend approval of this petition, with the following modification:**

  - **The narrow ends of the buildings will be oriented toward adjacent single family homes as indicated on the illustrative site plan.**

- **This petition was deferred for one week at the November 17 Zoning Meeting.**

Attachment 4

PUBLIC HEARING

7. Public Hearing to Close Old Wilmont Road

Action:

A. Open the public hearing to abandon a portion of Old Wilmont Road; and

B. Continue the public hearing on December 8, 1997.

Staff Resource: Scott Putnam

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

Explanation of Request:

- We have received a request (November 13th) from the petitioner to continue the public hearing on this petition so that several outstanding utility and access easement issues can be resolved

- The small piece of property abutting this right-of-way to the south and owned by the Trammel Crow Foundation (see attached map) is still in the County This property is surrounded by the City and is part of a larger assemblage proposed for development

- Staff does not support the proposed abandonment because of the difficulty/confusion of providing services and plan review/approval to a development located in 2 jurisdictions The petitioner/owner has indicated a willingness to a voluntary annexation of this property by the City

- It is anticipated that a petition for voluntary annexation will be submitted during the week of November 17th The Council will be asked to set a date at the December 8th meeting for a public hearing in January for the voluntary annexation A decision on the closing of Old Wilmont Road will be scheduled for the same date

- The Charlotte Department of Transportation has received a petition to abandon public right-of-way and is requesting this Council Action in accordance with North Carolina law

Petitioner:
LakePoint Business Land Limited Partnership

Right-of-Way to be abandoned:
Old Wilmont Road

Location:
From Oak Lake Boulevard northeastwardly approximately 800 feet to its terminus (near Tyvola Road Extension)

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

Community Input:

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

Adjoining property owners - No objection
Private Utility Companies - No objection
Neighborhood Association - No known neighborhood association in area Property lies between Lakepoint Business land and property owned by Trammell Crow Foundation

Review by City Departments indicates that at this time the closing would

1. Be contrary to the public interest unless the abutting property to the south is voluntarily annexed by the City
2. Deprive individual(s) owning property in the vicinity reasonable ingress/egress to his property as outlined by North Carolina law unless several outstanding issues can be resolved

Attachment 5
Map

POLICY

8. City Manager's Report

9. Discussion of a Proposed Government Center Display that includes the Ten Commandments

Action: **Discuss a proposed government center display that includes the Ten Commandments**

Staff Resource: Mac McCarley and Bob Hagemann

Explanation of Request: On August 24, the City Council voted to place the issue of a government center display that would include the Ten Commandments on the agenda for discussion at the first Council meeting after the November election On September 3, Council agreed that the discussion should be scheduled for late November

Attachment 6
August 20, 1997 City Attorney Memorandum regarding the Constitutionality of a Governmental Display of the Ten Commandments

10. Business Investment Program

Action: **Approve recommendation from Council's Economic Development and Planning Committee to implement the Charlotte-Mecklenburg Business Investment Program to provide investment grants to qualifying businesses that add jobs and capital investment in the Investment Zone.**

Committee Chair: Lynn Wheeler

Staff Resource: Tom Flynn
Terry Orell, Charlotte Chamber

Focus Area: Economic Development

Policy: Support the formation, retention, expansion and attraction of businesses to the City Within A City area for the creation of quality jobs

Explanation of Request:

- The purpose of this program is to encourage new and expanding businesses to add jobs and capital investment in identified areas of the community where economic stimulus is needed These areas are designated as the Investment Zone (Map and neighborhood listing attached)

- To qualify a business would have to invest in the Investment Zone and meet the following criteria

  1. Provide 20 or more jobs,
  2. Invest $2 million or more,
  3. Fall within identified Standardized Industrial Code (SIC) categories for Manufacturing, Warehousing, Distribution, Data Processing, and Central Administrative Offices, and
  4. Have an average wage rate for all employees of $12 23 per hour This wage rate will be reduced by up to 20% if 25% of employees live within the Investment Zone or participate in Work First, or other similar economic assistance programs

