

**AGENDA**

Meeting Type:	BUSINESS
Date:	10/28/1996

City of Charlotte, City Clerk's Office



Mayor Patrick McCrory    Mayor Pro Tem Al Rousso

---

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

**Council Agenda**

**CITY COUNCIL MEETING**  
**Monday, October 28, 1996**

*Michael Marsicano  
Jennifer Murphy*

**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, October 28, 1996

## TABLE OF CONTENTS

Item No. Page No. Attachment No.

### 5:00 P.M. DINNER BRIEFING CONFERENCE CENTER

- |           |   |   |
|-----------|---|---|
| <u>1.</u> | Public Art Annual Report  | 1 |
| <u>2.</u> | Restructuring Government Committee:<br>Recommendation for Bidding the Next<br>Quadrant for Garbage Collection | 1 |
| <u>3.</u> | Draft Third Ward Plan   | 1 |

### 6:30 P.M. CITIZENS HEARING MEETING CHAMBER

#### CONSENT

- |           |               |   |
|-----------|---------------|---|
| <u>4.</u> | Consent Items | 1 |
|-----------|---------------|---|

Item No. Page No. Attachment No.

## POLICY

<u>5.</u>	City Manager's Report	1	
<u>6.</u>	Draft Third Ward Land Use and Urban Design Plan	2	- attachment in Memo 10/23/96
<u>7.</u>	Residential Solid Waste Collection Services Competition	3	1

## BUSINESS

<u>8.</u>	FY97 Public Art Work Plan	6	
<u>9.</u>	Public Art Commission Nominations	7	
<u>10.</u>	Rehabilitation Loan Assumption	8	2
<u>11.</u>	Rehabilitation Loan for Rental Housing Development	11	3
<u>12.</u>	Kendall Gill House	14	4
<u>13.</u>	Resolution Amending the City /County Interlocal Agreement - Land Development Services Provided by the Engineering Department	17	5
<u>14.</u>	Cancel December 9 Meeting	19	
<u>15.</u>	November 4 Workshop Agenda	19	
<u>16.</u>	Nominations for Boards and Commissions	20	6-16

**Item No.**

**Page No.**

**Attachment No.**

## CONSENT I

<b><u>17.</u></b>	<b>Various Bids</b>		
	A. Business Corridor Revitalization Project: Freedom Drive Medians, Sidewalks and Landscaping	22	
	B. Water and Sewer Main Construction - FY97 Contract D - Street Main Extensions	22	
	C. Water and Sewer Main Construction - FY97 Contract E - Street Main Extensions	23	
	D. Pipe and Fitting Procurement - Mallard Creek Wastewater Treatment Plant Reuse Pump Station and Pipeline	23	
<b><u>18.</u></b>	<b>Speed Limit Change</b>	23	
<b><u>19.</u></b>	<b>Resolution of Intent to Abandon Street and Set Public Hearing - Portion of West Summit Avenue</b>	24	17
<b><u>20.</u></b>	<b>Resolution of Intent to Abandon Street and Set Public Hearing - Unnamed Street Off Lansdowne Road</b>	24	18
<b><u>21.</u></b>	<b>Refund Certain Taxes</b>	25	19

Item No.

Page No.

Attachment No.

## CONSENT II

<u>22.</u>	Municipal Service District 3 Budget Ordinance	26
<u>23.</u>	Assets Forfeiture Funds Budget Ordinance	27
<u>24.</u>	Approve Contract with CCG Systems, Inc.	27
<u>25.</u>	Technology Database Contract Amendment	29
<u>26.</u>	Change Order for Ramp B Expansion and Capacity Taxiway	30
<u>27.</u>	Airport Solid Waste Collection and Disposal Services Contract	31
<u>28.</u>	Carmel Road Widening, Segment II, Change Order #1	33
<u>29.</u>	Underground Storage Tank Contracts Assignment	33
<u>30.</u>	McDowell Creek Wastewater Treatment Plant Budget Ordinance	34
<u>31.</u>	Water Mains and Sanitary Sewer Trunks to 1995 Annexation Areas - Amendment #3	35
<u>32.</u>	Sugar Creek Wastewater Treatment Plant Polishing Pond Cleaning and Digester Cover Removal at McAlpine, Sugar, and Irwin Creek Wastewater Treatment Plants - Amendment #1	36
<u>33.</u>	Joint Funding Agreement for Water Resources Investigation	37

**Item No.**

**Page No.**

**Attachment No.**

**CONSENT II CONTINUED**

<b><u>34.</u></b>	<b>Rozzelles Ferry Road Water Main - Resolution to Amend FY97 - 2001 Capital Investment Plan</b>	<b>38</b>
<b><u>35.</u></b>	<b>Property Transactions</b>	<b>38</b>
<b><u>36.</u></b>	<b>Meeting Minutes</b>	<b>41</b>

**5:00 P.M. DINNER BRIEFING  
CONFERENCE CENTER**

- 1. Public Art Annual Report**
- 2. Restructuring Government Committee; Recommendation for Bidding the Next Quadrant for Garbage Collection**
- 3. Draft Third Ward Plan**

**6:30 P.M. CITIZENS HEARING  
MEETING CHAMBER**

**CONSENT**

- 4. Consent agenda items 17 through 36 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

**POLICY**

- 5. City Manager's Report**

*Bob Schumier -  
up town Crime*

**6. Draft Third Ward Land Use and Urban Design Plan**

- Action:**
- A. Receive comments from citizens on the plan; and,
  - B. Refer to the Economic Development/Planning Committee for review.

**Staff Resources:** Warren Burgess and Stanley Watkins

**Policy:** Land Use Planning and Urban Design

**Explanation of Request:**

*Motion to refer to Econ. Dev. Comm. •  
Say who  
Urban*

- The Charlotte-Mecklenburg Planning Commission, the Third Ward Neighborhood Association, and the Committee To Restore and Preserve Third Ward with input from property owners, developers and other outside interests stake holders have prepared a land use and urban design plan for the Third Ward neighborhood, bounded by Elmwood Cemetery, the Norfolk-Southern Railroad, West Morehead Street and Interstate 77.
- City Council will hear from citizens concerning proposed land use and urban design recommendations in the plan. All property owners in Third Ward were notified of the hearing by direct mailings. City Council usually refers land use and urban design policy plans to a Council committee for review and recommendations.
- Staff recommends the Economic Development / Planning Committee review the plan and provide recommendations to Council.
- The Third Ward Plan proposes an urban scale, pedestrian oriented development. The plan emphasizes a higher density, largely residential mixed use development pattern in Third Ward, that maintains the integrity of the existing neighborhood.



**Explanation of Request:**

The City of Charlotte has a competition plan for the collection of solid waste. The first phase of the plan was implemented in 1995 when Browning-Ferris Industries of South Atlantic, Inc. was awarded the bid for solid waste collection services in one quadrant of the City.

