

January 23, 1984  
Resolution Book 20 - Page 23

MINUTES OF  
THE CITY OF CHARLOTTE CITY COUNCIL  
January 23, 1984

The City Council of the City of Charlotte met in a regular meeting in Council Chambers on the 2nd Floor of City Hall, 600 East Trade Street in Charlotte, North Carolina, at 3:00 P.M. on January 24, 1984.

Present: Mayor Gantt presiding, and  
Council members Dannelly, Frech, Hammond, Juneau, Leeper, Myrick,  
Patterson, Spaugh, Trosch, Vinroot and Woollen

Absent: None

Also Present: \_\_\_\_\_

Henry W. Underhill, City Attorney, announced that the City has been requested by Belk Brothers Company (the "Company") to agree to provide financing for the renovation and rehabilitation of the Company's building (the "Project") located at 100 North Tryon Street in the City of Charlotte, for purposes of eliminating existing blight and preventing future blight in the Area 2 of the Charlotte Redevelopment Area. Mr. Underhill also announced that the Company had obtained a commitment from First Union National Bank ("FUNB") to make a loan under the Separate Loan Program adopted by the City by which FUNB will purchase a Note of the City in the amount of \$1,600,000, the proceeds of which will be loaned by the City to the Company for the purpose of constructing the Project.

Mr. Underhill advised that in connection with such loan application, it was necessary that a public hearing be held and that a proper Notice of Public Hearing describing the proposed loan and the Project had been published in The Charlotte Observer on January 7, 1984. A public hearing was then convened. The City Clerk announced that the following written comments had been received in response to the Notice of Public Hearing:

None

\_\_\_\_\_. The following persons  
appeared at the public hearing: None

\_\_\_\_\_. Whereupon, it was  
announced that such public hearing was closed.

In connection with this loan, Mr. Underhill then presented the following documents:

- (a) Memorandum of Agreement between the City and the Company approving the proposed Project; and
- (b) A proposed Commitment dated as of December 28, 1983 between the City and the Company approving the proposed Project.

The foregoing documents were delivered to the Clerk of the City and directed to be marked as Exhibits A and B and made a part of the permanent records of the City.

Thereafter, Councilmember Frech introduced the following resolution, a copy of which had been distributed to each council member, the title to which was read aloud:

RESOLUTION APPROVING AND AUTHORIZING THE ENTERING INTO OF AN AGREEMENT RELATING TO THE ISSUANCE BY THE CITY OF ITS NOTE IN THE PRINCIPAL AMOUNT OF \$1,600,000 AND THE ISSUANCE BY THE CITY OF ITS COMMITMENT (BELK'S UPTOWN DEPARTMENT STORE PROJECT) AND AUTHORIZING THE LOAN OF THE PROCEEDS OF THE CITY NOTE TO BELK BROTHERS COMPANY IN CONNECTION WITH FINANCING AN UPTOWN REDEVELOPMENT PROJECT.

BE IT RESOLVED by the City Council (the "Council") of the City of Charlotte (the "City"):

Section 1. The Memorandum of Agreement relating to the financing of the rehabilitation of the building known as Belk Brothers Department Store (the "Project") for Belk Brothers Company (the "Company") in the Uptown Redevelopment Project Area 2, City of Charlotte, Mecklenburg County, North Carolina, is hereby approved in the form presented at this meeting and attached hereto as Exhibit A, and the Mayor or the Mayor pro tem of the Council and the Clerk or the Assistant Clerk of the City are hereby authorized to execute and deliver in any number of signed counterparts such Memorandum of Agreement for and on behalf of the City, and the City is hereby authorized to issue, subject to the terms and in accordance with North Carolina General Statutes 160A-500-526, not exceeding \$1,600,000 of a promissory note (the "City Note") to pay all or a portion of the cost of the Project.

Section 2. The Commitment by the City relating to the financing of the rehabilitation of the building known as Belk Brothers Department Store owned by the Company (the "Project") for the Company in the Uptown Redevelopment Project Area 2, City of Charlotte, Mecklenburg County, North Carolina, is hereby approved, in the form which has been presented to the Council at this meeting and is attached hereto as Exhibit B, and the Mayor or the Mayor pro tem of the Council and the Clerk or the Assistant Clerk of the City are hereby authorized to execute and deliver any number of signed counterparts of such Commitment for and on behalf of the City.

