Meeting Type: Business
Date: 11/24/1997

City of Charlotte, City Clerk's Office
CITY COUNCIL MEETING  
Monday, November 24, 1997

5:00 p.m.  Conference Center  
Dinner Briefing  
(See Table of Contents)

6:30 p.m.  Meeting Chamber  
- Invocation  
- Pledge of Allegiance  
- Citizens Hearing

7:00 p.m.  
- Awards and Recognitions  
- Formal Business Meeting
# CITY COUNCIL AGENDA

Monday, November 24, 1997

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## 6:30 P.M. CITIZENS HEARING

MEETING CHAMBER

## 7:00 P.M. AWARDS AND RECOGNITIONS

## CONSENT

| 5.       | Consent Items | 1 |

## ZONING DECISION

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PUBLIC HEARING

7. Public Hearing to Close Old Wilmont Road

POLICY

8. City Manager's Report

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

10. Business Investment Program

11. City of Charlotte's Housing Policy

12. Housing Counseling Services Competition

BUSINESS

13. Renewal of Listing Agreement for "Old" Convention Center

14. Airport Special Facility Revenue Bond Financing

15. Settlement Proposal from Adams Outdoor Advertising

16. Charlotte Center City Partners - Appointment of Directors

17. Appointments to Boards and Commissions
BUSINESS Continued

18. Closed Session Pursuant to GS 143-318 11 (a) (6) to Consider the Performance of City Manager Pam Syfert

19. Closed Session to Discuss the Elizabeth Historic District Litigation

CONSENT I

20. Various Bids
   A  Public Safety/911 800 MHZ Communications Tower
   B  Princeton Avenue/Queens Road West Storm Drainage Improvements Project
   C  Sugar Creek Wastewater Treatment Plant Sludge Transfer Line
   D  Sugar Creek Wastewater Treatment Plant Improvements
   E  Sanitary Sewer Construction - Stoney Creek Tributary and Polk & White Road - 1997 Annexation Highland Creek Area
   F  Reroofing of US Airway Maintenance Facility

21. In Remedy
    Public Safety
       A  2510 Westerly Hills Drive
       B  1917 Wood Dale Terrace
       C  212 Mill Road
    Complaint
       D  1912 Cliffwood Place
       E  300 Martin Street
       F  215 Harrison Street
    Field Observation
       G  1212 McArthur Avenue
       H  310 Katonah Avenue
       I  1521 Parkwood Avenue
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5:00 P.M. DINNER BRIEFING
CONFERENCE CENTER

1. Traffic Enforcement Strategies

2. Episcopal School Land Purchase
   Attachment 1

3. Joint Maintenance Agreement with NCDOT for the I-77/I-277 Loop
   Attachment 2

4. Housing Counseling Services Competition
   Attachment 3

6:30 P.M. CITIZENS HEARING
MEETING CHAMBER

CONSENT

5. Consent agenda items 20 through 31 may be considered in one motion except those items removed by a Councilmember. Items are removed by notifying the City Clerk before the meeting.

Staff Resource: Julie Burch
6. Decision on Petition No. 97-83

Action:

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

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

- The Zoning Committee voted to recommend approval of this petition, with the following modification:
  - The narrow ends of the buildings will be oriented toward adjacent single family homes as indicated on the illustrative site plan.

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

Attachment 4
PUBLIC HEARING

7. Public Hearing to Close Old Wilmont Road

Action:  
A. Open the public hearing to abandon a portion of Old Wilmont Road; and  
B. Continue the public hearing on December 8, 1997.

Staff Resource:  
Scott Putnam

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

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

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

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

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

• The Charlotte Department of Transportation has received a petition to abandon public right-of-way and is requesting this Council Action in accordance with North Carolina law
Petitioner:
LakePoint Business Land Limited Partnership

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

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

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

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

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

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

Attachment 5
Map
POLICY

8. City Manager’s Report

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

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

Staff Resource: Mac McCarley and Bob Hagemann

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

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

10. Business Investment Program

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

Committee Chair: Lynn Wheeler

Staff Resource: Tom Flynn
Terry Orell, Charlotte Chamber
Focus Area: Economic Development

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

Explanation of Request:
- The purpose of this program is to encourage new and expanding businesses to add jobs and capital investment in identified areas of the community where economic stimulus is needed. These areas are designated as the Investment Zone (Map and neighborhood listing attached).
- To qualify a business would have to invest in the Investment Zone and meet the following criteria:
  1. Provide 20 or more jobs,
  2. Invest $2 million or more,
  3. Fall within identified Standardized Industrial Code (SIC) categories for Manufacturing, Warehousing, Distribution, Data Processing, and Central Administrative Offices, and
  4. Have an average wage rate for all employees of $12.23 per hour. This wage rate will be reduced by up to 20% if 25% of employees live within the Investment Zone or participate in Work First, or other similar economic assistance programs.

