

**Mayor Patrick McCrory**

Rod Autrey  
Patrick D. Cannon  
Nancy G. Carter  
Mike Castano  
Malcolm Graham

**Mayor Pro Tem Susan Burgess**

Don Lochman  
James Mitchell, Jr.  
Sara Spencer  
Lynn Wheeler  
Joe White

**CITY COUNCIL MEETING**  
**Wednesday, September 26, 2001**

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**5:00 p.m.**

**Conference Center**

**Dinner Briefing**  
**(See Table of Contents)**

**6:30 p.m.**

**Meeting Chamber**

- **Invocation**
- **Pledge of Allegiance**
- **Citizens Forum**

**7:00 p.m.**

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



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

### **1. Zone Wrecker Services**

**Resources:** John Trunk, Business Support Services  
Cindy White, City Attorney's Office  
Greg McDowell, Internal Audit

**Time:** 15 minutes

#### **Attachment 1**

### **2. Neighborhood Summit**

**Resource:** Stanley Watkins, Neighborhood Development

**Time:** 15 minutes

#### **Attachment 2**

### **3. Council Priorities Update**

**Resource:** Vi Alexander Lyles

**Time:** 20 minutes

#### **Attachment 3**

### **4. Residential Tree Ordinance Update**

**Resources:** Doug Boone, Chair, Residential Tree Ordinance  
Stakeholder Group  
Lisa Hagood, Engineering & Property Management

**Time:** 15 minutes

#### **Attachment 4**

### **5. Committee Reports by Exception**

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

**7:00 P.M. AWARDS AND RECOGNITIONS  
MEETING CHAMBER**

**CONSENT**

- 6. Consent agenda items 20 through 39 may be considered in one motion except those items removed by a Councilmember. Items are removed by notifying the City Clerk before the meeting.**

## Public Hearing

### 7. Public Hearing to Close Two Alleyways Bounded by South Tryon Street, East Palmer Street, Southern Railroad Main Line, and East Bland Street

**Action:**   A.   **Conduct a Public Hearing to close two alleyways bounded by South Tryon Street, East Palmer Street, Southern Railroad Main Line, and East Bland Street; and**

              B.   **Adopt a Resolution to Close.**

**Staff Resource:**               Scott Putnam, Transportation

**Policy:**

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

**Explanation:**

North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys. The Charlotte Department of Transportation has received a petition to abandon public right-of-way and requests this Council action in accordance with the statute.

**Petitioner:**

FF Realty, LLC/John H. Carmichael

**Right-of-Way to be abandoned:**

Two alleyways bounded by South Tryon Street, East Palmer Street, Southern Railroad Main Line, and East Bland Street

**Location:**

Alleyway 1: From South College Street southeastwardly approximately 246 feet to its terminus at the Southern Railroad Main Line

Alleyway 2: From East Palmer Street southwestwardly approximately 116 feet to its terminus

**Reason:**

To incorporate the right-of-way into adjacent property owned by the petitioner for the construction of a 299-unit mixed use residential development. This property was recently rezoned by the City Council (rezoning petition 2001-81) on May 21, 2001.

**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**

William L. Plemmons, Jr. – No objections  
Light Fixtures Incorporated – No objections

**Neighborhood/Business Associations**

Dilworth Community Development Association – No objections  
Third Ward Community Development Corporation - No objections  
Third Ward Neighbors Association - No objections  
Strawn Apartment Residents Organization – No objections  
Charlottetown Terrace (CHA) – No objections  
Wilmore Neighborhood Association- No objections

**Private Utility Companies** – No objections.

**City Departments** –

Review by City departments has identified no apparent reason this closing would:

- Be contrary to the public interest; or
- Deprive any individual(s) owning property in the vicinity of reasonable means of ingress and egress to his property as outlined in the statutes.

**Attachment 5**

Map

**8. Public Hearing on Financing for FY2002 Equipment Purchases, Land, Fire Station Replacement and Refunding of Previously Issued Certificates of Participation (COPs)**

**Action:**

- A. Hold a public hearing to receive public comment on the proposed FY2002 Installment Payment Contract (lease/purchase);**
- B. Adopt a resolution approving the terms of an Installment Payment Contract (lease/purchase) and related financing documents to fund approved Capital Projects and Capital Equipment Requirements (the FY 2002 Contract). The principal amount of the contract will be approximately \$54.5 million; and**
- C. Adopt a resolution approving amendments to two prior Installment Purchase Contracts for the purpose of refunding \$17.4 million of existing debt.**

**Staff Resource:** Richard Martin, Finance

**Explanation:**

On September 10, 2001 Council approved issuance of \$54.5 million to fund the items in the proposed FY2002 Installment Payment Contract.

These resolutions will authorize the City Manager and the Finance Director to negotiate the documents necessary to secure funding for the FY2002 Contract and the refunding. The refunding will result in approximately \$700,000 of net present value savings.

Government District Land Acquisition	\$10,700,000
Public Safety Communications Upgrade- Phase II and III	\$ 9,860,000
Replacement of Fire Station Number 10	\$ 3,550,000
Buses	\$ 4,480,000
FY02 Equipment	\$24,541,000
Estimated issuance expense	<u>\$ 1,369,000</u>
Total FY2002 Contract	\$54,500,000
 Refunding	 <u>\$18,770,000</u>
Grand Total	\$73,270,000

**Funding:**

Municipal Debt Service Fund, Water and Sewer Debt Service Fund and Transit Debt Service Fund

**Attachment 6**

List of equipment

**9. Public Hearing on Amber Ridge Annexation**

**Action: Hold a Public Hearing for the annexation of the Amber Ridge area.**

**Staff Resource:** Jonathan Wells, Planning  
Mike Boyd, City Attorney's Office

**Policy:** City Annexation Policy and State Annexation Statutes

**Explanation:**

The Amber Ridge annexation is necessary because of a discrepancy between annexation maps used in the 2001 annexation and the annexation legal description contained within the annexation ordinance approved by City Council on January 8, 2001. The intent of this annexation is to rectify that discrepancy and bring the affected properties into the City with an effective date of December 31, 2001.

City Council at its July 16, 2001 meeting adopted a Resolution of Intent for this annexation setting the required annexation public hearing for September 26, 2001.

The adoption of the Annexation Report and the approval of the Resolution of Intent are both required by state annexation statutes, which specify that certain types of information must be included regarding annexation and the extension of municipal services into proposed annexation areas.

In anticipation of this public hearing, required public notices have been posted and Annexation Reports have been filed with the Charlotte City Clerk and Clerk of the Mecklenburg County Commission.

**Community Input:**

A community meeting was held on May 22, 2001 in a church near the annexation area. Mailings were sent to each of the affected property owners and Planning staff discussed the meeting with the neighborhood association chairperson prior to the meeting. No residents attended the meeting.

In addition, a required public informational meeting was advertised (via a mailing to affected property owners and public advertisement) and held on August 30, 2001. No residents attended the meeting.

**Attachment 7**

Map

**10. Public Hearing on Draft Eastside Strategy Plan Vision and Concept Plan**



**Action: Receive citizen comments on the draft Eastside Strategy Plan.**

**Committee Chair:** Lynn Wheeler

**Staff Resource:** Debra Campbell, Planning Commission

**Explanation:**

The draft Eastside Strategy Plan was developed in response to growing concerns about land use and zoning changes occurring along major corridors on Charlotte's Eastside. The plan focuses on eleven corridors: Albemarle Road, Central Avenue, Eastway Drive, Harris Boulevard East, Harrisburg Road, Hickory Grove/Pence Road, Idlewild Road, Lawyers Road, Monroe Road, Plaza Road/Plaza Road Extension and Sharon Amity Road North. The plan recommendations address the following key issues:

1. Land Use and Zoning
2. Transportation/Mobility
3. Streetscape Appearance

The plan is divided into two parts, Volume 1: Concept Plan and Volume 2: Implementation Plan.

1. Volume 1: Concept Plan identifies planning challenges and includes goals and recommendations for improving the corridors. **This is the document City Council will be asked to adopt.**
2. Volume 2: Implementation Plan discusses implementation strategies.

If approved, this plan would amend land use recommendations in the East District Plan, adopted in 1990, for the areas within the eleven corridors. Key recommendations in the plan include:

1. Identifying appropriate residential densities for future development and redevelopment
2. Concentrating retail development at key “nodes”
3. Encouraging redevelopment or reuse of aging commercial centers
4. Encouraging the development of land uses that will provide more employment opportunities at appropriate locations
5. Providing improvements for pedestrians, bicyclists and transit users
6. Providing streetscape improvements along each corridor

#### **Committee Discussion:**

The Economic Development and Planning Committee was scheduled to receive an overview of the draft plan at their September 12, 2001 meeting. However, that meeting was cancelled in light of national events.

The Committee is now anticipated to review and make a recommendation on the draft plan in late September or early October, with Council action expected in October.

#### **Community Input:**

A 23 member study group of residents, business and property owners worked with staff to help develop the plan. This group met over a seven month period from March to October 1998. In addition, a public meeting was held early in the process for staff and study group members to hear issues, concerns and ideas from the public at large. A public workshop was held in October 1998 to present and get feedback on the proposed recommendations.

The study group was reconvened on April 24, 2001, and had several weeks to review the draft plan. Following the study group review, a public meeting was held in the community on July 10, 2001 to receive additional citizen comment. An additional public meeting was held on July 19, 2001 at the Government Center. Approximately 600 notices were mailed concerning the public hearing to be held on September 26.