Section 3. This resolution shall take effect upon its passage.

Councilmember Frech moved the passage of the foregoing resolution entitled as indicated above, and Councilmember Patterson seconded the motion, and resolution was passed by the following vote:

January 23, 1984  
Resolution Book 20 - Page 25

Ayes: Council members Dannelly, Frech, Hammond, Juneau, Leeper  
Myrick, Patterson, Spaugh, Trosch, Vinroot and Woolen

Noes: Council members None

\* \* \* \* \*

I, Pat Sharkey, City Clerk of the City of Charlotte and keeper of the official minutes of the City Council of the City of Charlotte, DO HEREBY CERTIFY that the foregoing is a true copy of certain of the proceedings of the City Council of the City of Charlotte taken at a meeting held on January 23, 1984, and is a complete copy of so much of the recorded minutes of said meeting as relates in any way to the passage of the resolution hereinabove set forth.

I DO HEREBY FURTHER CERTIFY that regular meetings of said Council are held on the second Monday at designated districts, fourth Mondays of each month at 3:00 P.M. in the Council Chambers in City Hall, Charlotte, North Carolina, and on the third Monday of each month at 6:00 P.M. in the Board of Education Center, Charlotte, North Carolina.

WITNESS my hand and the official seal of The Charlotte City Council this 24th day of January, 1984.

\_\_\_\_\_  
Clerk

(SEAL)

January 23, 1984  
Resolution Book 20 - Page 26

RESOLUTION AMENDING THE PAY PLAN  
OF THE  
CITY OF CHARLOTTE

BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, that the Pay Plan heretofore adopted by the City Council to be effective October 1, 1960, as subsequently amended, is hereby further amended as follows:

1. Change the following classes:

Class No. 2916, Data Base Coordinator, from Pay Range 21 to Pay Range 22, Pay Steps A-F inclusive

Class No. 2923, MIS Technical Support Analyst, from Pay Range 21 to Pay Range 22, Pay Steps A-F inclusive

Class No. 2924, MIS Technical Support Supervisor, from Pay Range 24 to Pay Range 25, Pay Steps A-F inclusive

2. Add the following class:

Class No. 2919, MIS Programming Supervisor, Pay Range 24, Pay Steps A-F inclusive

BE IT FURTHER RESOLVED that this resolution shall be effective on the date of its adoption.

APPROVED AS TO FORM:

  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23rd day of January, 1984, the reference having been made in Minute Book 81, and is recorded in full in Resolution Book 20 at Page 26.

Pat Sharkey  
City Clerk

January 23, 1984  
Resolution Book 20 - Page 27

RESOLUTION AMENDING THE PAY PLAN  
OF THE  
CITY OF CHARLOTTE

BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, that the Pay Plan heretofore adopted by the City Council to be effective October 1, 1960, as subsequently amended, is hereby further amended by addition of a class no. 3028 Fire Plans Examiner, Pay Range 18, Pay Steps A-F inclusive.

BE IT FURTHER RESOLVED that this resolution shall be effective on the date of its adoption.

APPROVED AS TO FORM:

  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23rd day of January, 1984, the reference having been made in Minute Book 81, and is recorded in full in Resolution Book 20 at Page 27.

Pat Sharkey  
City Clerk

January 23, 1984  
Resolution Book 20 - Page 28

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE  
CALLING FOR A PUBLIC HEARING ON AMENDMENT NO. 4,  
REDEVELOPMENT AREA PLAN, REDEVELOPMENT SECTION NO. 1,  
BROOKLYN URBAN RENEWAL AREA

WHEREAS, under the authority of Article 22 of Chapter 160A of the General Statutes of North Carolina and particularly Section 160A-513 of the General Statutes, the City of Charlotte will prepare an amendment to the Redevelopment Plan for the Redevelopment Section No. 1, Brooklyn Urban Renewal Area, Charlotte, North Carolina; and

