

COPY OF A RESOLUTION PASSED BY THE CITY COUNCIL  
OF THE CITY OF CHARLOTTE, NORTH CAROLINA

A motion was made by Councilmember Clodfelter and seconded by  
Councilmember Vinroot for the adoption of the following

Resolution, and upon being put to a vote was duly adopted:

WHEREAS, the North Carolina Department of Transportation has prepared and adopted plans for the construction of an interchange at SR 2145 (Sam Furr Road) at I-77 from SR 2136 (Sherrill Road) to east of US 21; and,

WHEREAS, said Department of Transportation and the Municipality of Charlotte propose to enter into an agreement whereby said Department will include in its construction contract provisions to relocate and adjust certain municipally-owned water lines located along the project; and,

WHEREAS, the Municipality agrees to reimburse the Department of Transportation for the cost of said work with reimbursement to be made in a lump-sum amount upon completion of the work.

NOW, THEREFORE, BE IT RESOLVED that Project R-2624, Mecklenburg County, is hereby formally approved by the City Council of the Municipality of Charlotte and that the Mayor and Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the Department of Transportation.

I, Brenda Freeze, Deputy 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 22nd day of April, 1991, the reference having been made in Minute Book 98, and recorded in full in Resolution Book 27, Page(s) 419.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of April, 1991.

Brenda R. Freeze  
Brenda Freeze, Deputy City Clerk

Approved as to Form

Henry W. Underhill Jr.  
CITY ATTORNEY

A RESOLUTION AUTHORIZING THE REFUND OF CERTAIN TAXES

Reference is made to the schedule of "Taxpayers and Refunds Requested" attached to the Docket for consideration of the City Council. On the basis of that schedule, which is incorporated herein, the following facts are found:

1. The City-County Tax Collector has collected certain taxes from the taxpayers set out on the list attached to the Docket.

2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within eight years from the date the amounts were due to be paid.

3. The amounts listed on the schedule were collected through clerical error or by a tax illegally levied and assessed.

NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 22nd day of April, 1991, that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set out and that the schedule and this resolution be spread upon the minutes of this meeting.

Approved as to form:

Henry W. Underhill Jr.  
City Attorney

CERTIFICATION

I, Brenda Freeze, Deputy 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 22nd day of April, 1991, the reference having been made in Minute Book 98, and recorded in full in Resolution Book 27, Page(s) 420-422.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of April, 1991.

Brenda R. Freeze  
Brenda Freeze, Deputy City Clerk

TAXPAYERS AND REFUNDS REQUESTED

<u>NAME</u>	<u>AMOUNT OF REFUND REQUESTED</u>	<u>REASON</u>
Linda N. Harris	100.00	Clerical error
Dixie Electric Motor Service	317.83	Clerical error
Dixie Electric Motor Service	112.69	Clerical error
Crisco, Bobbie Bryant	101.64	Clerical error
Worth Madry	98.50	Clerical error
Worth Madry	98.50	Clerical error
Worth Madry	96.85	Clerical error
Worth Madry	96.19	Clerical error
Olsen, Karen Mallard	45.95	Clerical error
Dixie Electric Motor Service	83.80	Clerical error
Black, William Ernest III	20.00	Clerical error
Cass, Charles E.	71.54	Clerical error
Crisco, Bobbie Bryant	89.64	Clerical error
Worth Madry	98.50	Clerical error
Worth Madry	98.50	Clerical error
Worth Madry	96.85	Clerical error
Worth Madry	96.19	Clerical error
Olsen, Karen Mallard	111.43	Clerical error
Rhodes, Charles Thomas	68.66	Illegal levy
Dixie Electric Motor Service	61.96	Clerical error
Kontogiorgos, Chris	33.32	Illegal levy
Kontogiorgos, Ellie	103.73	Illegal levy
Atwell, Ricky Lane	21.69	Illegal levy
Barnette, Hezekiah	40.98	Clerical error
Black, William Ernest III	40.00	Clerical error
Blanchard, A.J. III	15.44	Clerical error
Boyers, Jeffrey T.	42.78	Clerical error
Bradfield, John W. III	32.70	Clerical error
Brown, James L.	27.46	Clerical error
Bryant, Verline	79.61	Clerical error
Brynarsky, Albert John Jr.	98.56	Clerical error
Cass, Charles E.	62.01	Clerical error
Corbin, Richard Presley	183.32	Illegal levy
Czekay, Joseph	36.82	Clerical error
Friese, David M.	71.77	Clerical error
High, Barney H., Jr.	43.06	Illegal levy
Kontogiorgos, Chris	29.10	Illegal levy
Kontogiorgos, Ellie	78.73	Illegal levy
Loose, Donald Walter Jr.	23.39	Clerical error
Macom, Jimmie Marshall	99.45	Clerical error
McCarthy, Eugene L.	17.53	Clerical error
McPike, Joel Charles	73.41	Clerical error
Peace, Robert Lee	86.26	Clerical error
Roberts, Donald P.	249.35	Clerical error
Rothkopf, Matthew Eric	59.72	Illegal levy
Ryland, Josiah	141.78	Illegal levy
Stephens, James T.	17.76	Clerical error
Tillett, Hugh M.	38.05	Illegal levy