#### **Attachment 8**

Draft Eastside Strategy Plan (Volume 1: Concept Plan and Volume 2: Implementation Plan)  
Draft copy of summary brochure for Eastside Strategy Plan

# POLICY

## 11. City Manager's Report

## 12. Colony Road Barricade

**Action: Approve the Transportation Committee recommendation to replace the barricade on Colony Road at the Myers Park High School main entrance with a roundabout.**

**Committee Chair:** Sara Spencer

**Staff Resource:** Doreen Szymanski, Transportation

**Explanation:**

The original Colony Road barricade was installed at the entrance to Myers Park High School in August 1977 to prevent through traffic in the Club Colony neighborhood. The barricade was modified six months later to partially open the road. In January 1983 City Council approved modifying the barricade to its current configuration.

City Council referred the Colony Road Barricade Study to the Transportation Committee at their November 27, 2000 meeting, specifically asking staff to review the configuration of the barricade and its operation. After the referral, CDOT staff formed a stakeholders' group to discuss other alternatives to the current barricade, and if possible, narrow options down to one or two for Council's consideration.

The stakeholders' group included citizens representing the various neighborhoods in the vicinity of the barricade, representatives from the City Manager's Office, Charlotte-Mecklenburg Schools, Charlotte Mecklenburg Police, the Fire Department, and the Department of Transportation. The group originally considered five alternatives (see attachment) to the existing barricade, as well as leaving the barricade configuration as it stands today.

The following two options were forwarded to the Transportation Committee:

- Modified Barricade (Option 2A): Allows for a right-turn at the barricade, continuing north on Colony Road and a left-turn at the barricade into the school driveway. This would allow for two means of ingress and egress to the school grounds and one through movement (northbound). This option maintains the current southbound travel restriction. Estimated cost is \$75,000-\$100,000.

A modified barricade can operate safely at this location, although the southbound restriction would not eliminate motorists illegal u-turns at

the Myers Park High School Driveway or transient traffic from using the school campus as a turnaround to continue southbound on Colony Road. Pedestrians, the disabled community and bicyclists could be accommodated with this option. This option offers better emergency access than the current configuration.

- Roundabout (Option 4): Installs a roundabout that allows full access to the area and adds another traffic calming treatment to the Club Colony neighborhood which is situated between Selwyn Avenue and the Myers Park High School driveway. This would allow for two means of ingress and egress to the school grounds and two through movements. Estimated cost is \$400,000. Charlotte Mecklenburg Schools indicates they will seriously consider donating the needed land valued at \$80,000.

A roundabout can operate safely at this location. It offers better pedestrian connection, more accessible features for the disabled community, can accommodate bicyclists, and provides better emergency services access than the current configuration or a modified barricade. This option also eliminates current illegal and undesirable traffic movements that motorists make to circumvent the barricade.

In effect, this option opens Colony Road to through traffic in both directions, and additional traffic volumes are projected at 2,300 more cars a day for a total of 8,000 vehicles per day through the Club Colony neighborhood.

Emergency Service providers can accept either option since both provide better access to the school.

Charlotte Mecklenburg Schools can accept either option but have a preference for the roundabout since it enhances access to the school for emergency services, staff, students and visitors, and it eliminates transient traffic on their campus.

The Club Colony neighborhood prefers the modified barricade because it continues current protections to the neighborhood from through traffic. They are concerned that an increase of 2,300 vehicles a day will compromise safety for the neighborhood and their children. In addition, this option eliminates some traffic through the neighborhood, as motorists south of the barricade will no longer need to travel through the Club Colony neighborhood to legally access the school.

Residents from Rockbrook Drive, Colony Road south of the barricade and abutting neighborhoods south of Runnymede Lane, and representatives for parents whose children attend the school prefer the roundabout because it provides better access to the school and for emergency services, and provides for both northbound and southbound traffic movements.

CDOT finds either option acceptable.

**Committee Discussion:**

The Committee met on August 13, 2001 with members voting three to two to recommend construction of a roundabout. Councilmembers White, Carter, and Graham voted in favor. Chairperson Spencer and Councilmember Autrey were opposed.

Committee discussion centered around:

- safety of the options for pedestrian and disabled community access,
- costs
- whether there were any cost efficiencies in testing the modified barricade and then building the roundabout later if needed
- which option actually resolves the issue of accessibility to the area

Councilmembers White and Graham felt money should not be the determining factor in this matter, but that it was important to choose an option that best resolved the issue of accessibility and offered the greatest amount of safety. Councilmember Autrey felt any change should be made incrementally.

Councilmembers Carter, Graham, and Autrey inquired whether the modified barricade could be built to test results, and then if need be, further modified to build the roundabout. There are no cost efficiencies in modifying the barricade first and then building the roundabout later because the options are not built at the same locations. To test the modified barricade would cost \$100,000, and building the roundabout later would cost an additional \$400,000.

Councilmember Spencer was concerned that if the modified barricade was unsuccessful that a future council would elect to open Colony Road with no form of protection for the neighborhood.

Councilmembers Spencer and Carter expressed concerns about accessibility for pedestrians and the disabled community. Both options offer accessible features that should operate safely.

**Community Input:**

Since the November 27, 2000 Transportation Committee referral by City Council, CDOT staff has held three meetings with the stakeholders' group, one meeting with a subgroup of the larger stakeholders group, and one public meeting for all citizens.

**Funding:**

Transportation Capital Investment Plan

**Attachment 9**

- Questions and Answers
- Concept Plans
- August 13 Transportation Committee Summary
- Five options considered

### 13. Governmental Real Estate Transfer Ledger System Agreement

**Action: Authorize the City Manager to execute an agreement with Mecklenburg County to establish a real estate transfer ledger.**

**Staff Resource:** Jim Schumacher, Engineering and Property Management

**Explanation:**

The Joint Use Task Force, consisting of multiple public agencies, was organized by the City and County to develop a strong program of joint planning and joint use. The Task Force now routinely reviews all local government facility planning, identifying opportunities for joint use and transfer of property. The Task Force developed the concept of a “real estate transfer ledger” that would allow the City and County and some sub-agencies to transfer land to each other without the need for land purchase funding.

In May the City Council approved a transfer of land with the County in First Ward, anticipating that the exchange would be handled through the ledger agreement, to be developed later. Also, the Restructuring Government Committee approved a recommendation to the City Council earlier this year regarding the Evergreen Cemetery property on the basis of the ledger concept.

The philosophy of the agreement would be as follows:

- Establishes a system of credits and debits to transfer property from one party to the other without payment of cash.
- When a party is asked to transfer a property, that party has the sole discretion to determine if the property is “eligible” for transfer, meaning that there is no current or future use for the property by the current owner, and transfer is not otherwise prohibited.
- The City and County may both agree to a property transfer “off-ledger.”
- Eligible properties would be transferred at fair market value, as determined by certified appraisals.
- Some sub-entities, such as the Housing Authority, may be precluded from participating due to restrictions from third parties, such as the Federal government; or a ledger transfer may require some cash to satisfy federal or other requirements.
- County sub-entities, such as the Library, Medic, and Charlotte Mecklenburg Schools, may participate in the ledger through the County’s account.

- The net difference between total credits and debits would not exceed \$5 million, unless otherwise agreed.
- If the new owner considers selling a “ledgered” property to a non-governmental entity, the original owner will have a right of first refusal to buy back the property.
- If the new owner considers leasing a “ledgered” property for more than ten years, the original owner must consent (except for a public/private joint venture).
- The City or County can terminate the agreement at any time, requiring the party with an outstanding debit to pay that amount in a time as mutually agreed, or without such agreement, within 25 months.

The ledger agreement was approved by the Mecklenburg Board of County Commissioners on August 14, 2001.

#### 14. **Transfer of Surplus Evergreen Cemetery Property to Mecklenburg County Park and Recreation**

**Action: Approve the Restructuring Government Committee recommendation to transfer 78± acres of surplus Evergreen Cemetery property (a portion of tax parcel 131-071-01) and 14± acres of City owned property on Winterfield Avenue (tax parcel 131-071-03) to Mecklenburg County for development of Eastway District Park in accordance with the Governmental Real Estate Transfer Ledger System Agreement .**

**Committee Chair:** Joe White

**Staff Resource:** Jim Schumacher, Engineering and Property Management

**Explanation:**

In September 2000 Mecklenburg County expressed an interest in acquiring a portion of the Evergreen Cemetery property so the land could be used, along with adjoining school properties, to meet park needs in the area. The unused portion of cemetery property is contiguous to both an elementary (Winterfield) and a middle (Eastway) school, creating the potential for a combined park/school facility that would serve the students and surrounding neighborhoods. The City has also leased a 14 acre parcel adjacent to Winterfield Elementary to the County for several years for athletic fields.

**Committee Discussion:**

The Restructuring Government Committee met on January 16, 2001 to discuss if, and how, the portion of Evergreen Cemetery property could be transferred for development of a park. Present at the meeting were Councilmember Joe White, Chairman; Don Lochman, Vice Chairman; Susan Burgess, Malcolm Graham and Sara Spencer. Councilmember Nancy Carter and County Commissioner Dumont Clark were also in attendance.

The Committee discussed with County Park and Recreation staff their study of the site for a park. The County staff outlined a plan that would involve additional athletic fields near the schools, with the majority of the property remaining undeveloped. The school officials have concurred with that plan. At a public meeting on December 7, 2000, the public overwhelmingly supported preservation of most of the property in its natural state.

The Committee’s unanimous recommendation to City Council is to transfer 78± acres of Evergreen Cemetery property and 14± acres of Winterfield property for park and school purposes, using the real estate transfer ledger. The ledger credit to the City would be \$2.3 million. The Committee also recommended a right of first refusal option for the City if the County elects to abandon the land for park purposes. The ledger agreement provides this right should the County wish to sell the property for a private use.