WHEREAS, the Redevelopment Plan for the Redevelopment Section No. 1, Brooklyn Urban Renewal Area, will be submitted to the Charlotte-Mecklenburg Planning Commission for their review and comments; and

WHEREAS, G. S. 160A-513(h) requires that the City Council of the City of Charlotte hold a public hearing upon the amended Redevelopment Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

1. That on Monday, February 27, 1984, at 3:00 p.m., in the City Council Chamber of the City Hall, the City Council shall hold a public hearing on Amendment No. 4 to the Redevelopment Area Plan, Redevelopment Section No. 1, Brooklyn Urban Renewal Area.
2. That a description of the area specified in the Redevelopment Plan (1) by boundaries and (2) as shown on R. P. Map No. 1, "Project Area and Boundary Map" is as follows:

That certain area in the City of Charlotte, County of Mecklenburg, State of North Carolina, described as follows:

Beginning at the intersection of the southwest right-of-way line of East Fourth Street and the northwest right-of-way line of South Davidson Street; thence running southwesterly along said line of South Davidson Street approximately 380 feet to the northeast right-of-way line of East Third Street; thence northwesterly along said line of East Third Street approximately 845 feet to the northwest right-of-way line of South Brevard Street; thence southwesterly along said line of South Brevard Street approximately 1310 feet to the southwest right-of-way line of East Stonewall Street; thence southeasterly along said line of East Stonewall Street approximately 300 feet to a point; thence south approximately 195 feet to the southwest right-of-way line of Independence Boulevard; thence southeasterly along said line of Independence Boulevard approximately 395 feet to the southeast right-of-way line of South Davidson Street; thence

January 23, 1984  
Resolution Book 20 - Page 29

northeasterly along said line of South Davidson Street approximately 910 feet to the southwest right-of-way line of East Second Street; thence southeasterly along said line of East Second Street approximately 420 feet to the southeast right-of-way line of South Alexander Street; thence northeasterly along said line of South Alexander Street approximately 900 feet to the northeast right-of-way line of East Fourth Street, thence northwesterly along said line of East Fourth Street approximately 450 feet to the northwest right-of-way line of South Davidson Street; thence southwesterly approximately 60 feet to the point of beginning. No land within these boundaries is to be excluded from the Project Area.

3. The Redevelopment Area Plan for Redevelopment Section No. 1, Brooklyn Urban Renewal Area with such maps, plans, and other documents which are part of the proposal will be available for public inspection for two consecutive weeks prior to time of the public hearing date at the office of the Community Development Department of the City of Charlotte, Suite 510, 301 South McDowell Street, Charlotte, North Carolina, between the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday.
4. That this Resolution shall be published at least once a week for two consecutive weeks in the Charlotte Observer, a newspaper of general circulation in the City of Charlotte, the first publication to be not less than fifteen (15) days prior to the date fixed for said hearing.

The foregoing Resolution was adopted by the City Council of the City of Charlotte, North Carolina, on January 23, 1984.

#### CERTIFICATION

I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23rd day of January, 1984, the reference having been made in Minute Book 81, and is recorded in full in Resolution Book 20 at Pages 28-29.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of January, 1984.

---

Pat Sharkey, City Clerk

January 23, 1984  
Resolution Book 20 - Page 30

ID#3594N

RESOLUTION DECLARING AN INTENT  
TO ABANDON AND CLOSE  
CHERRY STREET LOCATED BETWEEN  
THE INTERSTATE 85 RIGHT-OF-WAY  
AND THE MULBERRY CHURCH ROAD  
CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, La Quinta Motor Inns, Inc. has filed a Petition to close Cherry Street and Tacoma Street in the City of Charlotte, and

WHEREAS, Cherry Street and Tacoma Street petitioned to be closed lie between Interstate 85 exit ramp to the south and the Interstate 85 service road to the north and Mulberry Church Road to the west as shown on a map marked Exhibit A and as more particularly described by metes and bounds in a document marked Exhibit "C", both of which are available for inspection in the Office of the City Clerk, City Hall, Charlotte, North Carolina.