Committee Review

On October 2, 1996, the Restructuring Government Committee reviewed several issues associated with the next phase of Solid Waste Services' competition plan and made the following recommendations:

- Recommendation for the Next Bid Area.  
The Council Committee reviewed options presented by the Privatization/Competition Advisory Committee and Solid Waste Services, to determine which geographic area would be used in the competitive process.
  - The Privatization/Competition Advisory Committee did not recommend a geographic area option.
  - The Restructuring Government Committee approved (by a 3-2 vote) Option A which divides the service units into four equal geographic quadrants.
  - The second quadrant for competition includes the area west of I-77 and Park Road.
  - The City intends to compete for the second quadrant.
- The 1996/1997 Competitive Bid Schedule.  
The Council Committee reviewed and approved a competitive bid schedule beginning in October 1996, with implementation on July 1, 1997. (See Attachment)

**Funding:**

No funding required. After the competition process is complete, Council will review the final bid award.

**Background:**

- Residential solid waste collection services in Charlotte were privatized in one quadrant in October 1995.

- The Solid Waste Services competition plan provides for a second quadrant to be put up for competition in 1997.

**Attachment 1**  
Competitive Bid Calendar  
Quadrant Maps  
Committee Options

# BUSINESS

## 8. FY97 Public Art Work Plan

**Action:** Approve the FY97 Public Art Commission Work Plan for City Projects.

**Staff Resource:** Curt Walton

**Explanation of Request:**

- The Public Art Resolution approved in 1993 requires Council approval of an annual Public Art Work Plan.

*Do approve  
Searl who  
Walton.*

- Council is requested to approve the FY97 Work Plan recommended by the Public Art Commission. The Work Plan includes one City project, the Westside Service Center. The \$30,000 funding for the Westside Service Center (1% of construction budget) was included in the construction budget already adopted, so no appropriation is needed.

- The Animal Control facility is also eligible for public art funding, but funding is not requested by the Public Art Commission.

- The total FY97 Workplan including private sector, City and County projects totals \$845,548.

- During FY97, the Public Art staff will be managing three City projects (completion of the Law Enforcement Center and Airport projects, both of which were approved in earlier Work Plans, as well as the Westside Service Center), 14 County projects, and four private partnerships.

**Funding:** FY97 Project funding is included in the Westside Service Center Construction budget. Public Art Administration is included in the block grant to the Arts and Science Council.

**Background:**

- In 1992, City Council, the County Commission and the Arts and Science Council appointed a task force chaired by former Mayor Eddie Knox to review the public art program.

*Bus. Supp. Services*

- The task force recommended a restructuring of the Public Art Commission and an allocation procedure for eligible capital projects.
- The Public Art Commission has completed 16 public art projects with a total budget of \$1,760,123. Since restructuring, private dollars account for 47% of the total. Prior to restructuring, no private dollars were included.
- The City and County each contribute \$48,336 annually to the administration of the public art program. The Arts and Science Council uses a portion of the Block Grant to fund administration.

**9. Public Art Commission Nominations**

**Action:** Approval of City Council Appointees to the Public Art Commission.

**Staff Resource:** Curt Walton

**Explanation of Request:**

- The Public Art Commission has 12 members appointed for three-year terms: six members appointed by the City Council and six appointed by the County Commission. The 12 members are to be appointed from persons nominated by either the Art Commission or the Arts and Science Council.

*to approve  
Russo / Scott  
Wm.*

- Three City Council appointments are now vacant. The Arts and Science Council nominates the following three people for appointment:

- Linda Lockman-Brooks
- Kevin Patterson
- Carla DuPuy

Brooks and Patterson are nominated to represent the business sector. DuPuy is an at-large nomination.

*Bus. Supp. Services*

**Background:**

- The May 10, 1993 Public Art Resolution specifies the composition of the Public Art Commission to be as follows:

- Twelve members, six members appointed by City Council and six appointed by the County Commission. All members are to be appointed from nominations made by the Public Art Commission or The Arts and Science Council.
- Members shall be appointed from various segments of the population as designated below:

	<u>County</u>	<u>City</u>
3 from field of Education	2	1
3 from Artistry/Architecture	1	2
3 from Business	1	2
3 at-large (no restriction)	2	1
	6	6
	12	12

- Terms are for three years on a staggered basis with no member serving more than two consecutive three-year terms.

*To Approve*  
*Scar Spencer*  
*2 No-Raised Wharden*

**10. Rehabilitation Loan Assumption**

**Action:**

**Approve a \$113,672 rehabilitation loan assumption to Jim Sturdivant and William Fuller, Jr. for properties located at 815, 817 and 819 Villa Courts in the Grier Heights neighborhood.**

**Staff Resources:**

**Willie Ratchford and J. W. Walton**

**Focus Areas:**

**City Within a City and Community Safety Plan**

**Policy:**

The City's Consolidated Plan identifies a need for affordable, safe and decent housing for low-income families, as well as a priority to preserve existing housing.

**Explanation of Request:**

- Jim Sturdivant and William Fuller, Jr. have requested to assume a City rehabilitation loan in the amount of \$113,672. The original loan was made to Fred Stephens in 1993 to rehabilitate 20 units of rental housing at 815, 817 and 819 Villa Courts. Mr. Stephens died in 1995 and his estate wants to sell the property.
- The 20 two-bedroom/one bath rental units are located in the Grier Heights neighborhood which is designated as a "fragile" neighborhood in the City-Within-A-City area.
- The terms of the existing City loan is a 20-year deferred payment loan with a 5% fee on the loan amount due upon date of repayment, which will coincide with the maturity of the owner's private mortgage financing, or sale of the property, whichever occurs first. The due date for repayment is January 1, 2014.
- The City's loan assumption is contingent on approval of Home Federal Saving's first mortgage loan assumption in the amount of \$159,391.55. (See bank commitment letter dated July 12, 1996 and August 28, 1996 provided in the Attachment.)
- A third mortgage of \$56,991 will be obtained from Realty Investments and the owners will put \$19,945.45 into the project.
- Summary of sources and uses of funds and security:

Sources of Funds

Home Federal Savings	
Bank (46%)	\$159,391.55
City of Charlotte (32%)	113,672.00
Realty Investments (16%)	56,991.00
Owner's Equity (6%)	<u>19,945.45</u>
	\$350,000.00

*N.D.*

Uses of Funds

Acquisition	\$159,391.55
Rehabilitation	<u>190,608.45</u>
	\$350,000.00

Security

Home Federal Savings Bank - 1st Mortgage  
City of Charlotte - 2nd Mortgage  
Realty Investments - 3rd Mortgage

- If loan assumption is not approved, the following are options and consequences:

Options

- foreclose on loan
- future code enforcement

Consequences

- If the City foreclosed on the property, it would gain possession of the property. Since the City has a second lien position on the mortgage, the bank's first mortgage would have to be paid. Also, it would be necessary for the City to manage the apartments. If the bank foreclosed on the property, the bank would gain site control of the property and the City may or may not be repaid from the bank's sale of the property.
- Mr. Stephens' heirs cannot afford to repay the City's loan in full and want to sell the property. Also, they are not prepared to continue maintenance of the units. Without regular maintenance, the property will gradually deteriorate and become a blighting influence in the Grier Heights neighborhood. The City would enforce the Housing Code and the bank would probably step in to prevent foreclosure and/or demolition.