With this transfer, the ledger will be as follows:

Property Transferred	City Credit	County Credit
First Ward		\$613,920
Evergreen Cemetery	\$2,300,000	
Total	\$2,300,000	\$613,920
Net Credit Balance	\$1,686,080	

**Attachment 10**

- Governmental Real Estate Transfer Principles
- Map of Proposed Eastway Park
- January 16, 2001 Restructuring Government Committee Meeting Summary

**15. Pay Supplement and Continued Insurance Benefits for Military Reservists Called to Active Duty**

**Action: Adopt a resolution granting a pay supplement and continued insurance benefits for military reservists that may be called to active duty.**

**Staff Resource:** Bill Wilder, Human Resources

**Explanation:**

President Bush has been authorized to call up to 50,000 military reservists into active duty. While staff is in the process of determining the number of City employees that are military reservists, it is likely that some employees would be included should a significant number of the 50,000 authorized be called.

If called to active military duty most City employees would be earning less from their military pay than their weekly City salary. Traditionally, the City has provided City employees called up for military duty a supplement to their military pay equal to the difference between their City salary and their military compensation. In addition, the City has offered employees the option of continuing their insurance benefits as if they were not on leave. Staff recommends that Council once again authorize this salary supplement and option for continued insurance benefits.

These enhancements will apply for the period of active duty, as related to the current crisis, and made retroactive to cover any employees who may be activated prior to September 26, 2001.

The recommended supplemental pay and related benefits to active military reservists are as follows:

Pay

- Provide a pay supplement consisting of the difference between the employee's military pay and regular City salary (excluding overtime and other salary additions that may have been earned if the employee were on the job).
- Taxes will be deducted from the pay supplement; other optional deductions such as medical insurance, savings contributions and other deductions may be arranged for on an individual basis.
- The amount of the pay supplement will be determined upon receipt of official military verification of the reservist's pay.

Benefits

- The City will continue medical/dental and basic life insurance for employees that have been called to active service. Activated reservists may continue supplemental life insurance at their own expense which will be the same rate they were paying prior to the leave of absence. The cost of supplemental life insurance will be deducted from the pay supplement if coverage is continued.
- Activated reservists may continue dependent medical/dental insurance, and voluntary vision insurance through the City's plan at the same rate they were paying prior to the leave of absence. The City will continue to contribute the same share of the cost for dependent coverage as when the employee was actively at work. The cost will be

deducted from the pay supplement if the reservist elects to continue coverage.

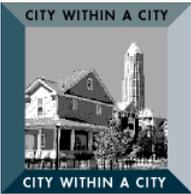
- Activated reservists may elect to continue dependent life insurance at the same rate they were paying prior to the leave of absence. If an activated reservist drops dependent medical/dental and/or dependent life insurance during the military leave, coverage will automatically be reinstated upon return to work with no preexisting conditions.
- Unused vacation and sick leave balances accrued at the time of being called to active duty will be retained. Vacation and sick leave will not accrue during active duty. Any vacation leave which exceeds the limit at the end of the calendar year may be retained if it was not used due to active service.
- Based on the rules of the NC 401(k) plan, the City contribution to the 401(k) plan will cease during military leave; upon return to work, the City will contribute the employer contribution for the time period the employees were on military leave, based on the employee's salary when the employee left. Employees will have the option to make retroactive voluntary contributions for the time they were on leave.

**Funding:**

Salaries have already been budgeted for all City employees, including these military reservists. Therefore, no additional funds are required.

## BUSINESS

### 16. Neighborhood Summit



**Action:** Approve the sponsorship of a Citizen Neighborhood Summit on October 27, 2001 to help develop Council's Neighborhood Focus Area and establish parameters for model neighborhoods.

**Staff Resource:** Stanley Watkins, Neighborhood Development

**Explanation:**

At City Council's 2001 Retreat, City staff was directed to prepare a Neighborhood Focus Strategy Area for discussion at the 2002 Council Retreat. On July 25 the Economic Development and Planning Committee endorsed the proposed Citizen Neighborhood Summit.

The purpose of the summit is to identify and assess those characteristics that define Charlotte's neighborhood tiers – inner city (CWAC), mid city and edge city - and define qualities that make a model neighborhood within any tier. Citizen participation in this event will help shape local government's interaction and response to various neighborhood environments as well as help establish benchmarks to evaluate neighborhood growth and change. Approximately 250 neighborhood leaders will receive invitations to attend.

The Neighborhood Summit participants will discuss the development patterns of Charlotte neighborhoods, unique challenges being faced by neighborhoods, characteristics of a model neighborhood and action steps that should be undertaken to support neighborhoods. Staff will prepare background material, invite speakers, conduct interactive sessions and develop a post-retreat action agenda. Staff will also produce a proceedings report which will be presented at City Council's 2002 Retreat. The Neighborhood Summit will cost approximately \$15,000.

This summit is the beginning of a three-part initiative designed to:

- define Charlotte neighborhood tiers and develop a strategy plan for addressing each tier;
- develop model neighborhood standards to serve as benchmarks; and
- review government policies, services, ordinances, regulatory practices and enforcement processes for effectiveness in meeting the needs of various neighborhood geographies and achieving neighborhood quality benchmarks.

Following the Summit, the City Council will review the Neighborhood Focus Area and strategy plan at its 2002 Retreat. The strategy plan will specify actions and processes to be undertaken by the City to make changes in policy,

service delivery processes, ordinances, regulatory practices and enforcement processes. Council directives will be incorporated into the City's 2003 business plans and budgets.

The final step will be the Spring 2002 Neighborhood Symposium, which will focus on the Neighborhood Focus Area and accompanying action plans. More specific input will be solicited on key changes in City services, regulations and enforcement practices that impact neighborhoods. Outcome of the symposium will be shared with City Council and used by the City in undertaking City Council's action steps.

**Funding:**

General Fund Operating Budget

**Attachment 11**

July 25 Economic Development and Planning Committee information

## 17. Uptown District Cooling

**Action: Approve a Right-of-Way Encroachment Agreement with Entergy Resources, Inc. for the installation and operation of a district cooling system in Uptown Charlotte.**

**Staff Resources:**

Tom Flynn, City Manager's Office  
Bob Hagemann, City Attorney's Office

**Explanation:**

Entergy Resources, Inc. and City staff briefed City Council at the September 10, 2001 dinner meeting about Entergy's plans to sell district cooling to Uptown buildings. This requires constructing and operating pipes within the City rights-of-way in Uptown Charlotte.

As explained at the briefing, staff has negotiated an encroachment agreement with Entergy. A similar agreement with Duke Solutions was approved in November 1999, but Duke Solutions decided not to pursue district cooling. Duke Solutions supports Entergy's request to pursue district cooling.

Entergy Resources Inc. has approved this agreement, which includes the following provisions:

- City approval of all plans before construction begins, including traffic and pedestrian control.
- Entergy Resources, Inc. pays all costs of relocating their lines should a City project require the lines be relocated.
- Entergy Resources, Inc. is responsible for any damage caused to the City's right-of-way during the operation of their system.

- Entergy Resources, Inc. would pay a right-of-way usage fee that graduates to 3.22% of gross receipts over five years according to the following schedule:

First three years: 1.07%  
 Next two years: 2.14%  
 After five years: 3.22%

Under state law, Duke Power, BellSouth, and Piedmont Natural Gas pay a 3.22% of gross receipts utility franchise tax to the State of North Carolina.

The State returns 3.09% to the City of Charlotte. The Time Warner and Carolina BroadBand cable franchises require these companies to pay the City a 5% of gross receipts franchise fee. Research of other cities indicates a range of fees for this type of right-of-way use. Denver and St. Paul charge fees of 3% and 5% respectively.

Staff recommends this phase-in of the fee due to the large up front capital costs that will be incurred by Entergy Resources, Inc. and Council approval of a similar phase-in for Duke Solutions.

#### **18. Zone Wrecker Services Contract**

This item and supporting materials will be included in the Friday, September 21 Council-Manager Memo.

#### **19. Sale of City Owned Property at 10021 Providence Road West**

**Action:** Select one of three options for the use of 3.93± acres of City owned property located at 10021 Providence Road West (tax code 229-011-03).

1. Sell the property and return the proceeds to the general fund for CIP purposes per Council's current policy;
2. Sell the property and direct the proceeds to the proposed Affordable Housing Trust Fund to further the development of affordable units throughout the City;  
or
3. Hold the property for future development of affordable single-family housing on the site.

**Staff Resource:** Kent Winslow, Engineering and Property Management  
 Stanley Watkins, Neighborhood Development

**Explanation:**

The subject property is 3.93± acres with a 1,510 square foot single-family ranch dwelling at 10021 Providence Road West. The City purchased the property in 1997 for \$159,000 for use as temporary Fire Station #32 until completion of the new facility. The property is zoned R-3 and an independent appraisal establishes the market value at \$204,500.

In accordance with the City's Asset Management Policy on May 29, 2001, City Council declared this property surplus and authorized the advertisement of a \$204,500 purchase contract for the purpose of receiving upset bids. No upset bids were received.

On July 23, 2001, sale of the property to Warren N. Ferguson for \$204,500 was on the City Council agenda. The City Council deferred action on the property for 60 days to allow a review for affordable housing purposes.

Neighborhood Development staff has reviewed this property for affordable housing development. The analysis concluded that the current R-3 zoning and size allow up to 11 single family units; however, due to the configuration of the property, only 5 lots can be created. Total development cost is projected to be \$800,000 which includes development of a street, and water and sewer lines to service the development. At a cost of approximately \$160,000 per lot, a \$40,000 to \$80,000 write down per lot would be needed to price the homes in the \$80,000 to \$120,000 range to make them affordable. The site is located in a priority area based on the current Housing Location Policy. The Affordable Housing Strategy Report places emphasis on multi-family units for rent.