WHEREAS, the procedure for closing streets and alleys as outlined in North Carolina General Statutes, Section 168-299, requires that counsel first adopt a resolution declaring its intent to close the street and calling a public hearing on the question. Said statute further requires that the resolution shall be published once a week for four (4) successive weeks prior to the hearing and a copy thereof be sent by registered or certified mail to all owners of property adjoining the street as shown on the county tax records and a notice of the closing and public hearing shall be prominently posted in at least two places along said street; and,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte at its regularly scheduled session of January 23, 1984 that it intends to close Cherry and Tacoma Streets lying between Mulberry Church Road, Interstate 85 service road and Interstate 85 right-of-way, said streets being more particularly described on a map and by a metes and bounds description available for inspection in the City Clerk's Office and hereby calls a public hearing on the question to be held at 3:00 p.m. on the 27th day of February, 1984 at City Hall.

The City Clerk is hereby directed to publish a copy of this Resolution in the Mecklenburg Times once a week for four (4) successive weeks next preceding date fixed here for such hearing as required by N.C.G.S.168-299.

CERTIFICATION

I, PAT SHARKEY, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23rd day of January, 1984, the reference having been made in Minute Book 81, and recorded in full in Resolution Book 20, at Page(s) 30.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of January, 1984.

PAT SHARKEY, CITY CLERK

January 23, 1984  
Resolution Book 20 - Page 31

RESOLUTION

A motion was made by Councilmember Dannelly and  
(Name and Title)

seconded by Councilmember Spaug for the adoption of the  
(Name and Title)  
following resolution, and upon being put to a vote was duly accepted:

WHEREAS, a grant in the amount of \$ 200,000.00 has been approved by the  
Department; and

WHEREAS, an amount equal to or greater than the approved grant has been  
appropriated by the Sponsor for this Project.

NOW THEREFORE, BE AND IT IS HEREBY RESOLVED THAT THE Mayor  
(Title)

of the Sponsor be and he hereby is authorized and empowered to enter into a Grant  
Agreement with the Department, thereby binding the Sponsor to the fulfillment of  
its obligation incurred under this Grant Agreement.

I, Pat Sharkey, City Clerk of the City of Charlotte,  
(Name and Title) (Sponsor)

North Carolina do hereby certify that the above is a true and correct  
copy of an excerpt from the minutes of the City Council of the City of Charlotte  
(Sponsor)  
of a meeting duly and regularly held on the 23rd day of January, 1984.

WITNESS my hand the official seal of the Sponsor City of Charlotte, North Carolina

This, the 24th day of January, 1984.

Signed: \_\_\_\_\_

Title: City Clerk

Of The: City of Charlotte, North Carolina

SEAL

January 23, 1984  
Resolution Book 20 - Page 32

A RESOLUTION AMENDING A RESOLUTION ADOPTED BY CITY COUNCIL ON NOVEMBER 14, 1983 AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO CRAVER REALTY CORPORATION, OWNERS; TOM BOONE, D/B/A BOONE AND HEGE COMPANY, PARTNERSHIP, LESSEE; BUDDY HEGE, D/B/A BOONE AND HEGE COMPANY, PARTNERSHIP, LESSEE; DON MCGEE, D/B/A MCGEE CONSTRUCTION COMPANY, LIENHOLDER; SAM BOLTON, BONDSMAN, TENANT; OREN ALEXANDER, BONDSMAN, TENANT; MCKEE REALTY COMPANY, PROPERTY MANAGER, AND ANY OTHER OWNERS OF RECORD OR PARTIES OF INTEREST AT THE TIME OF CONDEMNATION LOCATED AT 500-502 EAST FOURTH STREET, IN THE CITY OF CHARLOTTE FOR THE GOVERNMENTAL CENTER

---

WHEREAS, the City Council finds as a fact that it is necessary to acquire the property belonging to Craver Realty Corporation, owners; Tom Boone, d/b/a - Boone and Hege Company, Partnership, lessee; Buddy Hege, d/b/a - Boone and Hege Company, Partnership, lessee; Don McGee, d/b/a - McGee Construction Company, lienholder; Sam Bolton, Bondsman, tenant; Oren Alexander, Bondsman, tenant; McKee Realty Company, property manager, and any other owners of record or parties of interest at the time of condemnation, located at 500-502 East Fourth Street in the City of Charlotte, for the acquisition of land for the Governmental Center; and