Committee Discussion:
- Council's Economic Development and Planning Committee voted 5-0 to adopt this program. The Committee was concerned about a similar program for small businesses. Staff presented that program to the Committee on November 19, 1997 for their discussion and comment.
- The Economic Development and Planning Committee includes Lynn Wheeler (Chair), Nasif Majeed (Vice Chair), Malachi Greene, Ella Scarborough and Charlie Baker.
• The Committee also wanted to be sure that this program was reviewed by the City Attorney. The City Attorney has reviewed the program and found no problems.

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

Funding:

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

Attachment 7
Business Investment Program Policy and Procedures

11. City of Charlotte's Housing Policy

Action:

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

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

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

Committee Chair: Ella Scarborough

Staff Resource: Stanley Watkins

Focus Area: City Within A City

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

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

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

- Strategies are designed to:
  - focus on rebuilding City Within A City neighborhoods,
  - enforce City Housing Code, rehabilitate or eliminate substandard housing,
  - partner with private, nonprofit, financial and other governmental entities to increase low and moderate income housing production,
  - provide home ownership and rental opportunities for low and moderate income families, and
  - leverage city dollars with non-city dollars.

  (the investment ratio goal is $1 of city investment for every $4 of private/other investment)

Committee Discussion:

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

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

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

Community Input:

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

Attachment 8
City of Charlotte Housing Policy 1997

12. Housing Counseling Services Competition

This item will be included in the November 21, 1997 Council-Manager Memo.
13. Renewal of Listing Agreement for Old Convention Center

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

Staff Resource: Kent Winslow

Focus Area: Economic Development

Policy: Asset Management

Explanation of Request:

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

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

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

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

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

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

- A commission is paid at closing. A commission is due should the City decline an offer based on the following conditions.
- Broker submits a bona fide offer at or above the fair market value

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

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

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

14. **Airport Special Facility Revenue Bond Financing**

**Action:**

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

**Staff Resource:**

Richard Martin and Jerry Orr

**Focus Area:**

Economic Development

**Explanation of Request:**

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

- US Airways, Inc, the current lessee of special facilities financed by bonds sold in 1987 and 1988, has requested that the City issue Special Facility Revenue Bonds. These bonds will be used to refinance the 1987 and 1988 bonds (estimated to cost $100,000,000), and to finance all or a portion of the cost of additional special facilities or improvements (estimated to cost $25,000,000).
• The bonds will not be refinanced unless it results in significant savings to US Airways, Inc

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

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

15. Settlement Proposal from Adams Outdoor Advertising


Staff Resource: Mac McCarley

Explanation of Request:

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

• City Council is being requested to either

1. Accept the settlement proposal by authorizing the City Attorney to enter into a consent judgment which would implement the terms of the proposal. If this option were chosen, staff would also present to Council a zoning amendment that would protect the location of signs that would be removed through the settlement.
2. Reject the proposal in which case the City Attorney will continue to prosecute the litigation, or

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

Attachment 9
Background Information

16. Charlotte Center City Partners - Appointment of Directors

Action:

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

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

Staff Resource: Curt Walton

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

Explanation of Request:

- On September 16, 1997, the Executive Committee of the Board of Directors of the Charlotte Center City Partners (CCCP) adopted a resolution increasing the number of voting directors from 15 to 16 and nominating Daniel S. Levine to fill the newly created position.

- The resolution also included the nomination of Sharon Allred Decker to fill the vacancy created by the resignation of Bill Simms.
Article II, Section 5 of the CCCP Bylaws provides that any vacancy occurring in the Board of Directors, including vacancies created by an increase in the number of directors, shall be filled by City Council with a person nominated by the Board of Directors.

**Attachment 10**

CCCP Bylaws
List of Current Directors - By Class

### 17. Appointments to Boards and Commissions

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

**A. SCHOOL FACILITIES MASTER PLAN OVERSIGHT COMMITTEE**

Three positions on this new ad hoc committee beginning immediately and expiring when the task is completed. Mayor McCrory will appoint the remaining two positions for the City of Charlotte.

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

**Attachment 11**
B. **TREE ADVISORY COMMITTEE**  
One position beginning December 14, 1997 for three years Barry Flynn did not wish to be reappointed Voting on November 10 resulted in a 5-5 tie

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

Attachment 12

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

19. **Closed Session to Discuss the Elizabeth Historic District Litigation**

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

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

- Robert W. Goodman v. City of Charlotte

- Reginald L. Yates v. City of Charlotte

Introduction to CONSENT

The consent portion of the agenda is divided into two sections: Consent I and Consent II.