**Attachment 12**

Photo and Map

## 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

Contractors and Consultants

All contractors and consultants selections follow the Council approved process unless explained otherwise.

## CONSENT I

### 20. Various Bids

**A. Water and Sanitary Sewer Service Installations – FY02 Contract A CMU**

**Recommendation:** The Charlotte-Mecklenburg Utilities Director recommends the low bid of \$448,071.25 by BRS, Incorporated of Richfield, North Carolina for installation of water and sewer services.

**MWBD Compliance:** Yes. BRS has the capacity and will self-perform.

**B. Sanitary Sewer Construction – Upper Little Sugar Creek – Phase 2 CMU**

**Recommendation:** The Charlotte-Mecklenburg Utilities Director recommends the low bid of \$1,200,514.86 by Southeast Pipe Survey, Incorporated of Patterson, Georgia. This contract provides cleaning and rehabilitation of sewers and related work.

**MWBD Compliance:** Yes. Southeast Pipe has the capacity and will self-perform.

## 21. In Rem Remedy

**For In Rem Remedy #A–J, the public purpose and policy are outlined here.**

**Public Purpose:**

- Eliminate a blighting influence in a City Within A City neighborhood
- Reduce the proportion of substandard housing
- 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 – Police and/or Fire Dept.
2. Complaint – petition by citizens, tenant complaint or public agency referral
3. Field Observation – concentrated code enforcement program

The In Rem Remedy item is listed below by category identifying the street address and neighborhood.

Public Safety

- A. 1300 Luther Street (Cherry)
- B. 1801 Baxter Street (Cherry)
- C. 504 Avant Street (Cherry)
- D. 508 Avant Street (Cherry)
- E. 509 Avant Street (Cherry)
- F. 513 Avant Street (Cherry)
- G. 510 Avant Street (Cherry)
- H. 1739 Baxter Street (Cherry)
- I. 1731 Baxter Street (Cherry)

Complaint

- J. 2515 Hilliard Drive (Country Club)

### A. 1300 Luther Street

**Action:** Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 1300 Luther Street (Cherry Neighborhood) located in the City Within A City boundaries.

**Attachment 13**

### B. 1801 Baxter Street

**Action:** Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 1801 Baxter Street (Cherry Neighborhood) located in the City Within A City boundaries.

**Attachment 14**

**C. 504 Avant Street**

**Action:** Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 504 Avant Street (Cherry Neighborhood) located in the City Within A City boundaries.

**Attachment 15**

**D. 508 Avant Street**

**Action:** Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 508 Avant Street (Cherry Neighborhood) located in the City Within A City boundaries.

**Attachment 16**

**E. 509 Avant Street**

**Action:** Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 509 Avant Street (Cherry Neighborhood) located in the City Within A City boundaries.

**Attachment 17**

**F. 513 Avant Street**

**Action:** Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 513 Avant Street (Cherry Neighborhood) located in the City Within A City boundaries.

**Attachment 18**

**G. 510 Avant Street**

**Action:** Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 510 Avant Street (Cherry Neighborhood) located in the City Within A City boundaries.

**Attachment 19**

**H. 1739 Baxter Street**

**Action:** Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 1739 Baxter Street (Cherry Neighborhood) located in the City Within A City boundaries.

**Attachment 20**

**I. 1731 Baxter Street.**

**Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 1731 Baxter Street (Cherry Neighborhood) located in the City Within A City boundaries.**

**Attachment 21**

**Public Safety**

**J. 2515 Hilliard Drive**

**Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2515 Hilliard Drive (Country Club Neighborhood) located in the City Within A City boundaries.**

**Attachment 22**

## CONSENT II

### 22. Set Public Hearing Date for Back Creek II Voluntary Annexation

**Action:** Adopt a resolution setting a public hearing for October 22, 2001 for a voluntary annexation for Back Creek II.

**Staff Resource:** Jonathan Wells, Planning Commission  
Mike Boyd, Legal

**Explanation:**

City Council is requested to adopt a resolution setting Monday, October 22, 2001, as the date for a public hearing on the voluntary annexation of the Back Creek II Subdivision.

Reed Enterprises of Charlotte, Inc. is the owner of the property proposed for voluntary annexation. The property contains approximately 32.852 acres and is located on the west side of Back Creek Church Road, south of Highway 49 (University City Boulevard). The property is presently undeveloped, but the developer has obtained a change of zoning and subdivision approval in order to develop 130 single-family homes on the property.

The petitioner requests this action in order to better coordinate the permitting and approval procedures, and to relieve future home purchasers from the uncertainties of a future annexation.

City Council will be asked to take action on the voluntary annexation at the conclusion of the public hearing on October 22, 2001.

**Community Input:**

The purpose of the requested public hearing is to obtain public input on this requested voluntary annexation.

**Attachment 23**

Map

## 23. Police Computer Aided Dispatching (CAD) System Contract

**Action:** A. Approve a contract for a total of \$1,715,581 with Intergraph Public Safety to complete the purchase and implementation for a new Computer Aided Dispatching System; and

B. Approve an addendum to the contract to purchase the necessary hardware and software to setup a fully operational dispatch backup/ training system at the new Police/Fire Training Academy as an Emergency Operating Center for a total of \$630,693.

**Staff Resource:** Craig Bailey, CMPD  
Vickie Kidd, Business Support Services/IT

### **Explanation:**

In September 2000 City Council approved a request for the Police Department to purchase a new Police Computer Aided Dispatching system from Intergraph Public Safety. The Police dispatching system is the core of Police operations. The current system is approximately 25 years old.

The new Computer Aided Dispatching system will allow for the collection of more data than the current system. This additional information will provide statistical analysis to improve officers' safety, track officers' time, and facilitate deployment of personnel. The new system also provides mapping capability that will aid us in locating the 911 cellular phone calls or wire line callers. The purchase of this system was separated into two phases. Phase I was to complete the design and planning and Phase II was to complete the implementation.

Intergraph Public Safety is ready to begin Phase II, implementation of the new Computer Aided Dispatch System for the Police Department. The system will support the 911-telephone system and the entire Police operation. The design and planning phase was completed successfully and identified all items necessary to meet the requirements for Police. The Interim Contract Phase, which was approved by Council on June 11, 2001, allowed work to begin on interfaces and training during the finalizing of pricing and contract negotiations between the City and Intergraph. The Interim Contract work is scheduled to be completed October 1, 2001. Services of the contract include:

- Purchase of a new system including all software and hardware
- Project management services by Intergraph throughout the project lifecycle
- Interface products including implementation
- Training
- Hardware and software maintenance for the first year

Additionally, a backup CAD system could be purchased for a total of \$630,693. Approval of this request will provide the CMPD with a fully operational backup system at the new academy that would allow for full dispatching capabilities in case of a disaster in which the current location is out of operation.

**MWBD:**

Intergraph will 100% self-perform.

**Funding:**

Police Operating Budget

## 24. Interlocal Agreements for Animal Control Services

**Action:** Adopt five resolutions authorizing the City Manager to enter into interlocal agreements with the towns of Matthews, Mint Hill, Pineville, Cornelius, and Davidson for the provision of services by the Police Department's Animal Control Bureau.

**Staff Resource:** Captain Tammy Williams, Animal Control Bureau

**Explanation:**

The Police Department's Animal Control Bureau provides animal control ordinance enforcement services, at varying levels, to the other towns within Mecklenburg County as outlined in interlocal agreements with each jurisdiction. The interlocal agreements currently in effect were entered into from the mid 1980's to early 1990's. These prior agreements did not provide for funding, as these services were infrequent. The Police Department has renegotiated the agreements with each jurisdiction in an effort to better define the level of services to be provided and to implement a fee for calls for service response in these towns.

Under the new agreements, the Animal Control Bureau will provide all animal control services for Mint Hill and Pineville. The Bureau will provide assistance upon request to Matthews, Cornelius, and Davidson. Huntersville has implemented its own animal control services and, therefore, will not be entering into an agreement.

Prior to the 1998 interlocal amendment, Mecklenburg County reimbursed the City of Charlotte approximately 36% of the total cost of the Animal Control Bureau. This would have totaled approximately \$900,000 for FY99. However, the 1998 amendment eliminated several reimbursements totaling comparable amounts for consolidated services between both the City and the County to reduce this annual administrative burden. The Animal Control Bureau was one of these services.

The amendment approved in 1998 did not change how the basic animal control services are provided. These basic services are: rabies vaccination canvassing; sheltering; and animal processing. Charlotte will continue to provide basic, standardized animal control services County wide as established in the City-County Animal Control Consolidation Agreement adopted in 1982.

However, for ordinance enforcement services the 1982 Agreement provided that the remaining municipalities may contract with Charlotte for animal control services under mutually agreeable terms and conditions. This action represents the other towns electing to exercise this provision.

Under the new agreements, the City will charge \$92 for each call for service it responds to in one of the towns. Additional fees may be charged if an animal is injured and veterinary services are required.

All of the towns are expected to take action on these agreements by October 1, 2001, after which the agreements will be ready for the City Manager's signature.

## 25. Unit Price Increase, North District Residential Solid Waste Collection Service Contract

**Action: Approve a 2.44% unit price increase to Solid Waste Services, North District Residential Solid Waste Collection Service Contract. The unit price increase is 14¢ per month.**

**Staff Resource:** Greg McDowell, Internal Audit

### **Explanation:**

The City of Charlotte contracts with Solid Waste Services to provide residential solid waste collection services in the North District of the City. The five-year contract was effective July 1, 2000. The contract provides that each year, 90 days prior to the contract anniversary date, the Contractor may request that the unit price be increased up to a ceiling of 75 percent of any increase during the preceding 12 months in the United States Department of Labor, Bureau of Statistics, Washington, D.C. Consumer Price Index (CPI).