- The proposed effective date of this program is January 1, 1998 The County Commission approved the program on November 18, 1997

Committee Discussion:

- **Council's Economic Development and Planning Committee voted 5-0 to adopt this program.** The Committee was concerned about a similar program for small businesses Staff presented that program to the Committee on November 19, 1997 for their discussion and comment

- The Economic Development and Planning Committee includes Lynn Wheeler (Chair), Nasif Majeed (Vice Chair), Malachi Greene, Ella Scarborough and Charlie Baker

- The Committee also wanted to be sure that this program was reviewed by the City Attorney The City Attorney has reviewed the program and found no problems

- The City Council has received two presentations on this proposal, most recently at the November 10, 1997 dinner meeting

Funding: This program will be funded from the additional property taxes collected from the qualifying new and expanding businesses in the Investment Zone Future investment grant funding will be included in the Manager's FY99 Budget

Attachment 7
Business Investment Program Policy and Procedures

11. City of Charlotte's Housing Policy

Action: **Approve the following recommendations from Council's City Within A City Committee:**

A. Endorse the City's Housing Policy and support the self-sufficiency initiative.

B. Authorize staff to research alternative approaches to increase the production of affordable housing.

Committee Chair: Ella Scarborough

Staff Resource: Stanley Watkins

Focus Area: City Within A City

Policy: Federal regulations require all Department of Housing and Urban Development entitlement cities to have a strategic housing and community development plan

Explanation of Request:

- The City of Charlotte is committed to reducing the number of households living in substandard, overcrowded or unaffordable housing conditions through the prudent expenditure of public dollars

- The primary goals of the City's Housing Policy are
  - preservation of existing housing stock,
  - expansion of the supply of low and moderate income housing, and
  - support of family self-sufficiency initiatives

- Strategies are designed to
  - focus on rebuilding City Within A City neighborhoods,
  - enforce City Housing Code, rehabilitate or eliminate substandard housing,
  - partner with private, nonprofit, financial and other governmental entities to increase low and moderate income housing production,
  - provide home ownership and rental opportunities for low and moderate income families, and
  - leverage city dollars with non-city dollars (the investment ratio goal is $1 of city investment for every $4 of private/other investment)

Committee Discussion:

- On October 27, the Committee was presented with the City's Housing Policy and the results of the Housing Conditions Report **The Committee voted 4-0 to accept the Housing Policy and the Housing Conditions Reports** Councilmember Tim Sellers was not present

- Council's City Within A City Committee includes Ella Scarborough (Chair), Mike Jackson (Vice Chair), Patrick Cannon, Sara Spencer and Tim Sellers

- The City Within A City Committee recommends the following actions

- Endorse the Housing Policy - *current program mix is adequate to meet the need*
- Support the Self-Sufficiency Initiative - *participation in programs will help people move up and out of assisted housing*
- Direct staff to explore options to increase the supply of low income housing - *staff will research methods and provide information at the Council retreat*

Community Input:

On Thursday, November 13, 1997, the City Within A City Committee met with its landlord partners to hear their concerns about providing low-income housing
It was agreed that City staff and landlord partners would explore options to increase private participation in affordable housing

Attachment 8
City of Charlotte Housing Policy 1997

12. Housing Counseling Services Competition

This item will be included in the November 21, 1997 Council-Manager Memo.