Consent I consists of routine items that have been approved in the budget, are low bid, and have met MWBD criteria.

Consent II consists of routine items that have also been approved in the budget, but may require additional explanation.

Minority and Women Business Development Program (MWBD) Abbreviations:
- BBE - African American
- ABE - Asian American
- NBE - Native American
- HBE - Hispanic
- WBE - Non-Minority Women

CONSENT I

20. Various Bids

A. Public Safety/911 800 MHZ Communications Tower

   Business Support Services

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

   MWBD Compliance: Yes

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

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

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

   MWBD Compliance: Yes
C. Sugar Creek Wastewater Treatment Plant Sludge Transfer Line

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

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<tr>
<td>WBE</td>
<td>$60,000</td>
<td>3 9%</td>
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MWBD Compliance: Yes

D. Sugar Creek Wastewater Treatment Plant Improvements

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

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

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

State Utility Contractors

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<tr>
<td>WBE</td>
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Watson Electrical Construction

MWBD Compliance: Yes

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

Recommendation: The Charlotte-Mecklenburg Utilities Director recommends the low bid of $977,615 97 by R & R Utilities of Greer, South Carolina
### MWBD Status: Amount % of Project Project Goals

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MWBD Compliance: Yes

### F. Reroofing US Airways Maintenance Facility

**Aviation**

**Recommendation:** The Aviation Director recommends the low bid of $396,420.00 by Murton Roofing of South Carolina, Inc., West Columbia, South Carolina

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MWBD Compliance: Yes  There are two African American contractors on this job
21. In Remedy

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

Public Purpose:
- Eliminate a blighting influence in a City Within a City neighborhood
- Reduce the percentage of substandard housing from 23% to 1% in 1997 (One of the goals of City Within a City is to continue housing preservation efforts)
- Increase tax value of property by making land available for potential infill housing development

Policy:
- City Within a City
- Community Safety Plan

The In Rem Remedy items were initiated from 3 categories
1. Public Safety - from Police and/or Fire Dept
2. Complaint - from petition by citizens, from tenant or from a public agency
3. Field Observation - from concentrated code enforcement program

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

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

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

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

A. 2510 Westerly Hills Drive

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

Attachment 13

B. 1917 Wood Dale Terrace

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

Attachment 14

C. 212 Mill Road

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

Attachment 15

Complaint

D. 1912 Cliffwood Place

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

Attachment 16
E. 300 Martin Street

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

Attachment 17

F. 215 Harrison Street

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

Attachment 18

Field Observation

G. 1212 McArthur Avenue

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

Attachment 19

H. 310 Katonah Avenue

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

Attachment 20

I. 1521 Parkwood Avenue

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

Attachment 21
CONSENT II

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

Action: 

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

Explanation of Request:

- US Infrastructure, Inc was hired on February 25, 1997 under the Council-approved selection process for $98,000 to perform preliminary planning and design services for two Neighborhood Improvement projects, Wingate and Villa Heights.

- Amendment #1 will provide an additional $178,000 to the US Infrastructure, Inc contract for final design services for Villa Heights ($98,000) and additional engineering services for Wingate ($80,000). The additional services include a greater level of detail for the construction plans and additional improvements above those originally planned.

- Both the Wingate and Villa Heights neighborhoods are part of the 18 neighborhoods designated for infrastructure upgrades in the 1996 Neighborhood Improvement Bonds.

MWBD: 

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

Funding: 

Neighborhood Improvement Capital Account
23. Fire Department Station Alert System Antenna Site Lease

Action: 

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

Staff Resources: 

Tim O’Brien and Cliff Link

Focus Area: 

Public Safety

Explanation of Request:

- The Ballantyne and Mallard Creek annexation areas do not have dependable alarm communication coverage due to the distance from the current Heathway Drive transmitter location. The relocation of the antenna to the First Union Center building will solve these problems by increasing the communication range by raising the height of the antenna, and providing better overall coverage to the service area by centralizing the communications system.

- The City currently has two other antennas on the One First Union Center building for Police Mobile Data Communications. A third antenna is needed to support the Fire Department’s Station Alert System which requires a separate frequency.

- The City is receiving a favorable rental rate compared to other comparable antenna site leases. The rooftop on this uptown building is a highly desired site for antennas. CK-Southern Associates agreed to allow for another antenna on this building since it would provide a public safety service.