As contractually required, Solid Waste Services submitted a request for a unit price increase to be effective July 1, 2001. Internal Audit used the CPI increase from June 2000 to June 2001 to determine the CPI increase, which coincides with the contract year. The CPI increase was 3.25%; therefore, the allowable contract increase (75% of the CPI) is 2.44%, or fourteen cents. The recommended new unit price is \$5.92 effective July 1, 2001. A retroactive payment will be made.

With its request, Solid Waste Services submitted a letter documenting increases in annual maintenance charges for radios and the approved average compensation adjustment of 4.2% for all employees, as well as .8% for career development. In addition it is now known that the vehicle repair labor rate will increase from \$45 per hour to \$46 per hour.

Internal Audit reviewed the above documentation and found that it substantiates the requested increase.

The requested increase would increase billings to the City by about \$77,000 per year. In addition, if actual operating costs are less than the approved contract rate for services, one-half of the savings will be retained by the City Solid Waste Key Business Unit with the other half being shared with the employees.

**Funding:**

Solid Waste Services Operating Budget

**26. Unit Price Increase, West District Residential Solid Waste Collection Service Contract**

**Action: Approve a 2.54% unit price increase to Solid Waste Services, West District Residential Solid Waste Collection Service Contract. The unit price increase is 15¢ per month.**

**Staff Resource:** Greg McDowell, Internal Audit

**Explanation:**

The City of Charlotte contracts with Solid Waste Services to provide residential solid waste collection services in the West District of the City. The five-year contract was effective January 19, 1998. The contract provides that each year, 90 days prior to the contract anniversary date, the Contractor may request that the unit price be increased up to a ceiling of 75 percent of any increase during the preceding 12 months in the United States Department of Labor, Bureau of Statistics, Washington, D.C. Consumer Price Index (CPI).

As contractually required, Solid Waste Services submitted a request for a unit price increase to be effective January 1, 2001. Internal Audit used the CPI increase from December 1999 to December 2000 to determine the CPI increase, which coincides with the contract year. The CPI increase was 3.39%; therefore, the allowable contract increase (75% of the CPI) is 2.54%, or fifteen cents. The recommended new unit price is \$6.02 effective January 1, 2001. A retroactive payment will be made.

With its request, Solid Waste Services submitted a letter documenting increases in annual maintenance charges for radios, a vehicle repair labor rate increase from \$37 per hour to \$45 per hour, an increase in vehicle

liability insurance and a Council approved average 4.2% compensation adjustment.

Internal Audit reviewed the above documentation and found that it substantiates the requested increase.

The requested increase would increase billings to the City by about \$80,000 per year. In addition, if actual operating costs are less than the approved contract rate for services, one-half of the savings will be retained by the City Solid Waste Key Business Unit with the other half being shared with the employees.

**Funding:**

Solid Waste Services Operating Budget

**27. Unit Price Increase, East District Residential Solid Waste Collection Service Contract**

**Action: Approve a 2.54% unit price increase to Solid Waste Services, East District Residential Solid Waste Collection Service Contract. The unit price increase is 16¢ per month.**

**Staff Resource:** Greg McDowell, Internal Audit

**Explanation:**

The City of Charlotte contracts with Solid Waste Services to provide residential solid waste collection services in the East District of the City. The five-year contract was effective January 1, 2000. The contract provides that each year, 90 days prior to the contract anniversary date, the Contractor may request that the unit price be increased up to a ceiling of 75 percent of any increase during the preceding 12 months in the United States Department of Labor, Bureau of Statistics, Washington, D.C. Consumer Price Index (CPI).

As contractually required, Solid Waste Services submitted a request for a unit price increase to be effective January 1, 2001. Internal Audit used the CPI increase from December 1999 to December 2000 to determine the CPI increase, which coincides with the contract year. The CPI increase was 3.39%; therefore, the allowable contract increase (75% of the CPI) is 2.54%, or sixteen cents. The recommended new unit price is \$6.62 effective January 1, 2001.

With its request, Solid Waste Services submitted a letter documenting increases in annual maintenance charges for radios, a vehicle repair labor rate increase from \$37 per hour to \$45 per hour, an increase in vehicle liability insurance and a Council approved average 4.2% compensation adjustment.

Internal Audit reviewed the above documentation and found that it substantiates the requested increase.

The requested increase would increase billings to the City by about \$89,000 per year. In addition, if actual operating costs are less than the approved contract rate for services, one-half of the savings will be retained by the City Solid Waste Key Business Unit with the other half being shared with the employees.

**Funding:**

Solid Waste Services Operating Budget

**28. Oakhurst Neighborhood Improvements, Phase I, Change Order #1**

**Action: Approve Change Order #1 to the contract with United Construction Company of Charlotte, North Carolina in the amount of \$370,984.12.**

**Staff Resource:**

Keith Carpenter, Engineering & Property Management

**Explanation:**

Council awarded the original contract for \$2,337,275.20 on June 26, 2000.

This change order will provide funds for additional quantities of some line items in the original contract. The project design and construction plans were accelerated, resulting in insufficient quantities for some items of work. Prices for the additional work are based on unit prices from the original bid. The new contract sum is \$2,708,259.32.

The construction is expected to be complete by the end of the year.

**MWBD:**

100% ABE

**Funding:**

Neighborhood Improvement Capital Investment Plan

**29. Second Ward Master Plan**

**Action: Approve the agreement for \$110,000 with Land Design, Inc. for urban planning services for the Second Ward community.**

**Staff Resource:** Dan Thilo, Planning  
William Haas, Engineering & Property  
Management

**Focus Area:** Economic Development

**Explanation:**

In May 2000 City Council adopted the Center City 2010 Vision Plan to create a livable and memorable Center City of distinct neighborhoods. Part of this vision is to turn Second Ward into one of the most vibrant new Center City neighborhoods.

This agreement with Land Design, Inc. (LD) will provide planning services for the Second Ward Community including public involvement, development of a master plan and preparation of plan documents.

Alex Garvin, noted author on several books dealing with designing successful urban parks and open spaces, is a member of Land Design's project team. He will be a keynote speaker at two public input sessions. He presented in Charlotte at the Great Cities/Great Parks Forum sponsored by County Parks and Recreation and the Trust for Public Land held in May.

Requests for Proposals were solicited from various firms. A selection committee comprised of representatives of Planning, Engineering & Property Management, Charlotte Center Partners, Charlotte Mecklenburg Schools and the County Manager's Office participated in the selection process and recommends the firm of Land Design be awarded this contract.

The plan will be brought before City Council for approval in Spring 2002.

**MWBD:**

Land Design, Inc. will self-perform.

**Funding:**

Neighborhood Capital Investment Plan

**30. Supplemental Municipal Agreement for Improvement of Independence Boulevard (US 74) from Brookshire Freeway (I-277) to Briar Creek**

**Action: Approve a resolution to authorize the Key Business Executive for Transportation to execute a Supplemental Municipal Agreement between the City of Charlotte and the North Carolina Department of Transportation (NCDOT) relating to the Improvement of Independence Boulevard from Brookshire Freeway to Briar Creek.**

**Staff Resource:** Gus Jordi, Transportation

**Explanation:**

The Supplemental Municipal Agreement provides for the NCDOT to include provisions in its construction contract for the construction of sidewalks along the ramps at the Independence Boulevard and Eastway Drive Interchange and construction of a six foot brick wall in lieu of a chain link fence in the vicinity of Pierson Drive with actual construction costs to be reimbursed by the City.

The estimated cost of this project is:

Sidewalk Construction:	\$ 46,600
Brick Wall Construction:	<u>\$1,057,000</u>
TOTAL:	\$1,103,600

The format and cost sharing philosophy is consistent with past municipal agreements.

**Funding:**

Transportation Capital Investment Plan

**31. Antenna Lease at 6230 North Tryon Street / 232 Heathway Circle**

**Action: Approve lease agreement with Radio One, Inc. for placement of communication antenna at 6230 Tryon Street/232 Heathway Circle (049-391-06).**

**Staff Resource:** Kent Winslow, Engineering & Property Management

**Explanation:**

Radio One Communications has requested placement of transmission equipment at this location.

Terms of this agreement are:

- Base monthly rent of \$1,400; first term revenue of \$92,813.
- Five-year term with 4 additional– 5 year options to renew.
- A 25% increase in rent each term.

### 32. Emergency Management Grant

**Action:** A. Accept a grant from the Federal Emergency Management Agency (FEMA) in the amount of \$29,000 to assist in preparing for response to terrorist events; and

B. Adopt a budget ordinance appropriating \$29,000 in FEMA grant funds for preparedness and mitigation enhancements in response to incidents involving weapons of mass destruction.

**Staff Resource:** Wayne Broome, Fire, Emergency Management

**Explanation:**

This particular grant will be used to develop a training program for Collapsed Building Rescue. The training will include classroom instruction and hands-on practical skills training.

**Background:**

To assist local communities in preparing for response to terrorist events, Congress established the weapons of mass destruction program coordinated by the United States Department of Justice and the Federal Emergency Management Agency (FEMA). Grants issued through this program are to be used for enhancements to preparedness and mitigation procedures involving acts of terrorism.

### 33. Hazardous Vehicle Ordinance Amendment

**Action:** Approve an ordinance amending Chapter 10 of the Code of the City of Charlotte regarding hazardous vehicles which pose health and safety risk.