BUSINESS

13. Renewal of Listing Agreement for Old Convention Center

Action: **Approve renewal of Listing Agreement with Percival's, Inc. to sell the Old Convention Center.**

Staff Resource: Kent Winslow

Focus Area: Economic Development

Policy: Asset Management

Explanation of Request:

- Percival's was awarded the listing agreement on the Old Convention Center by City Council on October 23, 1995 Percival's was selected from numerous real estate brokers by a review committee

- A commercial broker is needed to list the Old Convention Center for sale to provide maximum exposure of the property to local, national and international markets

- Percival's was unanimously recommended by a selection committee consisting of a member of the Privatization/Competition Advisory Committee, a prominent local real estate broker and City Staff

- A marketing budget of $50,000 was developed for advertising, brochures and video presentations Any funds spent would be deducted from the broker's commission

- Percival's will be responsible for coordination of due diligence information required by both Buyer and the City

- A 30-day cancellation clause is in the Listing Agreement

- A commission is paid at closing A commission is due should the City decline an offer based on the following conditions

- Broker submits a bona fide offer at or above the fair market value

- Offer represents a use of property that is acceptable to the City

- Several offers on the Property were received and rejected by Council One offer has been received and the upset bid process has been approved by City Council Since several offers are being considered and Percival's is involved in all of them, it is appropriate to renew the listing agreement

- The current listing agreement expires November 30, 1997 Approval of this request would extend the listing 12 months through November 30, 1998

14. Airport Special Facility Revenue Bond Financing

Action: **Adopt a resolution authorizing up to $125,000,000 of Special Facility Revenue Bonds to refund existing Special Facility Revenue Bonds, and provide funding for additional facilities and improvements.**

Staff Resource: Richard Martin and Jerry Orr

Focus Area: Economic Development

Explanation of Request:

- All the debt service related to these bonds is paid by US Airways, Inc There is no impact on the City's debt program

- US Airways, Inc , the current lessee of special facilities financed by bonds sold in 1987 and 1988, has requested that the City issue Special Facility Revenue Bonds These bonds will be used to refinance the 1987 and 1988 bonds (estimated to cost $100,000,000), and to finance all or a portion of the cost of additional special facilities or improvements (estimated to cost $25,000,000)

- The bonds will not be refinanced unless it results in significant savings to US Airways, Inc

- The additional special facilities total 30,000 square feet Improvements include upfitting the existing hangar and at least one other building City Council will receive contracts related to these facilities during the next few months These facilities will accommodate 975 new employees with an annual payroll estimated in excess of $50,000,000

- The resolution authorizes appropriate City officers to take all necessary and appropriate actions required to issue Special Facility Revenue Bonds up to $125,000,000, subject to final approval of financing documents by City Council

15. Settlement Proposal from Adams Outdoor Advertising

Action: **Act on a Settlement Proposal from Adams Outdoor Advertising.**

Staff Resource: Mac McCarley

Explanation of Request:

- The City of Charlotte is currently in litigation with Adams Outdoor Advertising regarding the constitutionality of the City's outdoor advertising zoning regulations Adams has submitted a settlement proposal to the City Three public open house meetings were held and the City Council conducted a public forum on the proposal

- City Council is being requested to either

  1 Accept the settlement proposal by authorizing the City Attorney to enter into a consent judgment which would implement the terms of the proposal If this option were chosen, staff would also present to Council a zoning amendment that would protect the location of signs that would be removed through the settlement,

2 Reject the proposal in which case the City Attorney will continue to prosecute the litigation, or

3 Take some other action that would allow for further consideration and, perhaps, negotiation of a settlement

Attachment 9
Background Information

16. Charlotte Center City Partners - Appointment of Directors

Action:

A. Appoint Daniel S. Levine a Class C At Large Director for a term expiring June 30, 1998 to fill a new director's position.

B. Appoint Sharon Allred Decker as a Class B Chamber of Commerce Director for a term expiring June 30, 1998 to fill the vacancy created by the resignation of Bill Simms.