WHEREAS, the City has in good faith undertaken to negotiate for the purchase of this property, but has been unable to reach an agreement with the owners and tenants for the purchase price.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that pursuant to Section 7.81, Chapter 437 of the 1983 Session Laws of North Carolina, being a portion of the Charter of the City of Charlotte, as amended, and the authority granted by North Carolina General Statutes 160A-240.1, condemnation proceedings are here authorized to be instituted against the property of Craver Realty Corporation, owners; Tom Boone, d/b/a - Boone and Hege Company, partnership, lessee; Buddy Hege, d/b/a - Boone and Hege Company, partnership, lessee; Don McGee, d/b/a - McGee Construction Company, lienholder; Sam Bolton, Bondsman, tenant; Oren Alexander, Bondsman, tenant; McKee Realty Company, Property Manager, and any other owners of record or parties of interest at the time of condemnation, located at 500-502 East Fourth Street, in the City of Charlotte, Mecklenburg County, North Carolina, under the procedures set forth in Chapter 40A of the General Statutes of North Carolina, as amended; and

January 23, 1984  
Resolution Book 20 - Page 33

BE IT FURTHER RESOLVED that \$223,800.00, the amount of the appraised value of said property, is hereby authorized to be deposited in the Office of the Clerk of Superior Court of Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking. This resolution amends the resolution passed November 14, 1983, and recorded at Resolutions Book 19, pages 467-469 by correcting erroneous statutory citations.

APPROVED AS TO FORM:

*Henry W. Underhill Jr.*  
City Attorney

CERTIFICATION

I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23rd day of January, 1984, and the reference having been made in Minute Book 81, Page       , and recorded in full in Resolutions Book 20, Pages 32-33.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of January, 1984.

\_\_\_\_\_  
City Clerk

January 23, 1984  
Resolution Book 20 - Page 34

RESOLUTION TO ELECT A TAX SHELTER OF EMPLOYEES' CONTRIBUTIONS  
PAYABLE AS MEMBERS OF THE LAW ENFORCEMENT OFFICERS' RETIREMENT  
SYSTEM OF THE STATE OF NORTH CAROLINA

WHEREAS, the 1984 Session of the North Carolina General Assembly, by a duly ratified bill, enacted North Carolina General Statute 143-166(il) which, under the conditions specified therein, permits an employer participating in the North Carolina Local Governmental Employees' Retirement System or who administers some other trust qualified under Sections 401(a), 403(a) or 405(a) of the Internal Revenue code of 1954 as amended to tax shelter the contributions payable to this System by its employees who are members of this System to the same extent as an employer has elected to tax shelter contributions for all other employees who are members of another qualified trust; and,

WHEREAS, this employer is an employer participating in the North Carolina Local Governmental Employees' Retirement System with respect to its eligible employees or who administers some other trust qualified under Sections 401(a), 403(a) or 405(a) of the Internal Revenue Code of 1954 as amended; and,

WHEREAS, this employer has tax sheltered the contributions payable by its employees who are members of the North Carolina Local Governmental Employees' Retirement System or some other qualified trust and deems it desirable to tax shelter the contributions payable by its employees as members of the Law Enforcement Officers' Retirement System of the State of North Carolina.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session, that effective the first day of January, 1984 the City of Charlotte elects pursuant to the provisions of North Carolina General Statute 143-166(il) to pick up and pay to the Law Enforcement Officers' Retirement System of the State of North Carolina the contributions which would be otherwise payable to this System by its employees who are members of this System and to treat in all respects such contributions in the manner specified in said North Carolina General Statute 143-166(il).

APPROVED AS TO FORM

*J. Michael H.*  
Deputy City Attorney

CERTIFICATION

I, PAT SHARKEY, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23rd day of January, 1984, the reference having been made in Minute Book 81, and recorded in full in Resolution Book 20, at Page(s) 34.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of January, 1984.

PAT SHARKEY, CITY CLERK