- Investor-Owner Accountability
  - Required annual inspections by the City
  - Maintenance reserve set-aside
  - In the event the property is not kept to Code, the City has the right to call the loan due and payable.
- Funding for the City's \$113,672 loan was made when the original loan to Fred Stephens was approved. Two sources of funding were: \$56,681 from the Innovative Housing Fund and \$56,991 from Rental Rehabilitation funds.
- A benefit to the City is that needed affordable housing for low-income residents will be maintained and made available for low/moderate income families for approximately 18 years.
- The Housing Authority presently has a waiting list of 4,777 families that are in need of housing assistance. Also, the City's has 356 relocation clients that need housing assistance.
- The property is zoned R-22MF and the proposed use will be the same as the current use.

**Attachment 2**

Additional information is included in the attachment.

Financial statements for Mr. and Mrs. Jim Sturdivant and Mr. and Mrs. William Fuller are on file in the Council Library.

**11. Rehabilitation Loan for Rental Housing Development**

Action:  
*Do approve*  
*Roussio / Scar*

**Approve of \$323,780 loan to Robert Drakeford to rehabilitate 19 rental units of affordable housing in the Washington Heights neighborhood**

Staff Resources:  
*1 No -*  
*Sellers*

Willie Ratchford and J. W. Walton

**Focus Areas:**

City Within a City and Community Safety Plan

**Policy:**

City's Consolidated Plan identifies a need for affordable, safe and decent housing for low-income families. Also, the Washington Heights section of the Beatties Ford Road Small Area Plan recommends preservation of existing residential housing in the area.

**Explanation of Request:**

- Robert Drakeford has requested a City loan of \$323,780 to rehabilitate 19 rental units of affordable housing for tenants who have income at 60% or below the Charlotte area median income level or \$20,850 for a family of 4.
- The 19 apartment units, known as McDonald Apartments, are located in the Northwest Corridor area. The apartments are located on McDonald Street off Beatties Ford Road in the Washington Heights neighborhood. Also, the University Village Shopping Center is in close proximity.
- The total cost of the project is \$633,280. It is to be funded by a partnership with Home Federal Savings Bank in the amount of \$256,500. The loan requested from the City to complete the financing is \$323,780.
- The City loan will be used to finance the rehabilitation costs of the 19-rental unit project and a portion of the project management fees. The project consists of 19 three-bedroom, one bath apartments.
- The terms of the City loan are 15 years with a 1-year deferment. A 14-year fully amortized loan in the amount of \$27,422.52 starting in year 2 with an interest accrual, deferred payment loan of \$296,357.50 due in a balloon payment in year 15 or refinancing of the amount due in year 15.
- This project is contingent on funding from Home Federal Saving in the amount of \$256,500 and a \$53,000 cash equity injection from Mr. Drakeford. (Bank commitment letter provided in the Attachment.)

- The bank loan of \$256,500 will be used for acquisition of the rental units. The bank loan term will be for 15 years fully amortized at an interest rate of 9.25% or the prevailing interest rate.
- Summary of sources and uses of funds and security:

Sources of Funds

Home Federal Savings Bank (40.5%)	\$256,500
City of Charlotte (51.1%)	323,780
Owner's Cash Equity (8.4%)	<u>53,000</u>
	\$633,280

Uses of Funds

Acquisition	\$270,750
Rehabilitation	\$305,330
Closing costs: (Survey, legal fees, appraisal, termite inspection, points, etc.)	11,400

Fees:

General Contractor	22,900
Project Management	<u>22,900</u>
	\$633,280

Security

Home Federal Savings Bank - 1st Mortgage  
 City of Charlotte - 2nd Mortgage

- If loan not approved, these are the consequences:

Currently, the units are between 26-28 years old and in moderate repair. Substantial repair of the units now will preserve them and extend the life of the units at least another 45 years. The property will continue to deteriorate and gradually become a blighting influence near an area that the City has targeted for revitalization (LaSalle/Cummings Ave.). The City would enforce the Housing Code and the bank would probably step in to prevent demolition.

*M.A.*

- Investor-Owner Accountability
  - Required annual inspections by the City
  - Maintenance reserve set-aside
  - In the event the property is not kept to Code, the City has the right to call the loan due and payable.
  
- A benefit to the City is that needed affordable housing for low-income residents will be developed and made available for low/moderate income families for 15 years. This need is identified in the City's Consolidated Plan and supported by a market analysis performed by the Karnes Research Company in 1995 for another project in the vicinity of Northwest Corridor CDC.
  
- The Housing Authority presently has a waiting list of 4,777 families that are in need of housing assistance. Also, the City's 356 relocation clients need housing assistance.

**Funding:**

Federal funding will be utilized for the City's financing of the \$323,780 loan to Mr. Robert Drakeford to rehabilitate the 19 rental units.

**Attachment 3**

Financial Statements for Mr. & Mrs. Robert Drakeford are on file in Council Library.

Additional information is included in the attachment.

**12. Kendall Gill House**

**Action:**

- A. Authorize the City Manager to accept a deed in lieu of foreclosure from Community Works in the amount of \$276,700 for the property at 516 E. 35th St.;
  
- B. Declare 516 E. 35th St. surplus property;

*Do approve  
Sean / Spen  
W...*

- C. **Accept Habitat for Humanity's offer to purchase 516 E. 35th St. at fair market value, subject to rezoning; and**
- D. **Approve a loan to Habitat for Humanity in the amount of \$190,332 to acquire and rehabilitate 516 E. 35th St. for use as offices, volunteer housing and transitional housing.**

**Staff Resources:** Willie Ratchford and Lynne Jones Doblin

**Focus Area:** City Within a City

**Policy:** The City's Consolidated Plan places a high priority on increasing homeownership opportunities for low and moderate income people and increasing the capacity of nonprofit housing providers. Habitat for Humanity has increasing homeownership as its primary mission.