**Staff Resources:** Walter Abernethy, Community Improvement  
Sara Smith Holderness, City Attorney's Office

**Explanation:**

The City has authority to remove three types of vehicles -- abandoned, junked, and hazardous vehicles. Generally, an abandoned vehicle is a vehicle left on public property or on private property without the owner's consent. A junked vehicle is a vehicle without a current, valid license plate and is partially dismantled or wrecked. A hazardous vehicle is a vehicle that poses health and safety risks due, for example, to excessive trash discarded in the vehicle.

The current ordinance defines a hazardous vehicle as a "junked or abandoned" vehicle declared to be a health or safety hazard. Some vehicles posing serious health and safety risks, however, have a valid license plate or are parked on the owner's private property and therefore do not qualify as a

junked or abandoned vehicle. Nor, under the current ordinance, do they qualify as hazardous vehicles. The proposed amendment eliminates this unintended consequence by deleting the words "junked or abandoned" from the definition of a hazardous vehicle.

### 34. Federal Aviation Administration Grants Resolution

**Action:** Adopt a resolution allowing the Aviation Director to accept any Federal Aviation Administration (FAA) Airport Improvement Program grant that may become available before the end of the Federal Fiscal Year on September 30, 2001.

**Staff Resource:** Jerry Orr, Aviation

**Explanation:**

Under the Federal legislation for the Airport Improvement Program, the FAA allocates a certain amount of grant money for discretionary projects, such as the Noise Compatibility Program and high priority airfield projects. The FAA has advised the Airport that additional funds may be available before the end of the Federal fiscal year.

This resolution will authorize the Aviation Director to accept this grant and any other grants if offered by the FAA on behalf of the City.

The Airport Advisory Committee recommends this action.

### 35. Flight Information Display System Upgrade

**Action:** Award a contract in the amount of \$86,405 to COM-NET, Inc. of Miamisburg, Ohio to upgrade the Flight Information Display System software and hardware computer systems.

**Staff Resource:** Jerry Orr, Aviation

**Explanation:**

In 1996 City Council awarded a contract to COM-NET for the airport's current multi-user Flight Information Display System (FIDS). As a result of the current expansion and addition of new concourse, the FIDS needs to be expanded and upgraded also. The first phase of this expansion is to upgrade the five-year-old computer system that operates the arrival and departure monitors. There is only one provider of this service, unless the airport replaces the entire system. If the entire system were to be replaced, the approximate cost would be \$400,000-\$500,000 which includes the software and hardware.

**MWBD:**

Com-Net, Inc. will self-perform.

**Funding:**

Aviation Capital Investment Plan

**36. Taxiway C Reconstruction**

- Action:**
- A. Adopt a resolution accepting a Federal Aviation Administration (FAA) grant in the amount of \$3,575,265;**
  - B. Award the low bid in the amount of \$3,893,772.50 to Rea Construction of Charlotte, North Carolina for the reconstruction of Taxiway C; and**
  - C. Adopt a Budget Ordinance to appropriate the grant funds, and appropriate \$1,191,755 from the Airport Discretionary Fund Balance to be repaid from the proceeds of Future General Airport Revenue Bonds.**

**Staff Resource:** Jerry Orr, Aviation

**Explanation:**

Each year the Airport competes for Discretionary grant funding for projects that enhance airfield capacity or safety. These funds will be used for the reconstruction of Taxiway C and the design of the Wallace Neel Road relocation. This grant provides the federal share (75%) of the project.

Taxiway C has been in service since 1938 and the last major reconstruction work was done 27 years ago. Subsequently, the pavement is now deteriorating to the point that normal pavement maintenance is inadequate, and the pavement has become an operational concern. This project will include replacing the existing asphalt with concrete and installing taxiway centerline lights to meet low visibility requirements.

The Airport Advisory Committee recommends this action.

**MWBD:**

NBE 16%

**Funding:**

Aviation Capital Investment Plan

### 37. Lease Agreement with Duke Energy Corporation for a Fuel Storage Facility.

**Action: Approve a lease agreement with Duke Energy Corporation of Charlotte, NC for a fuel storage facility located at the airport.**

**Staff Resource:** Jerry Orr, Aviation

**Explanation:**

On May 29, 2001, Council approved a ground lease agreement with Duke Energy Corporation for a Corporate Aviation Facility at the airport. The 3.3-acre tract of land is located in the north corporate aviation area and Duke Energy is currently constructing a corporate aviation facility. This facility will house Duke Energy's aircraft and also provide office and maintenance space.

Duke Energy wants to lease a Fuel Storage System to be located adjacent to the proposed hangar. The system will consist of two 12,000 gallon Jet-A fuel storage tanks and related piping leading to the corporate hangar facility, and pumping and dispensing equipment. The fuel system will be constructed and owned by the city, and leased to Duke Energy. Ground rent is \$210 annually and shall be adjusted at five-year intervals. Duke Energy will also pay debt service fees for the facility, estimated at \$3,933.33 per month, and will pay a monthly fuel delivery charge equal to 8% of the gross sales price of fuel delivered to the facility.

The Airport Advisory Committee recommends this action.

### 38. Property Transactions

**Action: Approve the following property transactions (A-G) and adopt the condemnation resolutions (H-EE).**

**Acquisitions:**

- A. Project:** Land Acquisition for Watershed Protection, Parcel #2  
**Owner(s):** Sheila C. Kidd, Patricia Kidd Humphries, Clinton Daniel Humphries and Amy Atwell Humphries  
**Property Address:** Jim Kidd Road  
**Property to be acquired:** 594,594 sq. ft. (13.65 ac.) in Fee Simple  
**Improvements:** None  
**Purchase Price:** \$273,000  
**Remarks:** This area is required for watershed protection. Compensation was established by two appraisals conducted by independent, certified appraisers.  
**Zoned:** R-3  
**Use:** Vacant

**Tax Code:** 013-081-24  
**Total Parcel Tax Value:** \$142,920

- B. Project:** Albemarle Road/W.T. Harris Interchange, Parcel #106  
**Owner(s):** Louis P. Lagna  
**Property Address:** 8529 W.T. Harris Boulevard  
**Property to be acquired:** 27,007 sq. ft. (0.62 ac.) in Fee Simple  
**Improvements:** One-story building and 0.62 ac. of land  
**Purchase Price:** \$180,000  
**Remarks:** Total acquisition of this property is required as part of the Albemarle Road/W.T. Harris Interchange project. The purchase price is based on two independent, certified appraisals.  
**Zoned:** 01  
**Use:** Office  
**Tax Code:** 109-171-06  
**Total Parcel Tax Value:** \$180,480
- C. Project:** Albemarle Road/W.T. Harris Interchange, Parcel #107  
**Owner(s):** PMC Holdings, Inc., a North Carolina Corporation  
**Property Address:** 7035 Albemarle Road  
**Property to be acquired:** 135,210 sq. ft. (3.104 ac.) in Fee Simple  
**Improvements:** 3.104 ac. Vacant Land  
**Purchase Price:** \$1,150,000  
**Remarks:** Total acquisition of this property is required as part of the Albemarle Road/W.T. Harris Interchange project. The purchase price is based on an appraisal made by a certified, independent appraiser.  
**Zoned:** B-2  
**Use:** Vacant  
**Tax Code:** 109-171-12  
**Total Parcel Tax Value:** \$771,240
- D. Project:** Old Statesville Road Widening, Parcel #8  
**Owner(s):** Acme Properties Limited Partnership  
**Property Address:** 6401 Old Statesville Road  
**Property to be acquired:** 5,709 sq. ft. (0.132 ac.) of Fee Simple Acquisition, plus 8,388 sq. ft. (0.193 ac.) of Temporary Construction Easement  
**Improvements:** None  
**Purchase Price:** \$100,630  
**Remarks:** This area is required for the Old Statesville Road Widening project. Compensation was established by appraisals conducted by independent, certified appraisers.  
**Zoned:** B1CD  
**Use:** Convenience Store  
**Tax Code:** 037-421-07  
**Total Parcel Tax Value:** \$511,220

- E. Project:** Old Statesville Road Widening, Parcel #11 and 13  
**Owner(s):** Oak Grove Methodist Church  
**Property Address:** 4801 and 4812 Oak Drive  
**Property to be acquired:** 10,499 sq. ft. (0.241 ac.) of Fee Simple Acquisition plus 5,884 sq. ft. (0.135 ac.) of Temporary Construction Easement  
**Improvements:** Asphalt Paving and Sign  
**Purchase Price:** \$21,401  
**Remarks:** This area is required for the Old Statesville Road Widening project. Compensation was established by appraisals conducted by independent, certified appraisers.  
**Zoned:** R17MF  
**Use:** Church  
**Tax Code:** 045-431-15, 045-441-02  
**Total Parcel Tax Value:** \$1,240,470
- F. Project:** Old Statesville Road Widening, Parcel #39  
**Owner(s):** Alexander/Myers Family Partnership  
**Property Address:** 7325 Old Statesville Road  
**Property to be acquired:** 3,298 sq. ft. (0.076 ac.) of Fee Simple Acquisition plus Permanent Utility Easement, plus 8,067 sq. ft. (0.185 ac.) of Temporary Construction Easement  
**Improvements:** Chain Link Fence  
**Purchase Price:** \$18,910  
**Remarks:** This area is required for the Old Statesville Road Widening project. Compensation was established by an appraisal conducted by an independent, certified appraiser.  
**Zoned:** I-2  
**Use:** Truck Terminal  
**Tax Code:** 037-203-05  
**Total Parcel Tax Value:** \$358,090
- G. Project:** Asbury Avenue Extension, Parcel #55  
**Owner(s):** Eliza Mae Coleman  
**Property Address:** 1104 McArthur Avenue  
**Property to be acquired:** Total Acquisition 8,300 sq.ft. (.190 ac.)  
**Improvements:** Single Family Residence  
**Purchase Price:** \$97,000  
**Demolition Requested:** Yes  
**Remarks:** Total acquisition is required for the construction of the Asbury Avenue Extension project. Compensation is based upon an independent, certified appraisal.  
**Zoned:** R-8  
**Use:** Single Family Residence  
**Tax Code:** 077-194-09  
**Total Parcel Tax Value:** Improvements not yet on tax record - \$4,500 land plus