Wahlrab, Edward L.	11.08	Clerical error
Walls, Reggie Charles	20.00	Illegal levy
White, Gosnell A.	69.70	Clerical error
Whitlock, Julius L.	23.69	Clerical error
Amysys Corp.	448.73	Clerical error
Converse, Inc.	3,486.77	Clerical error
Equipment Leasing Div. of American Fed Bank, FSB	230.51	Clerical error
Fab-Tech Industries, Inc.	158.55	Clerical error
Kentco	82.28	Clerical error
Great Lakes Chemical Company	69.00	Illegal levy
Mercedes Benz Credit Corp.	311.54	Clerical error
Abernathy, Joseph Guy	32.22	Clerical error
Bjornson, Kathy Darlene	79.64	Illegal levy
Greene, Peggy Carnes	72.31	Clerical error
Heidenreigh, Lynne Collins	169.09	Clerical error
Huffman, Nancy Connell	7.22	Clerical error
Launt, Sherry Clark	27.94	Clerical error
Lowden, Dorothy Schenken	3.14	Clerical error
Mitchell, Effie Mauney	5.94	Clerical error
Morris, Oleta Price	148.52	Clerical error
Pettit, Cindy Estelle	2.26	Illegal levy
Snell, Lynn Terese	129.34	Illegal levy
Snell, Peter Roy	69.00	Illegal levy
Thompson, Lillian Jill	9.38	Clerical error
Ueki, Shigeo	53.47	Clerical error
Wilson, Lency Houston	22.91	Clerical error
Perpetual Savings Bank Lsg Dept.	99.73	Illegal levy
Ryder Truck Rental Inc.	97.06	Illegal levy
Perpetual Savings Bank	88.54	Clerical error

---

\$ 9,842.56

A RESOLUTION TO AMEND THE RESOLUTION ADOPTED BY CITY COUNCIL ON  
NOVEMBER 26, 1990, AUTHORIZING CONDEMNATION PROCEEDINGS  
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, on the 26th day of November, 1990, City Council authorized condemnation proceedings to be instituted against the property of TRUSTEES OF SILVER MOUNT BAPTIST CHURCH; JAMES R. BRYANT, III, Trustee; SOUTHERN NATIONAL BANK OF NORTH CAROLINA, Beneficiary; V. WILEY PAINTING COMPANY, Lienholder; J. ALTON STEWARD CONSTRUCTION, INC., General Contractor; Any Other Parties in Interest, located at RFD 1, Box 288, Pineville, North Carolina, for the Hebron Street Extension-Phase II; and

WHEREAS, after the Resolution was adopted on November 26, 1990, it was discovered that certain incorrect property descriptions were made in the original Resolution, and for this reason, it is necessary for a correction to be made.

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte that the Resolution adopted on November 26, 1990, authorizing the institution of condemnation proceedings against the property belonging to the parties referenced above, located at RFD 1, Box 288, Pineville, North Carolina, shall be amended in the following manner:

Property Description

CHANGE: "6,540.06 square feet for fee-simple"  
TO: "25,447.17 square feet for fee-simple"  
CHANGE: "2,310.47 square feet for utility easement"  
TO: "2,700.19 square feet for utility easement"  
CHANGE: "\$5,000.00 appraised value"  
TO: "\$5,950.00 appraised value"

Except as hereby amended, said Resolution shall remain as originally adopted.