- Explanation of Request:**
- After a year of discussions with the Historic North Charlotte Neighborhood Association, Mecklenburg County and various service providers on possible appropriate uses for 516 E. 35th Street Habitat for Humanity has offered to purchase the property for use as its Charlotte office. the 12 - unit apartment building is also known as the former "Kendall Gill House."
  - The property is currently owned by Community Works, a nonprofit organization which acquired the building in July of 1993 with a \$276,700 City loan. Community Works used the facility for transitional housing for the homeless from July 1993 through August 1995.
  - The Community Works Board ceased program operations in September, 1995, and the house was vacated and closed. While seed money had come from Mecklenburg County, Kendall Gill and other private sources, Community Works was unable to raise sufficient operating funds to keep the program going.

*N.D.*

- A recent audit report received from Community Works' (attached) indicates that the corporation has no assets nor income with which to pay off any part of the City loan on the property. The corporation plans to dissolve itself with the resolution of the City loan and conveyance of the property.
- The property was appraised by C.M. Creech in April 1996 at \$152,000. A September 1996, T.B. Harris review of the appraisal confirmed this as the property's market value. Habitat's offer of market value for the property was advertised for upset bid earlier this month. No upset bids were received.
- Habitat wishes to use six of the 12 units as office space, three for volunteer housing and three for transitional housing (families on the path to purchasing a Habitat home). This configuration requires a rezoning of the property. A rezoning petition has been filed and is anticipated to come to Council in February if Council approves selling the property to Habitat.
- The \$190,332 loan to Habitat consists of two parts: \$152,000 for acquisition of the property and \$38,332 for estimated repairs. The loan is a 20-year amortization of the purchase price plus repairs at 0% interest, with the balance of the unpaid mortgage due at the end of year ten. Thus, the City will receive approximately \$793 per month or \$9,517 annually from Habitat in loan payments in years 1-10. The loan will be secured by the property.
- Shortly after Community Works ceased program operations, staff received a letter from the Historic North Charlotte Neighborhood Association requesting that the facility be used in a "socially relevant direction with on-site management" and that the neighborhood be fully involved in the discussions regarding future uses.
- Habitat's proposal has received strong support from the North Charlotte neighborhood (letter attached).

- In the event that Council does not approve the sale of the property to Habitat for Humanity, or if Habitat's rezoning application is not approved and the sale to Habitat does not occur, the City has the option of selling the property on the open market. If the property were sold, the proceeds from the sale would be considered Community Development Block Grant program income and could be used for CDBG-eligible activities only.
- Under the proposed agreement with Habitat, Habitat will be asked to manage and may occupy the property on a temporary basis from November 1 until the rezoning is acted upon. Habitat will provide security and utilities for the building over the winter months to preserve it from further deterioration until the sale can be finalized.

**Funding:**

The loan to Community Works was made with federal Community Development Block Grant funds. The proposed loan to Habitat will be made with Innovative Housing Funds.

**Attachment 4**

- Community Works audit report
- Letter of intent from Habitat for Humanity
- Letter from North Charlotte residents in support of Habitat's proposal
- Photographs of subject property
- Questions and Answers
- Loan Agreement on file in Council Library

**13. Resolution Amending the City/County Interlocal Agreement - Land Development Services Provided by the Engineering Department**

**Action:**

**Approve the resolution amending the Consolidated Shared Programs Joint Undertaking Agreement to include Land Development Services.**

**Staff Resource:**

**Jeb Blackwell**

*Res. # 9  
BK34,  
p. 449*

**Explanation of Request:**

- This amendment to the Interlocal Agreement will allow the City and County Engineering Departments to perform plan review and other related land development services for each other to handle peak workloads.
- In June 1995, the County Engineering Department hired a private engineering consulting firm to perform plan review services during periods of peak workload. After several months, the County surveyed their customers.
- Most of the customers surveyed indicated a preference for governmental agencies to provide the plan review services because they experienced problems with consistency, flexibility, and coordination with the engineering consultant.
- This amendment to the interlocal agreement will provide benefits to the customers, as well as, to the City and County:
  - Consistency - City and County Engineering Departments enforce basically the same ordinances and agree to use the same methods to review site requirements.
  - Coordination - The customers would deal directly with the plan reviewer.
  - Efficiency - City and County would provide these services at a cost lower than that charged by the private sector.
  - Managing Resources/Flexibility - Both the City and County would have the ability to handle peak workloads on a daily or weekly basis. (see attachment)
  - Future Annexation Areas - City staff would have the opportunity to become familiar with sites in future annexation areas.
- The City and County Engineering Departments will bill each other for these services based on a negotiated hourly rate.

*EMOS*

- This amendment has been approved by the Building Development Commission and will be considered by the Mecklenburg County Board of Commissioners on November 5, 1996.

**Background:**

The Consolidated Shared Programs Joint Undertaking Agreement was approved by the City Council and Mecklenburg County Board of Commissioners and went into effect on July 1, 1988. Many services have been added since this date.

**Attachment 5  
Workload Illustration**

**14. Cancel December 9 Meeting**

*IND - Greene*

**Action:**

**Cancel the December 9 Business Meeting**

**Explanation of Request:**

- The National League of Cities Meeting will be held December 7-10 in Texas. Four or five Councilmembers plan to attend the meeting.
- Any urgent business could be acted on at the December 2 Workshop or the December 16 Zoning Meeting.

*Julie Burch*

**15. November 4 Workshop Agenda**

**Action:**

**Approve topics for the November 4 Workshop Agenda**

- **Economic Development - follow up to October workshop**
- **Fire Organizational Study**
- **Neighborhood Quality Index**
- **2015 Plan and Area Plans Update**

*Julie Burch*

## **16. Nominations for Boards and Commissions**

### **1. Airport Advisory Committee**

Two one year positions beginning September 1996 to fill regional member designation. Applicants will be recommended by the Carolinas Partnership and must live outside Mecklenburg County. Bayles Mack is not eligible to be reappointed; Glenn Hilton is deceased.

### **Attachment 6**

### **2. Citizens Oversight for Cable Television**

One position beginning immediately to fill an unexpired term plus a two year term ending March 31, 1999. Jennifer Shook did not meet attendance requirements.

One position beginning immediately to fill an unexpired term ending March 31, 1998. Rusty Loudermilk has resigned.

### **Attachment 7**

### **3. Civil Service Board**

Two new positions to serve as alternate members of the Board. Appointments will begin in November 1996 and expire May 1998.

### **Attachment 8**

### **4. Community Housing Development Corporation**

One person knowledgeable in real estate law to serve a three year position beginning in January 1997. David R. Wiles is not eligible to be reappointed.

### **Attachment 9**

### **5. Community Relations Committee**

One appointment beginning immediately and ending June 30, 1999 to replace Charles Winn, who became a Mayoral appointment.

### **Attachment 10**

6. **Competition Advisory Committee**  
One appointment beginning immediately and ending March 1, 1998 to replace Tom Hayes who is relocating to Boca Raton, Florida.

**Attachment 11**

7. **Housing Authority** 11-11  
One three year appointment beginning December 18, 1996 to replace Rickey Hall who is not eligible to be reappointed.