Funding: 

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

Action:

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

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

Explanation of Request:

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

25. Acquisition of Parks Farms Subdivision Sewer System

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

Explanation of Request:

- Parks Farm is part of the City's 1997 Six Mile Creek West Annexation Area

- As an alternative to installing new annexation sewer lines, CMUD recommends the purchase of the Parks Farm system

Funding: Water and Sewer Capital Improvement Fund
26. Sewer Contract - Reverdy Lane Associates, LLC

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

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

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

27. Municipal Agreement - Inspection of City Bridges

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

Explanation of Request:

- This Municipal Agreement provides for the North Carolina Department of Transportation to reimburse the City for 80 percent of the costs of the inspections only. The remaining 20 percent cost of the inspections plus all costs associated with identified repairs will be funded by the City.

- The City of Charlotte will select and contract with a consultant in January/February, 1998 for services associated with the federally mandated biannual inspection of bridges and culverts. Council will be requested to approve the consultant's contract at that time.
The estimated cost for the inspections is $1800 per bridge. The total cost of the inspections is estimated to be $270,000 based on 150 bridges. The City's portion of the cost (20%) of inspections is estimated to be $54,000. The cost to implement needed repairs will not be known until the inspections have been completed.

**Funding:** Bridge Replacement and Repair Capital Account

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### 28. British Airways Executive Club Lease Agreement

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

**Explanation of Request:**

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

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

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

**Community Input:** Airport Advisory Committee recommends this lease.
29. Sale of City Property at 2600-2632 South Tryon Street

Action:

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

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

Explanation of Request:

- The City has received from State Properties, LLC, an offer to purchase vacant property on South Tryon Street for $131,000.

- The property is zoned B-1, which is primarily designated for businesses and services of all types at locations on major thoroughfares.

- This is a 1.5 acre tract with a 25-foot permanent drainage easement bisecting the property at an angle near the middle of the site. An independent appraisal shows the fair market value is $114,800.

- Terms of the Contract of Purchase and Sale include:

  - $6,550 earnest money deposited at time of Council proposal to accept a contract.

  - Buyer shall have 90 days from date of acceptance of a contract to make necessary investigation with regard to environmental assessment and to secure financing acceptable for acquisition and development of the property.

  - The contract may be terminated by Buyer at any time during the 90-day examination period and earnest money to be returned.

  - In the event Buyer determines the property shall not be suitable for Buyer’s proposed use after the 90-day examination period, Buyer forfeits earnest money deposit.
Buyer agrees to develop the site within 36 months from execution of the contract subject to all applicable zoning and building code regulations, or property will revert to City

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

Attachment 22
Map

30. Property Transactions

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

Acquisition: A. Project: F A R Part 150 Land Acquisition
Owner(s) Mr and Mrs M David Smith, Jr
Property Address 2010 Boyer Street
Property to be acquired 2 359 acres
Improvements Ranch house
Tax Value $110,140
Purchase Price $135,000
Remarks The purchase price was determined by an independent appraiser and was reviewed by a second appraiser. Each appraisal takes into consideration the specific condition and size of the land and house. The tax value is determined on a more generic basis and will be higher or lower for land/house with certain attributes. Residential property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition and relocation costs are eligible for Federal Aviation Administration reimbursement.
B. Project: F.A.R. Part 150 Land Acquisition  
Owner(s) Mr. and Mrs. Billie E. Preslar  
Property Address: 2016 Boyer Street  
Property to be acquired: 225 acres  
Improvements: Ranch house  
Tax Value: $37,070  
Purchase Price: $42,000  
Remarks: The purchase price was determined by an independent appraiser and was reviewed by a second appraiser. Each appraisal takes into consideration the specific condition and size of the land and house. The tax value is determined on a more generic basis and will be higher or lower for land/house with certain attributes. Residential property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition and relocation costs are eligible for Federal Aviation Administration reimbursement.

Condemnation:  
C. Project: 6839 Olde Savannah Road (Storm Water Maintenance by Engineering), Parcel # 1  
Owner(s) Lisa Ann Pilato & any other parties of interest  
Property Address: 6839 Olde Savannah Road  
Property to be Acquired: 1,365 sq ft (0.031 ac)  
Permanent & Temporary Easements  
Improvements: Trees  
Purchase Price: $1,900  
Remarks: A Permanent and Temporary Easement is needed to build a larger culvert under Olde Savannah Road to alleviate flooding problems in the neighborhood. City staff has yet to reach an agreement after numerous contacts. Compensation is based on an independent appraisal.  
Zoned: R-3 Use: Residential  
1991 Tax Value: $82,020  
Tax Code: 109-303-49

31. Minutes

Action: Approve minutes as follows:

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