Staff Resource: Curt Walton

Policy: Municipal Service District Act of 1973, North Carolina General Statutes, Article 23, Chapter 160A

Explanation of Request:

- On September 16, 1997, the Executive Committee of the Board of Directors of the Charlotte Center City Partners (CCCP) adopted a resolution increasing the number of voting directors from 15 to 16 and nominating Daniel S Levine to fill the newly created position
- The resolution also included the nomination of Sharon Allred Decker to fill the vacancy created by the resignation of Bill Simms

- Article II, Section 5 of the CCCP Bylaws provides that any vacancy occurring in the Board of Directors, including vacancies created by an increase in the number of directors, shall be filled by City Council with a person nominated by the Board of Directors

Attachment 10
CCCP Bylaws
List of Current Directors - By Class

17. Appointments to Boards and Commissions

Action: **Vote on blue paper ballots and give to the City Clerk at dinner.**

A. **SCHOOL FACILITIES MASTER PLAN OVERSIGHT COMMITTEE**
Three positions on this new ad hoc committee beginning immediately and expiring when the task is completed Mayor McCrory will appoint the remaining two positions for the City of Charlotte

1 Linda Butler by Council Member Majeed
2 Edna Chirico by Council Member Reid
3 Beverly Cureton by Council Member Cannon
4 Maxine Eaves by Council Member Majeed
5 Walter Fields by Council Member Jackson
6 Eugene Goldberg by Council Member Rousso
7 Jacquie Hamlin by Council Member Jackson
8 Alex Holloman by Council Member Cannon
9 Anne Marie Howard by Council Member Jackson
10 Jim Kobas by Council Member Reid
11 Ralph McMillan by Council Member Wheeler
12 Carol Rainwater by Council Member Wheeler
13 Sam Smith by Council Member Wheeler

Attachment 11

B. **TREE ADVISORY COMMITTEE**

One position beginning December 14, 1997 for three years Barry Flynn did not wish to be reappointed Voting on November 10 resulted in a 5-5 tie

1 Frances Choice by Councilmember Cannon
2 David Covern by Councilmember Wheeler

Attachment 12

18. Closed Session Pursuant to G.S. 143-318.11 (a)(6) to Consider the Performance of City Manager Pam Syfert

19. Closed Session to Discuss the Elizabeth Historic District Litigation

Action: **Hold a closed session pursuant to G.S. 143-318.11(a)(3) to consider and give instructions to the City Attorney regarding the lawsuits listed below:**

- **L. Frank Caldwell and wife, Virginia B. Caldwell; Sue R. Coppala; Merwin E. Foard and wife, Betty T. Foard; John C. Votik and wife, June C. Votik; Barons Company, Inc. and Sherron Company v. City of Charlotte**

- **Robert W. Goodman v. City of Charlotte**

- **Reginald L. Yates v. City of Charlotte**

- **Raymond A. Warren and Leigh Berryhill Warren v. The City of Charlotte, et al.**

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

20. Various Bids

A. Public Safety/911 800 MHZ Communications Tower — **Business Support Services**

Recommendation: The Business Support Services Director recommends the low bid of $291,920 00 by UNR Rohn Inc of Peoria, Illinois

MWBD Compliance: Yes

B. Princeton Avenue/Queens Road West Storm Drainage Improvements Project — **Engineering and Property Management**

Recommendation: The City Engineer recommends the low bid of $617,919 20 by Ferebee Corporation of Charlotte, North Carolina

MWBD Status:	Amount	% of Project	Project Goals
BBE	$10,880	1 83%	2%
WBE	$80,966	13 63%	1%

MWBD Compliance: Yes

C. Sugar Creek Wastewater Treatment Plant Sludge Transfer Line — CMUD

Recommendation: The Charlotte-Mecklenburg Utilities Director recommends the low bid of $1,559,539 20 by Mecklenburg Contracting Company, Incorporated of Raleigh, North Carolina

MWBD Status:	Amount	% of Project	Project Goals
MBE	$0	0%	3%
WBE	$60,000	3 9%	3%

MWBD Compliance: Yes

D. Sugar Creek Wastewater Treatment Plant Improvements — CMUD

Recommendation: The Charlotte-Mecklenburg Utilities Director recommends the low multiple-prime bids totaling $3,597,438 as shown below

General Construction - State Utility Contractors, Incorporated of Monroe, North Carolina for $3,067,038

Electrical Construction - Watson Electrical Construction of Wilson, North Carolina for $530,400