**Attachment 12**

8. **Sister Cities Committee**  
One appointment beginning immediately and ending April 5, 1998 to replace Norman Manley. Mr. Manley has resigned.

**Attachment 13**

9. **Tree Advisory Committee**  
Three three year appointments beginning January 1997. Roger Braswell and Vicki Ray do not wish to be reappointed. Carrie Winter would like to be reappointed.

**Attachment 14**

10. **Waste Management Advisory Board**  
One recommendation to the County Commission to fill an unexpired term ending September 30, 1998 to represent the legal category. Charles C. Lucas has resigned.

**Attachment 15**

11. **Youth Involvement Council Advisory Board**  
One appointment beginning immediately and ending August 15, 1997. Michael Whitehead has resigned.

**Attachment 16**

## 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

*Mon to  
Appoint  
add but  
17 B  
21-28-30 +  
31  
Saw/ Sell*

## CONSENT I

### 17. Various Bids

- A. Business Corridor Revitalization Project: Engineering and  
Freedom Drive Medians, Property Management  
Sidewalks and Landscaping**

**Recommendation:** The City Engineer recommends that the low bid of \$598,457.48 by Curtin Brothers Contracting, Inc. of Charlotte, N.C. be accepted.

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$47,141.00	8%	8%
WBE	\$33,148.75	6%	5%

- B. Water and Sewer Main Construction - CMUD  
FY97 Contract D - Street Main Extensions**

**Recommendation:** The Charlotte-Mecklenburg Utility Director recommends the low bid of \$803,621.20 by R. H. Price, Incorporated of Charlotte, North Carolina.

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$1,000	0.1%	2%
WBE	\$802,621.20	100%	3%

**Compliance:** Yes. The Utility Department has reviewed the Contractor's MWB documentation and determined that she has exceeded the established goal for WBE participation. The Contractor will continue to make a good faith effort to meet the BBE goal for this project.

**C. Water and Sewer Main Construction - CMUD  
FY 97 Contract E - Street Main Extensions**

**Recommendation:** The Charlotte-Mecklenburg Utility Director recommends the low bid of \$797,152.20 by 7 Star Construction, Incorporated of Rock Hill, South Carolina.

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$797,152.20	100%	2%
WBE	\$0	0%	3%

**Compliance:** Yes. The Contractor has met the requirements of the MWBD Program by performing 100% of the work with their current work force. 7 Star has submitted documentation regarding their firm's capacity to do so. The BBE goal has been exceeded.

**D. Pipe And Fitting Procurement - CMUD  
Mallard Creek Wastewater Treatment  
Plant Reuse Pump Station And Pipeline**

**Recommendation:** The Charlotte-Mecklenburg Utility Director recommends that the low bid of \$783,588.23 by Griffin Pipe Products of Lynchburg, Virginia.

**MWBD Compliance:** There are no known MWBE Vendors available.

**18. Speed Limit Change**

**Action:** Adopt ordinances to lower the speed limit on ten Charlotte streets:

Neighborhood 25 MPH Program:

Cedars East Court (Hunting Ridge)  
Hinson Street (Sardis Forest)  
Ridgewood Avenue (Myers Park)  
Stillmeadow Drive (Provincetowne)  
Townsend Avenue (Country Club)

Ord. # 1  
#677  
BK47, p.589

CDOT Safety Evaluation:

Deer Spring Lane from 35 MPH to 25 MPH  
East Fifth Street from 35 MPH to 25 MPH  
Murrayhill Road from 35 MPH to 25 MPH  
Sardis Road (portion) from 45 MPH to 35 MPH  
W.T. Harris Blvd. (portion) from 45 MPH to 40 MPH

Ord. # 2  
#678  
BK47, p.590  
Ord. # 3  
#679  
BK47, p.591

CDOT

**19. Resolution of Intent to Abandon Street and Set Public Hearing - Portion of West Summit Avenue**

Action:

- A. Adopt the Resolution of Intent to abandon a portion of West Summit Avenue; and
- B. Set a Public Hearing for November 25, 1996.

Res. # 1  
BK34, p.436

Attachment 17

Vicinity Map

CDOT

**20. Resolution of Intent to Abandon Street and Set Public Hearing - Unnamed Street off Lansdowne Road**

Action:

- A. Adopt the Resolution of Intent to abandon an unnamed street off Lansdowne Road; and
- B. Set a Public Hearing for November 25, 1996.

Res. # 2  
BK34, p.437

Attachment 18

Vicinity Map

CDOT

**21. Refund Certain Taxes**

*Finance*

**Action:**

**Adopt a resolution authorizing the refund of certain taxes assessed through clerical or assessor error in the amount of \$70,629.92.**

*Res # 3  
BK 34  
P. 438-439*

**Attachment 19**

*Reid / w/ke  
to approve all but  
the 2 payments to  
Comm. Mutual Life  
Reid - wh - mj - Jack - Gacene 5 yd  
Sean - Sell - Russo - Bak - NO*

*Mayor voted  
to approve  
all to break  
the tie*

## CONSENT II

### 22. Municipal Service District 3 Budget Ordinance

**Action:** Adopt a budget ordinance appropriating \$34,729 from Municipal Service District 3 Fund Balance to Charlotte Chamber of Commerce, Central Charlotte Division.

*Ord. #4  
#680-X  
BK47  
p. 592*

**Explanation of Request:** Central Charlotte Division (CCD) requests an appropriation from surplus fund balance in the Municipal Service District 3 tax revenue fund to cover a FY96 year end cash deficiency due to a shortfall in FY96 revenue.

**Funding:** Municipal Service District 3 Fund Balance

**Background:**

- CCD develops its operating budget each year based on projected tax revenues from both Municipal Service Districts 2 and 3, and on projected program income.
- Tax district revenue projections are provided by the County Tax Administrator's Office and passed on to CCD during the budget development process. Program income projections are determined by CCD and allocated by them to their total budget equally among the two districts.
- Actual tax revenues collected in 1996 were less than projected due to adjustments in property assessments. Some properties originally included in the assessed valuation for District 2 were subsequently deducted from assessed valuation calculations as a result of settlement of appeals.
- Projected tax district revenues appropriated to CCD were \$420,416. Actual taxes collected in Municipal Service Districts 2 and 3 were \$411,285. Actual program income (\$49,855) was also lower than CCD projected (\$104,884).
- Since CCD's actual expenses in FY96 were based on total projected revenue, CCD ended the year with a cash deficiency.