**Condemnations:**

- H. Project:** Old Statesville Road Widening, Parcel #15  
**Owner(s):** Centrum-Charlotte Spring LP and Any Other Parties of Interest  
**Property Address:** 4815 Spring Trace Drive  
**Property to be acquired:** 17,089 sq. ft. (0.039 ac.) of Fee Simple Acquisition, Temporary Construction Easement and Permanent Utility Easement  
**Improvements:** Chain Link Fence  
**Purchase Price:** \$23,522  
**Remarks:** This area is required for the Old Statesville Road Widening project. Compensation was established by appraisals conducted by two independent, certified appraisers and a review appraiser. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R17MF  
**Use:** Senior Living Apartments  
**Tax Code:** 045-441-11  
**Total Parcel Tax Value:** \$2,262,530
- I. Project:** Old Statesville Road Widening, Parcel #24  
**Owner(s):** Gadd Realty Group, Inc. and Any Other Parties of Interest  
**Property Address:** 6634 Old Statesville Road  
**Property to be acquired:** 6,338 sq. ft. (0.146 ac.) of Fee Simple Acquisition, Temporary Construction Easement and Permanent Utility Easement  
**Improvements:** None  
**Purchase Price:** \$11,780  
**Remarks:** This area is required for the Old Statesville Road Widening project. Compensation was established by appraisals conducted by two independent, certified appraisers and a review appraiser. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** B2CD  
**Use:** Food Service  
**Tax Code:** 045-451-04  
**Total Parcel Tax Value:** \$115,940
- J. Project:** Old Statesville Road Widening, Parcel #25  
**Owner(s):** Con-Way Southern Express, Inc. and Any Other Parties of Interest  
**Property Address:** 6701 Old Statesville Road  
**Property to be acquired:** 25,948 sq. ft. (0.596 ac.) of Fee Simple Acquisition, Temporary Construction Easement and Permanent Utility Easement  
**Improvements:** None  
**Purchase Price:** \$43,600  
**Remarks:** This area is required for the Old Statesville Road Widening project. Compensation was established by appraisals conducted by an

independent, certified appraiser and a review appraiser. City staff has yet to reach a negotiated settlement with the property owner.

**Zoned:** I-1

**Use:** Truck Terminal

**Tax Code:** 037-421-03

**Total Parcel Tax Value:** \$3,942,620

- K. Project:** Old Statesville Road Widening, Parcel #26  
**Owner(s):** Barbara H. Ferrell, Bettie H. Causey and West P. Hunter, Jr. (Heirs of West P. Hunter) and Any Other Parties of Interest  
**Property Address:** 4725 Gibbon Road  
**Property to be acquired:** 38,584 sq. ft. (0.886 ac.) of Fee Simple Acquisition, Temporary Construction Easement and Permanent Utility Easement  
**Improvements:** None  
**Purchase Price:** \$62,825  
**Remarks:** This area is required for the Old Statesville Road Widening project. Compensation was established by appraisals conducted by an independent, certified appraiser and a review appraiser. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** B2CD  
**Use:** Single Family Residential  
**Tax Code:** 045-451-03  
**Total Parcel Tax Value:** \$503,910
- L. Project:** Old Statesville Road Widening, Parcel #27  
**Owner(s):** Fred L. Hunter and Any Other Parties of Interest  
**Property Address:** 6808 Old Statesville Road  
**Property to be acquired:** 15,295 sq. ft. (0.351 ac.) of Fee Simple Acquisition, Temporary Construction Easement and Permanent Utility Easement  
**Improvements:** None  
**Purchase Price:** \$28,630  
**Remarks:** This area is required for the Old Statesville Road Widening project. Compensation was established by appraisals conducted by an independent, certified appraiser and a review appraiser. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** B-2  
**Use:** Vacant  
**Tax Code:** 043-052-14  
**Total Parcel Tax Value:** \$92,310
- M. Project:** Old Statesville Road Widening, Parcel #28  
**Owner(s):** GAH International, LTD and Any Other Parties of Interest  
**Property Address:** 7000 Apache Avenue  
**Property to be acquired:** 20,298 sq. ft. (0.466 ac.) of Fee Simple Acquisition, Temporary Construction Easement, Permanent Drainage Easement and Permanent Utility Easement  
**Improvements:** None

**Purchase Price:** \$18,910

**Remarks:** This area is required for the Old Statesville Road Widening project. Compensation was established by appraisals conducted by an independent, certified appraiser and a review appraiser. City staff has yet to reach a negotiated settlement with the property owner.

**Zoned:** I-2

**Use:** Flea Market

**Tax Code:** 037-203-17

**Total Parcel Tax Value:** \$5,689,190

- N. Property:** Old Statesville Road Widening, Parcel #29  
**Owner(s):** Ruby Key and Any Other Parties of Interest  
**Property Address:** 6818 Old Statesville Road  
**Property to be acquired:** 4,031 sq. ft. (0.093 ac.) of Fee Simple Acquisition and Temporary Construction Easement  
**Improvements:** Fence, Septic Field  
**Purchase Price:** \$11,300  
**Remarks:** This area is required for the Old Statesville Road Widening project. Compensation was established by appraisals conducted by an independent, certified appraiser and a review appraiser. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** B-2  
**Use:** Single Family Residential  
**Tax Code:** 043-052-13  
**Total Parcel Tax Value:** \$36,260
- O. Project:** Old Statesville Road Widening, Parcel #30  
**Owner(s):** Earl E. Carver, Jackie Keith Jones and Paula Jones and Any Other Parties of Interest  
**Property Address:** 6824 Old Statesville Road  
**Property to be acquired:** 15,828 sq. ft. (0.363 ac.) of Fee Simple Acquisition, and Temporary Construction Easement  
**Improvements:** None  
**Purchase Price:** \$26,200  
**Remarks:** This area is required for the Old Statesville Road Widening project. Compensation was established by appraisals conducted by an independent, certified appraiser and a review appraiser. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** B-2  
**Use:** Car Dealership and Fencing Company  
**Tax Code:** 043-052-12  
**Total Parcel Tax Value:** \$151,370
- P. Project:** Old Statesville Road Widening, Parcel #42  
**Owner(s):** Jean Derrick and Wyatt R. Derrick and Any Other Parties of Interest  
**Property Address:** 7109 Old Statesville Road  
**Property to be acquired:** 4,455 sq. ft. (0.102 ac.) of Fee Simple Acquisition and Temporary Construction Easement

**Improvements:** None

**Purchase Price:** \$5,700

**Remarks:** This area is required for the Old Statesville Road Widening project. Compensation was established by appraisals conducted by an independent, certified appraiser and a review appraiser. City staff has yet to reach a negotiated settlement with the property owner.

**Zoned:** I-2

**Use:** Trailer Park

**Tax Code:** 037-211-01

**Total Parcel Tax Value:** \$160,280

- Q. Project:** Old Statesville Road Widening, Parcel #54  
**Owner(s):** McKenzie Tank Lines, Inc. and Any Other Parties of Interest  
**Property Address:** 7327 Old Statesville Road  
**Property to be acquired:** 18,877 sq. ft. (0.433 ac.) of Fee Simple Acquisition, Temporary Construction Easement, Permanent Drainage Easement and Permanent Utility Easement  
**Improvements:** Sign, Chain Link Fence, Gates  
**Purchase Price:** \$30,720  
**Remarks:** This area is required for the Old Statesville Road Widening project. Compensation was established by appraisals conducted by an independent, certified appraiser and a review appraiser. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** I-2  
**Use:** Service Garage  
**Tax Code:** 037-211-06  
**Total Parcel Tax Value:** \$419,550
- R. Project:** Old Statesville Road Widening, Parcel #55  
**Owner(s):** Donald J. Eleazer and Any Other Parties of Interest  
**Property Address:** 7403 Old Statesville Road  
**Property to be acquired:** 21,618 sq. ft. (0.496 ac.) of Fee Simple Acquisition, Temporary Construction Easement and Permanent Utility Easement  
**Improvements:** Sign, Chain Link Fence, Irrigation System  
**Purchase Price:** \$8,530  
**Remarks:** This area is required for the Old Statesville Road Widening project. Compensation was established by appraisals conducted by an independent, certified appraiser and a review appraiser. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** B-2  
**Use:** Single Family Residential  
**Tax Code:** 037-213-16  
**Total Parcel Tax Value:** \$149,270
- S. Project:** Old Statesville Road Widening, Parcel #59  
**Owner(s):** C. Wayne Key and Angela M. Key and Any Other Parties of Interest

**Property Address:** 7501 Old Statesville Road

**Property to be acquired:** 50,129 sq. ft. (1.150 ac.) of Fee Simple Acquisition, Temporary Construction Easement, Permanent Utility Easement, Permanent Drainage Easement and Permanent Slope Easement

**Improvements:** Fence, Mobile Homes

**Purchase Price:** \$89,400

**Remarks:** This area is required for the Old Statesville Road Widening project. Compensation was established by appraisals conducted by an independent, certified appraisers and a review appraiser. City staff has yet to reach a negotiated settlement with the property owner.