State Utility Contractors

MWBD Status:	Amount	% of Project	Project Goals
MBE	$2,000	0 1%	5%
WBE	$110,000	3 6%	5%

Watson Electrical Construction

MWBD Compliance: Yes

E. Sanitary Sewer Construction - Stoney Creek Tributary and Polk & White Road - 1997 Annexation Highland Creek Area — CMUD

Recommendation: The Charlotte-Mecklenburg Utilities Director recommends the low bid of $977,615 97 by R & R Utilities of Greer, South Carolina

MWBD Status:	Amount	% of Project	Project Goals
MBE	$10,000	1 0%	8%
WBE	$11,500	1 2%	6%

MWBD Compliance: Yes

F. Reroofing US Airways Maintenance Facility — Aviation

Recommendation: The Aviation Director recommends the low bid of $396,420 00 by Murton Roofing of South Carolina, Inc , West Columbia, South Carolina

MWBD Status:	Amount	% of Project	Project Goals
HBE	$27,692	7%	
BBE	$5,785	1 4%	
BBB	$612	15%	
WBE	$299	08%	
DBE			5%

MWBD Compliance: Yes There are two African American contractors on this job

21. In Remedy

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

Public Purpose:

- Eliminate a blighting influence in a City Within a City neighborhood
- Reduce the percentage of substandard housing from 2 3% to 1% in 1997 (One of the goals of City Within a City is to continue housing preservation efforts)
- Increase tax value of property by making land available for potential infill housing development

Policy:

- City Within a City
- Community Safety Plan

The In Rem Remedy items were initiated from 3 categories

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

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

Public Safety

A 2510 Westerly Hills Drive (Westerly Hills)
B 1917 Wood Dale Terrace (Wilmore)
C 212 Mill Road (Biddleville)

Complaint

D 1912 Cliffwood Place (Wilmore)
E 300 Martin Street (Biddleville)
F 215 Harrison Street (Lakewood)

Field Observation

G 1212 McArthur Avenue (Druid Hills)
H 310 Katonah Avenue (Seversville)
I 1521 Parkwood Avenue (Villa Heights)

Public Safety

A. 2510 Westerly Hills Drive

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 2510 Westerly Hills Drive (Westerly Hills), located in the City Within some City boundaries.

Attachment 13

B. 1917 Wood Dale Terrace

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 1917 Wood Dale Terrace (Wilmore), located in the City Within some City boundaries.

Attachment 14

C. 212 Mill Road

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 212 Mill Road (Biddleville), located in the City Within a City boundaries.

Attachment 15

Complaint

D. 1912 Cliffwood Place

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 1912 Cliffwood Place (Wilmore), located in the City Within a City boundaries.

Attachment 16

E. 300 Martin Street

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 300 Martin Street (Biddleville), located in the City Within a City boundaries.

Attachment 17

F. 215 Harrison Street

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 215 Harrison Street (Lakewood), located in the City Within a City boundaries.

Attachment 18

Field Observation

G. 1212 McArthur Avenue

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 1212 McArthur Avenue (Druid Hills), located in the City Within a City boundaries.

Attachment 19

H 310 Katonah Avenue

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 310 Katonah Avenue (Seversville), located in the City Within a City boundaries.

Attachment 20

I. 1521 Parkwood Avenue

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 1521 Parkwood Avenue (Villa Heights), located in the City Within a City boundaries.