# 681-X  
B1247, P. 593

Ord. # 3

23. Assets Forfeiture Funds Budget Ordinance

**Action:** Approve a budget ordinance appropriating \$19,990 in assets forfeiture funds for the purchase of 20 VASCAR-Plus radar units

**Explanation of Request:**

- The Police Department requests assets forfeiture funds for the purchase of 20 VASCAR-Plus radar units. VASCAR (Visual Average Speed Computer and Recorder) is a programmed computer radar unit that measures speed by dividing the distance travelled by the time it took to travel that distance. The radar units measure the average speed of the motorist and are noted for their accuracy.
- The Police Department has field tested the units and now wishes to purchase twenty additional units for its traffic enforcement efforts. Ten of the units will be used in the Baker Service Area where traffic problems are a major citizen concern. The other ten units will be used throughout the Adam, Charlie, and David Service Areas.

*Police*

24. Contract with CCG Systems, Inc.

**Action:** Approve a \$127,390 contract with CCG Systems, Inc to purchase an automated Fleet Management System

**Explanation of Request:** Council is requested to approve a contract with CCG Systems, Inc for the purchase of an on-line, automated Fleet Management Information System. This system will capture data and provide reports about 3,000 pieces of City equipment with a replacement value of approximately \$98 million.

**Funding:** FY96 Operating Budget (Project funds were carried over from last year's budget.)

**Background:**

- A modern automated information system is necessary when managing a large fleet to determine the efficiency and effectiveness of fleet maintenance services. It offers controls for this major asset from equipment acquisition through

final sale at auction.

- Two national consulting firms studied the City's current information system, purchased in 1991, and identified persistent problems with data reliability, poor reporting features, and outdated technology.
- The new Fleet Management System will better support competition. For example, the System will track vehicle maintenance costs by driver, vehicle, supervisor and route, when appropriate, and determine the actual cost. The existing system cannot do this.
- The City's vehicle maintenance services will be competitively bid in 1997. The fleet management function, however, will continue to remain an in-house function. Fleet management provides for procurement, evaluation and vehicle replacement planning. If vehicle maintenance is contracted, fleet management will monitor the performance of the contractor.
- Major benefits from the purchase of the new system are:
  - Improved preventative maintenance forecasting and scheduling.
  - Complete maintenance and warranty tracking and reporting.
  - Labor productivity reporting and control.
  - Parts inventory control and fuel consumption tracking.
- The purchase price of the system will be offset by estimated annual savings of at least \$170,000 through:
  - Improved preventive maintenance scheduling.
  - Fleet size reduction based upon better fleet utilization analysis.

*Bus. Supp. Services*

- Improved parts inventory control.
- Improved tracking of vehicle and part warranties.

**25. Technology Database Contract Amendment**

**Action:** Purchase additional licenses and associated development tools from Oracle Corporation for the Relational Database Management System at a maximum cost of \$242,685.

**Explanation of Request:** Council is requested to approve the purchase of (1) a license for a new Police network server; (2) licenses for system development tools, and (3) licenses to allow up to 100 concurrent users on the following City systems:

- Document <sup>Imaging</sup> ~~Imaging~~
- Utility Billing
- Contracts Tracking
- Family Medical Leave Act
- Street Devices and Maintenance Inventory
- Land Development
- Internal Affairs

**Funding:** General Fund and Water/Sewer Fund; FY97 budgeted expense

**Background:**

- In 1995, City Council approved the replacement of the City's old technology with the new Oracle Relational Database Management System. This change allows for more efficient use of existing information by eliminating databases containing duplicate information.

*Bus. Supp. Services*

- Once Oracle was installed, the City began developing new or replacement applications to operate on the new software. As the number of new applications became operational, users were identified that needed licenses beyond the number the City had initially purchased.
- Purchase of additional licenses for both development and users will continue until the design stages for Oracle are complete. The increases after that point in time will be for additional users as usage of the new applications becomes more widespread throughout the City.
- Once the City moves completely to the Oracle System, the mainframe computer will no longer be needed by the City. In turn, the annual operating expenses associated with that operation will be eliminated and the associated monies available for other needs.

**26. Change Order for Ramp B Expansion and Capacity Taxiway**

**Action:** Approve Change Order # 4 in the amount of \$99,000 with Talbert & Bright, Inc. for the Ramp B Expansion and Capacity Taxiway engineering design contract.

- Explanation of Request:**
- Council is requested to approve a change order in the amount of \$99,000 to an engineering design contract with Talbert & Bright, Inc. increasing the contract amount to \$727,870.00.
  - This change order is for engineering services during construction of the Ramp B Expansion-Phase 2.
  - During the original fee negotiations, the bidding and construction administration fees were excluded from the work scope.
  - Project was divided into three (3) phases due to the lack of federal funding for the entire project which totaled \$18.8 million.

*aviation*

- Phase 1 of the project was the Site Preparation and Paving for Taxiway F and the engineering design contract was amended by change order to include bidding and construction administration fees for this Phase.
- To date, the total of the engineering design fee is \$727,870 for Phases 1 and 2, which is 4.1% of the construction costs for these two phases.

**Funding:**

Airport Capital Project Account

**Background:**

- In June 1995, City Council approved the engineering design contract for the Ramp B Expansion and Capacity Taxiway.
- Between August 1995 and June 1996, three change orders were executed for a total of \$103,870 for the bidding and construction administration fees for Phases 1 and 2.
- On October 1, 1996, the Airport Advisory Committee recommended the approval of this change order.

**27. Airport Solid Waste Collection and Disposal Services Contract**

**Action:**

- A. **Reject the low bid of Centralina Disposal Corporation for failure to meet bid specifications; and**
- B. **Award a \$113, 376 one - year contract with two one-year options to Container Corporation of the Carolinas, the lowest responsive bidder.**

**Explanation of Request:**

- This contract provides solid waste collection for the airport terminal facility.
- Six bidders responded and the bids are as follows:

*Aviation*

Centralina Disposal Corporation	\$111,928*
Container Corporation of the Carolinas	\$113,376
BFI	\$114,000
D & L Waste	\$123,762
North Mecklenburg Sanitation	\$129,000
USA Waste	\$170,880

\*Rejected due to failure to meet bid specifications

**Funding:**

Airport Operating Budget.

**Background:**

- On May 8, 1995, City Council approved a one year contract with two one-year options with Container Corporation of the Carolinas.
- On May 31, 1996, initial bids were advertised which specified that all solid waste would be transported to the Belmont Landfill, where the airport is charged a fee of \$26.50 per ton in landfill fees.
- During the bidding process, the City Attorney advised the Airport that the City has an agreement with the County that requires all landfill waste generated by the City to be transported to the designated County landfill in Harrisburg, which is currently under contract with BFI. The City is charged a fee of \$31.66 per ton for commercial landfill waste, which the Airport would be required to pay. Additionally, the agreement with BFI requires the County to pay a penalty of \$14.00 per ton for each ton of City landfill waste that is not transported to Harrisburg. The delivery of the Airport's approximately 6,000 annual tons of solid waste to the Belmont facility would cost the County \$84,000 in penalties.
- In the community's interest, all bids were rejected and new specifications were issued. During this time, the County negotiated a landfill fee of \$25.33 per ton with the Airport delivering waste to the Harrisburg landfill.
- On August 15, 1996, the second bid specifications were advertised specifying transport to the Harrisburg facility.