**Zoned:** RMH

**Use:** Mobile Home Park

**Tax Code:** 037-214-01

**Total Parcel Tax Value:** \$430,900

- T. Project:** Old Statesville Road Widening, Parcel #60  
**Owner(s):** C. Wayne Key and Angela M. Key and Any Other Parties of Interest

**Property Address:** 7535 Old Statesville Road

**Property to be acquired:** 3,168 sq. ft. (0.073 ac.) of Fee Simple Acquisition and Temporary Construction Easement

**Improvements:** None

**Purchase Price:** \$4,000

**Remarks:** This area is required for the Old Statesville Road Widening project. Compensation was established by appraisals conducted by an independent, certified appraiser and a review appraiser. City staff has yet to reach a negotiated settlement with the property owner.

**Zoned:** B-2

**Use:** Single Family Residential

**Tax Code:** 037-214-02

**Total Parcel Tax Value:** \$173,200

- U. Project:** Old Statesville Road Widening, Parcel #94  
**Owner(s):** Howard A. Linker Jr. and Wife, Nella D. Linker and Any Other Parties of Interest

**Property Address:** 8101 Old Statesville Road

**Property to be acquired:** 3,011 sq. ft. (0.069 ac.) of Fee Simple Acquisition and Temporary Construction Easement

**Improvements:** None

**Purchase Price:** \$4,526

**Remarks:** This area is required for the Old Statesville Road Widening project. Compensation was established by appraisals conducted by independent, certified appraisers in the area. City staff has yet to reach a negotiated settlement with the property owner.

**Zoned:** B-2

**Use:** Single Family Residential

**Tax Code:** 037-252-11

**Total Parcel Tax Value:** \$69,230

- V. **Project:** Old Statesville Road Widening, Parcel #33  
**Owner(s):** Hugh V. Jacobs and June N. Jacobs and Any Other Parties of Interest  
**Property Address:** 6900B Old Statesville Road  
**Property to be acquired:** 13,000 sq. ft. (0.298 ac.) of Fee Simple Acquisition, Temporary Construction Easement and Permanent Utility Easement  
**Improvements:** Chain Link Fence and Gate  
**Purchase Price:** \$19,211  
**Remarks:** This area is required for the Old Statesville Road Widening project. Compensation was established by appraisals conducted by an independent, certified appraiser and a review appraiser. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** B-2  
**Use:** Vacant  
**Tax Code:** 043-052-30  
**Total Parcel Tax Value:** \$125,670
- W. **Project:** Old Statesville Road Widening, Parcel #957  
**Owner(s):** Michael Wayne Ward and Any Other Parties of Interest  
**Property Address:** Henderson Circle  
**Property to be acquired:** 11,134 sq. ft. (0.256 ac.) of Fee Simple Acquisition, Temporary Construction Easement, Permanent Utility Easement and Permanent Drainage Easement  
**Improvements:** Concrete Paving, Chain  
**Purchase Price:** \$36,810  
**Remarks:** This area is required for the Old Statesville Road Widening project. Compensation was established by appraisals conducted by an independent, certified appraiser and a review appraiser. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** B-2  
**Use:** Service Garage  
**Tax Code:** 037-213-15  
**Total Parcel Tax Value:** \$204,520
- X. **Project:** Old Statesville Road Widening, Parcel #120  
**Owner(s):** Barbara H. Ferrell, Bettie H. Causey, Richard R. Causey, West P. Hunter, Jr., Brenda R. Hunter and Any Other Parties of Interest  
**Property Address:** 4638 Gibbon Road  
**Property to be acquired:** 3,258 sq. ft. (0.748 ac.) of Temporary Construction Easement  
**Improvements:** None  
**Purchase Price:** \$2,346  
**Remarks:** This area is required for the Old Statesville Road Widening project. Compensation was established by appraisals conducted by independent, certified appraisers. City staff has yet to reach a negotiated settlement with the property owner.

**Zoned:** B-2  
**Use:** Vacant  
**Tax Code:** 043-052-15  
**Total Parcel Tax Value:** \$305,310

- Y. Project:** Providence Road/Old Providence Road Sidewalk, Parcel #15  
**Owner(s):** Panagiotis H. Lironis and Wife, Helen S. Lironis and Any Other Parties of Interest

**Property Address:** 1118 Landsdowne Road  
**Property to be acquired:** 1,490 sq. ft. (0.034 ac.) of Permanent Easement plus 1,451 sq. ft. (0.033 ac.)

**Improvements:** Landscaping

**Purchase Price:** \$4,825

**Remarks:** The areas are required for the construction of Providence Road/Old Providence Road Sidewalk. City staff has yet to reach an agreement with the property owner after numerous contacts and negotiations. Compensation amount is based on an independent, certified appraisal.

**Zoned:** R-3

**Use:** Single Family Residential

**Tax Code:** 187-163-24

**Total Parcel Tax Value:** \$172,630

- Z. Project:** 8-Inch Sanitary Sewer to Serve 6008 Pineville-Matthews Road, Parcel #1  
**Owner(s):** Karrington Operating Company and Any Other Parties of Interest

**Property Address:** 5515 Rea Road

**Property to be acquired:** 24,773 sq. ft. (0.57 ac.)

**Improvements:** Landscaping

**Purchase Price:** \$17,475

**Remarks:** This permanent easement is required for the installation of a sanitary sewer line along Pineville-Matthews Road. City staff has yet to reach a settlement with the property owner. The compensation was based on an independent, certified appraisal and a review appraisal.

**Zoned:** R12MFC

**Use:** Apartments

**Tax Code:** 211-251-04

**Total Parcel Tax Value:** \$546,910

- AA. Project:** Asbury Avenue Extension, Parcel #74  
**Owner(s):** Alonzo Allison, Jr. and Any Other Parties of Interest

**Property Address:** 1109 McArthur Avenue

**Property to be acquired:** 7,500 sq. ft. (.1722 ac.) Land, Total Acquisition

**Improvements:** One-story Residential Structure

**Demolition Requested:** Yes

**Purchase Price:** \$36,500

**Remarks:** Total parcel acquisition is required for the construction of the Asbury Avenue Extension project. Compensation is based upon an independent, certified appraisal. City staff has been unable to reach an agreement on a negotiated settlement.

**Zoned:** R-8

**Use:** Single Family Residential

**Tax Code:** 077-197-16

**Total Parcel Tax Value:** \$27,510

**BB. Project:** Asbury Avenue Extension, Parcel #157

**Owner(s):** Camilla Gail Russell (Now Alexander) and Any Other Parties of Interest

**Property Address:** 1023 Wainwright Avenue

**Property to be acquired:** 7,500 sq. ft. (.1722 ac.) Total Acquisition

**Improvements:** None

**Purchase Price:** \$800

**Remarks:** Total acquisition of vacant lot required for the construction of the Asbury Avenue Extension project. Compensation is based on an independent, certified appraisal. City staff has yet to reach a negotiated settlement with the property owners.

**Zoned:** R-8

**Use:** Single Family Residential/Vacant Lot

**Tax Code:** 077-195-12

**Total Parcel Tax Value:** \$800

**CC. Project:** Sardis Road Sidewalk, Parcel, #10 and 11

**Owner(s):** Bijan Vazeen and Wife, Mina Vazeen and Any Other Parties of Interest

**Property Address:** 8515 Sardis Road and 105 Creek Valley Road

**Property to be acquired:** 6,574 sq. ft. (0.15 ac.) of Permanent Easement

**Improvements:** Shrubs, Screening Brick Entrance Fences

**Purchase Price:** \$8,461

**Remarks:** The areas are required for construction of sidewalks along Sardis Road. City staff has yet to reach an agreement with the property owners after numerous contacts and negotiations. Compensation amount is based on an independent, certified appraisal.

**Zoned:** R-3

**Use:** Single Family Residential

**Tax Code:** 213-114-12 and 213-114-02

**Total Parcel Tax Value:** \$352,640 - 213-114-12 and \$134,500 - 213-114-02

**DD. Project:** Sharon Amity at Lyttleton Drive Intersection, Parcel #4

**Owner(s):** Gladys Hendrick Brewer and Any Other Parties of Interest

**Property Address:** 1009 North Sharon Amity Road

**Property to be acquired:** 2,121 sq. ft. (0.05 ac.) of Permanent Easement

**Improvements:** None

**Purchase Price:** \$7,275

**Remarks:** The areas are required for the construction of Sharon Amity at Lyttleton Drive. City staff has yet to reach an agreement with the property owner after numerous contacts and negotiations. Compensation amount is based on an independent, certified appraisal.

**Zoned:** R-3

**Use:** Single Family Residential

**Tax Code:** 157-202-04

**Total Parcel Tax Value:** \$50,120

**EE. Project:** Sanitary Sewer to Serve Ravenswood, LLC Property, Parcel #1

**Owner(s):** Phoenix Home Life Mutual Insurance Company, and Any Other Parties of Interest

**Property Address:** 6200 Cleve Brown Road

**Property to be acquired:** 28,088 sq. ft. (.65 ac.) total required easement area

**Improvements:** Trees

**Purchase Price:** \$23,500

**Remarks:** Required easements for the construction and maintenance of the sanitary sewer to serve Ravenswood, LLC Property.

Compensation based upon an independent, certified appraisal. City staff is unable to reach a negotiated settlement.

**Zoned:** R12MFC

**Use:** Multi-Family Residential

**Tax Code:** 043-092-08

**Total Parcel Tax Value:** \$25,532,590

### 39. Meeting Minutes

**Action:** Approve the titles, motions and votes reflected in the Clerk's record as the minutes of:

- August 27, 2001, Special Meeting Hal Marshall Center