Attachment 21

CONSENT II

22. Engineering Services for Neighborhood Improvement Projects - Amendment #1

Action: **Approve Amendment #1 totaling $178,000 for Engineering Services to Neighborhood Improvement Projects with US Infrastructure, Inc.**

Explanation of Request:

- US Infrastructure, Inc was hired on February 25, 1997 under the Council-approved selection process for $98,000 to preform preliminary planning and design services for two Neighborhood Improvement projects Wingate and Villa Heights
- Amendment #1 will provide an additional $178,000 to the US Infrastructure, Inc contract for final design services for Villa Heights ($98,000) and additional engineering services for Wingate ($80,000) The additional services include a greater level of detail for the construction plans and additional improvements above those originally planned
- Both the Wingate and Villa Heights neighborhoods are part of the 18 neighborhoods designated for infrastructure upgrades in the 1996 Neighborhood Improvement Bonds

MWBD: US Infrastructure, Inc is certified with the City of Charlotte as an Asian-American Business Enterprise

Funding: Neighborhood Improvement Capital Account

23. Fire Department Station Alert System Antenna Site Lease

Action: **Approve a three-year lease with CK-Southern Associates to install a third rooftop antenna on One First Union Center building for $800 per month to service the Fire Department's Station Alert System.**

Staff Resources: Tim O'Brien and Cliff Link

Focus Area: Public Safety

Explanation of Request:

- The Ballantyne and Mallard Creek annexation areas do not have dependable alarm communication coverage due to the distance from the current Heathway Drive transmitter location The relocation of the antenna to the First Union Center building will solve these problems by
  - increasing the communication range by raising the height of the antenna, and
  - providing better overall coverage to the service area by centralizing the communications system
- The City currently has two other antennas on the One First Union Center building for Police Mobile Data Communications A third antenna is needed to support the Fire Department's Station Alert System which requires a separate frequency
- The City is receiving a favorable rental rate compared to other comparable antenna site leases The roof top on this uptown building is a highly desired site for antennas CK-Southern Associates agreed to allow for another antenna on this building since it would provide a public safety service

Funding: Business Support Services Operating Budget

24. Trucks Equipped With Sewer Rodder/Vacuum System - Budget Ordinance and Procurement Contract

Action:

A. Adopt a budget ordinance transferring $150,000 from FY98 Installment Payment Contract to Water & Sewer Capital Equipment Fund, and

B. Award a contract to Jet-Vac Sanitary Services, Incorporated of Sumter, South Carolina for the low bid of $703,075.

Explanation of Request:

- This contract establishes a unit price of $140,615 for the purchase of five trucks equipped with a hydraulic sewer vacuum cleaner/rodder system This system will allow cleaning of sewer lines utilizing a two-man crew An invitation to bid was sent to nine companies Five bids were received, three of which were incomplete

25. Acquisition of Parks Farms Subdivision Sewer System

Action:

Approve contract totaling $1,114,375 with Carolina Water Service, Incorporated of North Carolina for the purchase of the sanitary sewer system serving Parks Farm Subdivision.

Explanation of Request:

- Parks Farm is part of the City's 1997 Six Mile Creek West Annexation Area
- As an alternative to installing new annexation sewer lines, CMUD recommends the purchase of the Parks Farm system

Funding:

Water and Sewer Capital Improvement Fund

26. Sewer Contract - Reverdy Lane Associates, LLC

Action: **Approve a sewer contract between the City and Reverdy Lane Associates, LLC.**

Explanation of Request: The Applicant, Reverdy Lane Associates, LLC, has requested a non-reimbursable contract for the design and construction of 800 feet of sanitary sewer trunk This trunk will serve their proposed subdivision on Reverdy Lane in Matthews The estimated cost of this project is $60,000

Funding: There is no cost to the City The applicant has deposited 20% of the estimated project cost with the remaining 80% to be deposited prior to construction

27. Municipal Agreement - Inspection of City Bridges

Action: **Approve a resolution to authorize the Director of the Department of Transportation to execute a Municipal Agreement between the City of Charlotte and the North Carolina Department of Transportation for sharing the cost of inspecting 150 qualifying City-maintained bridges and culverts.**

Explanation of Request:

- This Municipal Agreement provides for the North Carolina Department of Transportation to reimburse the City for 80 percent of the costs of the inspections only. The remaining 20 percent cost of the inspections plus all costs associated with identified repairs will be funded by the City
- The City of Charlotte will select and contract with a consultant in January/February, 1998 for services associated with the federally mandated biannual inspection of bridges and culverts Council will be requested to approve the consultant's contract at that time