- On September 3, 1996, bids were received and Container Corporation of the Carolinas was deemed the lowest responsive bidder.
- On October 1, 1996, the Airport Advisory Committee approved this contract.

**28. Carmel Road Widening, Segment II, Change Order #1**

**Action:** Approve Change Order #1 for \$344,941.80 to the contract with Blythe Construction for overruns in plan quantities.

**Explanation of Request:**

- The plan quantities of undercut excavation and borrow excavation were exceeded due to unacceptable subgrade material. Plan quantities for incidental stone base and bituminous concrete binder were exceeded due to a large area that required removal and replacement of unsuitable material.
- Quantities were determined by cross sections of excavated area and truck measurement of material replaced.
- Prices for this change order were derived from existing contract prices and are appropriate for work to be performed.

*Sellers/ who  
to approve  
Unan*

**Funding:** Carmel Road Widening Capital Account

**Background:** On April 10, 1995, Council awarded the contract to Blythe Construction Company, Inc. The project is currently 79% complete and on schedule.

*Eng*

**29. Underground Storage Tank Contracts Assignment**

**Action:** Accept assignment of two underground storage tank upgrade contracts from Professional Services Industries:

A. Sweden Road Facility in the amount of \$110,629.00

B. Light Vehicle Facility in the amount of \$109,922.00

**Explanation of Request:**

- In March 1991, Professional Services Industries (PSI) was selected through the Council approved selection process to provide engineering, consulting, and remediation services for the City's Underground Storage Tank Program. The services to be provided by PSI included engineering, consulting, monitoring of sites, tank removal, and soil and groundwater cleanup at the 60 underground storage tank (UST) sites owned by the City. PSI's contract has been amended yearly to continue the program as submitted to the Environmental Protection Agency (EPA).
- Because of the extent of facility repair and construction involved with these facilities, a question was raised regarding whether PSI's role in administering the contracts and supervising the contractor's work required a general contractor's license. To avoid the possibility of a dispute concerning the license requirements, PSI and Petroleum Equipment and Service, Inc. have agreed to an assignment of the contracts from PSI to the City. On future projects the City will contract directly with the contractor and no assignment of contracts will be necessary.

*Emergency*

**30. McDowell Creek Wastewater Treatment Plant Budget Ordinance**

*Ord. # 6*

**Action:**

**Approve a Budget Ordinance appropriating ~~\$311,193~~ for McDowell Wastewater Treatment Plant Expansion.**

*\$311,196.34*

*# 682-X*

**Explanation of Request:**

These funds will provide for removing bio-solids from four anaerobic digesters and the effluent polishing lagoon, and for furnishing automatic sampling equipment and a computerized control system for the plant. This work is required to complete the expansion of the McDowell plant that is presently under construction.

*BL 47, p. 594*

*Rain / Scan*

**Funding:**

Water and Sewer Capital Account

**Background:**

- On February 29, 1996 CMUD received bids for the McDowell Creek WWTP expansion. The combined low multi-prime bid was \$19,802,045, which was 13.2% higher than the engineers estimate. The primary reason for the difference was the highly competitive labor market and the scarcity of skilled labor in the Charlotte area.
- The bid documents included six deductive alternates, which were eliminated to bring the bids with the available funds.
- On April 8, 1996, Council approved construction bids for a combined total of \$18,082,741. However, the bio-solids removal, the automatic sampling and the control system were to be furnished separately by CMUD and were not included in the construction bids. These items are essential for successful completion of the expansion project.

*CMUD*

Project savings were realized from the 1993 Annexation Sewer construction which was completed substantially under budget.

**31. Water Mains And Sanitary Sewer Trunks To 1995 Annexation Areas - Amendment #3**

*To approve  
Plouso / Sca  
WMA*

**Action:**

Approve Amendment #3 to the Professional Services Contract with Hazen & Sawyer, P.C. to provide construction services for installation of sanitary sewer trunks and water mains in 1995 Annexation Area 1 for \$274,400.

**Explanation of Request:**

This amendment will provide for construction management and inspection services for water and sewer construction in 1995 Annexation Area 1 (Old Statesville Road/U.S. Highway 21).

**Funding:**

Water and Sewer Street Main Extensions Capital Account

**Background:**

Hazen & Sawyer was selected by competitive process to provide engineering services for the 1993 Annexation. Amendments #1 and #2 provided construction services for all areas annexed except for Area 1 and Area 3, which were deferred until July 1, 1995. All required work in Area 3 has been completed with other contracts. Construction contracts were recently awarded for Area 1, and construction is in progress.

The total amount of the agreement with Hazen & Sawyer including Amendment #3 is \$2,848,900.

*CMUD*

**32. Sugar Creek Wastewater Treatment Plant Polishing Pond Cleaning and Digester Cover Removal at McAlpine, Sugar, and Irwin Creek Wastewater Treatment Plants - Amendment #1**

**Action:**

**Approve Amendment #1 with Amsco, Incorporated to Conduct Land Application of Residuals from CMUD water and wastewater treatment facilities for \$419,130. This will increase Amsco, Incorporated contract from \$2,031,540 to \$2,450,670.**

**Explanation of Request:**

This amendment will allow payment to Amsco, Incorporated for cleaning of the polishing pond at the Sugar Creek Wastewater Treatment Plant and removal of one digester cover at the McAlpine, Sugar, and Irwin Wastewater Treatment Plants. This work is part of the ongoing improvements to the wastewater treatment plants. The improvements were recommended by a consultant in a 1991 predesign report.

**Funding:**

Sewer Capital Account

**Background:**

CMUD hired a consultant to analyze the city's three major wastewater treatment plants and make recommendations for improvements to the plants in a predesign report. The improvements will protect the creeks by ensuring that plant discharge meets permit limits and eliminate overflows in the collection system around the Sugar Creek WWTP. CMUD anticipates future amendments to the agreement with Amsco, Incorporated as additional improvements are scheduled to begin.

*CMUD*

### 33. Joint Funding Agreement For Water Resources Investigation

**Action:** Approve a Joint Funding Agreement totaling \$151,500 for Water Resources Investigations with the Geological Survey, United States Department of the Interior in the Lower Catawba River Basin.