- The estimated cost for the inspections is $1800 per bridge The total cost of the inspections is estimated to be $270,000 based on 150 bridges The City's portion of the cost (20%) of inspections is estimated to be $54,000 The cost to implement needed repairs will not be known until the inspections have been completed

Funding: Bridge Replacement and Repair Capital Account

28. British Airways Executive Club Lease Agreement

Action: **Approve a five-year lease with British Airways for an Executive Club in the Airport Terminal.**

Explanation of Request:

- Council is asked to approve a five-year lease with British Airways for 3,137 square feet of terminal building space for a passenger club facility The annual lease rate is $72,151

- The British Airways Executive Club is located on the administrative level of the terminal building and is an up-scale environment for British Airways' first class and business class travelers The facility consists of a kitchen, business center facilities and restrooms

- The facility was constructed by British Airways at their cost British Airways may terminate the lease early without cause However, all leasehold improvements become the property of the City

Community Input: Airport Advisory Committee recommends this lease

29. Sale of City Property at 2600-2632 South Tryon Street

Action:

A. Accept an offer to purchase property at 2600-2632 South Tryon Street.

B. Approve the advertisement of said offer and contract for receiving upset bids.

Explanation of Request:

- The City has received from State Properties, LLC, an offer to purchase vacant property on South Tryon Street for $131,000
- The property is zoned B-1, which is primarily designated for businesses and services of all types at locations on major thoroughfares
- This is a 1 5 acre tract with a 25-foot permanent drainage easement bisecting the property at an angle near the middle of the site An independent appraisal shows the fair market value is $114,800
- Terms of the Contract of Purchase and Sale include
  - $6,550 earnest money deposited at time of Council proposal to accept a contract
  - Buyer shall have 90 days from date of acceptance of a contract to make necessary investigation with regard to environmental assessment and to secure financing acceptable for acquisition and development of the property
  - The contract may be terminated by Buyer at any time during the 90-day examination period and earnest money to be returned
  - In the event Buyer determines the property shall not be suitable for Buyer's proposed use after the 90-day examination period, Buyer forfeits earnest money deposit

- Buyer agrees to develop the site within 36 months from execution of the contract subject to all applicable zoning and building code regulations, or property will revert to City

- This property has been marketed through multiple listing and the Commercial Board of Realtors for 18 months

Attachment 22
Map

30. Property Transactions

Action: - **Approve the following property acquisitions (A and B) and adopt the condemnation resolution (C).**

Acquisition:

A. **Project:** F A R Part 150 Land Acquisition
Owner(s) Mr and Mrs M David Smith, Jr
Property Address 2010 Boyer Street
Property to be acquired 2 359 acres
Improvements Ranch house
Tax Value $110,140
Purchase Price $135,000
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:** F A R Part 150 Land Acquisition
Owner(s) Mr and Mrs Billie E Preslar
Property Address 2016 Boyer Street
Property to be acquired 225 acres
Improvements Ranch house
Tax Value $37,070
Purchase Price $42,000
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

Condemnation:

C. **Project** 6839 Olde Savannah Road (Storm Water Maintenance by Engineering), Parcel # 1
Owner(s) Lisa Ann Pilato & any other parties of interest
Property Address 6839 Olde Savannah Road
Property to be Acquired 1,365 sq ft (0 031 ac) Permanent & Temporary Easements
Improvements Trees
Purchase Price $1,900
Remarks A Permanent and Temporary Easement is needed to build a larger culvert under Olde Savannah Road to alleviate flooding problems in the neighborhood City staff has yet to reach an agreement after numerous contacts Compensation is based on an independent appraisal
Zoned R-3 **Use** Residential
1991 Tax Value $82,020
Tax Code: 109-303-49

31. Minutes

Action: **Approve minutes as follows:**

- **October 22, 1997 Zoning Meeting**
- **October 27, 1997 Business Meeting**