**Explanation of Request:**

- This request for Council action meets a priority area objective of the FY96 CMUD Business Plan.
- In order to effectively manage the water resources in the entire Catawba Basin, there is a need for systematic basinwide scientific studies to address water issues that affect the growth of the City and the region.
- In 1993, the USGS (U.S. Geological Survey) contacted CMUD about participating in a study of the Lower Catawba River. City Council approved \$115,000 to match a USGS amount of \$115,000 to jointly fund the first phase of the study.
- Based upon these study results, CMUD recommends continued participation in these investigations which could proceed into 1998 if funded by both the City and USGS.
- The matching funds required by the City are:

1994-95	\$115,000 (approved)
1995-96	\$124,500 (approved)
1996-98	\$151,500 (this request)
- This request will complete the investigations covering a two year period. The USGS has requested this approach so that they may secure their matching funds to insure the timely completion of this work.

**Background:**

- The Joint Funding Agreement for \$115,000 was approved by Council on June 28, 1993, for the first phase of study.
- \$124,500 was approved by Council on June 26, 1995 for the second phase.

*CMUD*

**34. Rozzells Ferry Road Water Main - Resolution To Amend FY 97 - 2001 Capital Investment Plan**

*Res. #4  
BK 34,  
p. 440*

**Action:** Approve a resolution to amend the FY97-2001 Capital Investment Plan to include a project for the extension of a new 16-inch water main along Rozzells Ferry Road from Mt. Holly-Huntersville Road to Mountain Island Lake.

**Policy:** CMUD Extension Policy - Projects included in the Capital Investment Plan (CIP) allow an applicant to expedite a project by funding the design and construction through a CMUD contract. The applicant receives five annual reimbursements of 20% of the project cost.

**Explanation of Request:** Landcraft Properties, Inc. is developing Mt. Isle Harbor residential community on Mt. Island Lake at Brookshire Boulevard (N.C. 16). They have requested permission to utilize municipal water and sewer service. A project for the extension of sewer is in the current CIP. This resolution will permit the extension of water in conjunction with the sewer extension.

*CMUD*

**35. Property Transactions**

**Action:** Approve the following property acquisition (A) and adopt the condemnation resolutions (B-E).

**Acquisition:** A. **Project:** Neal Branch Sanitary Sewer Trunk, Parcel #1, Project # 516-96-501  
**Owner(s):** Westinghouse Electric Corporation  
**Property Address:** 5101 Westinghouse Blvd.  
**Property to be acquired:** 107,626.67 sq.ft. (2.47 ac.) & temporary construction easement 20,437.5 sq.ft. (.47 ac.).  
**Improvements:** Trees  
**Purchase Price:** \$80,000  
**Appraiser:** Charles E. Owens  
**Remarks:** Permanent easements are needed to construct an access road, pump station facility, three (3) gravity sewer mains and a pressure sewer main to serve the Neal Branch Basin.

*Eng/R.E.*

Compensation is based upon an independent appraisal.

Zoned: I-2 Use: Heavy Industrial  
1991 Tax Value: \$38,459,090

**Condemnation:**

**B.**

Project: Shamrock at Eastwood Transit Radius, Parcel # 1 of 1, Project # 512-93-062.

Owner(s): Priscilla R. Brown & any other parties of interest.

Property Address: 2201 Shamrock Drive.

Property to be acquired: 294 sq.ft. (0.01 ac.)

Improvements: None

Purchase Price: \$ 500

Appraiser: Charles E. Creech, Jr.

Remarks: The areas are needed for street improvements at this intersection. After 12 months City staff has yet to secure a negotiated agreement through a court appointed guardian of the property owner. Condemnation is requested to avoid further delay because of special court proceedings necessary to obtain the property from the guardian. Compensation is based upon an independent appraisal.

*Res. # 5  
OK 34,  
P. 441-442*

*Eng. R.E.*

4R-4 Use: Residential  
1991 Tax Value: \$ 52,350

**C.**

Project: Druid Hills Neighborhood Storm Drainage Improvements, Parcel #211, Project # 671-94-713.

Owner(s): Sandra Lee Thomas and any other parties of interest.

Property Address: 1109 Holland Avenue.

Property to be acquired: 2,133 sq.ft. (0.0489 ac.) of permanent and temporary construction easement.

Improvements: None

Purchase Price: \$ 150

Appraiser: Paul E. Finnen

Remarks: This project requires the acquisition of a permanent drainage easement and temporary construction easement along the side and front portion of this parcel. The property owner is deceased and no heirs can be located. There are 5 years back taxes owned on property.

*Res. # 6  
BIC 34,  
P. 443-444*

*Eng. R.E.*

Condemnation is requested to obtain clear title to this easement.

**Zoned:** R-8 **Use:** Residential

**1991 Tax Value:** \$ 28,650

**Tax Code:** 077-073-03

**Agent:** David H. Allen/bgp

D.

**Project:** Druid Hills Neighborhood Storm Drainage Improvements, Parcel #202, Project #671-94-713.

*Res.# 7  
BK 34  
P. 445-446*

**Owner(s):** Mary N. Neal & any other parties of interest.

**Property Address:** 3020 Statesville Avenue.

**Property to be acquired:** 3,887 sq.ft. (0.0892 ac.) of permanent and temporary construction easement.

**Improvements:** Trees and landscaping.

**Purchase Price:** \$ 700

**Appraiser:** Paul E. Finnen

**Remarks:** This project requires the acquisition of a permanent drainage easement and temporary construction easement, along the rear portion of this parcel requiring the removal of trees and landscaping to improve this open channel. The property owner through her son, refused appraised offer for the needed areas. He wants pipe installed across entire rear portion of lot and filled. Storm Water Services' policy is to replace open channels with open channels unless the drainage way is close to a house or other structures.

*Eng/R.E.*

**Zoned:** R-8 **Use:** Residential

1991 Tax Value: \$ 39,050

E.

**Project:** Milton Road Widening, Parcel #109, 110, 111 & 115, Project # 512-89-062.

*Res.# 8  
BK 34, P. 447-448*

**Owner(s):** Sheffield Farms Associates and any other parties of interest.

**Property Address:** 4408 Mendham Drive.

**Property to be acquired:** 8,992 sq.ft. (0.21 ac.) ✓

**Improvements:** Sprinkler system, sign, trees and floral bed.

**Purchase Price:** \$ 13,800

**Appraiser:** John L. Boggess

**Remarks:** The City had obtained an option from

*11,715 SF  
(0.25 ac.)*

*Eng/R.E.*

the property owner and was in the process of preparing a closing. Neither the City nor the property owner has been successful in obtaining a release from the mortgage holder of this property.

This action is necessary to obtain clear title to the needed areas. Compensation was determined by an independent appraiser.

Zoned: R-17 MF    Use: Apartments    1991 Tax Value: \$400,300

### **36. Minutes**

**Action:**

**Approve minutes as follows:**

- **August 26, 1996 Business Meeting**
- **September 3, 1996 Council Workshop**
- **September 9, 1996 Business Meeting**
- **September 16, 1996 Zoning Meeting**
- **September 24, 1996 Business Meeting**