Approved as to form:

  
Catherine Williamson  
City Attorney

CERTIFICATION

I, Brenda Freeze, Deputy 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 22nd day of April, 1991, the reference having been made in Minute Book 98, and recorded in full in Resolution Book 27, Page(s) 423-424.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of April, 1991.

  
Brenda Freeze, Deputy City Clerk

RESOLUTION OF  
THE CITY OF CHARLOTTE, NORTH CAROLINA  
DIRECTING CITY STAFF TO PROCEED WITH  
NEGOTIATING AN INSTALLMENT PURCHASE AGREEMENT  
FOR A CONVENTION CENTER FACILITY AND RELATED MATTERS

WHEREAS, the City of Charlotte, North Carolina (the "City"), is a validly existing municipal corporation of the State of North Carolina, existing as such under and by virtue of the Constitution, statutes and laws of the State of North Carolina;

WHEREAS, the City has the power, pursuant to North Carolina General Statutes, to (i) purchase property and construct facilities, and (ii) enter into installment purchase contracts in order to finance the purchase of property used, or to be used, for public purposes;

WHEREAS, the City has previously determined, by resolution adopted September 24, 1990, and hereby reaffirms its determination that the use of the certain convention facilities and the site on which they are to be located, is essential to its proper, efficient and economic operation; that it anticipates an on-going need for such convention facilities; that such convention facilities will provide an essential use and permit the City to carry out public functions that it is authorized by law to perform;

WHEREAS, the City has previously determined, by resolution adopted September 24, 1990, and hereby reaffirms its determination, that it is necessary and expedient and in the best interests of the City to negotiate a Convention Facility Installment Purchase Contract (the "Installment Purchase Contract") to provide for the construction, acquisition, improvement and equipping of certain convention facilities (the "Facilities") and the purchase of the site on which they are to be located in order to make the Facilities available for the City;

WHEREAS, the City conducted a public hearing on September 24, 1990, to receive public comment on a proposed Installment Purchase Contract to finance the acquisition of the Facilities; and

WHEREAS, the City, by resolution adopted September 24, 1990 made certain findings relating to a proposed Installment Purchase Agreement, which findings the City hereby reaffirms;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, AS FOLLOWS:

Section 1. That the City Manager is hereby designated as the City's representative to act on behalf of the City in connection with the negotiation of the Installment Purchase Agreement and other agreements related thereto necessary to provide for the acquisition of the facilities and to seek opinions as a matter of law from the City Attorney, which the City Attorney is authorized to furnish on behalf of the City, and opinions of law from such other attorneys for all documents contemplated hereby as required by law.

Section 2. That if any section, phrase or provision of this Resolution is for any reason declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases or provisions of this Resolution.

Section 3. That all motions, orders, resolutions, ordinances and parts thereof, in conflict herewith are hereby repealed.

[Remainder of Page Intentionally Left Blank]



Section 4. That this Resolution shall become effective on the date of its adoption.

YEAS

NAYES

Stan Campbell

Ann Hammond

Dan Clodfelter

Hoyle Martin

Pat McCrory

Tom Mangum

Roy Matthews

Cyndee Patterson

Ella Scarborough

Richard Vinroot

Lynn Wheeler

PASSED, ADOPTED AND APPROVED this 22nd day of April, 1991.

CERTIFICATION

I, Brenda Freeze, Deputy 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 22nd day of April, 1991, the reference having been made in Minute Book 9, and recorded in full in Resolution Book 27, Page(s) 425-527.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of April, 1991.

  
Brenda Freeze, Deputy City Clerk

A Resolution Regarding State Controlled Local Government Revenues

WHEREAS, the North Carolina General Assembly eliminated business inventory taxes and partial intangible taxes and replaced those local revenues with direct appropriations to local governments; and

WHEREAS, partial reimbursements for the Homestead exemption and revenues lost because sales taxes are not charged on food stamp purchases are also paid to local governments from the State's budget; and

WHEREAS, in the 1990 session of the General Assembly, HB #2377 was approved which included heretofore local revenues in the State budget, i.e., intangible property taxes, excise tax on beer and wine, and the utility franchise tax, and included these revenues which have traditionally been local governments in the State budget; and

WHEREAS, the Governor of the State of North Carolina has withheld these heretofore local government payments in the amount of \$2 million for the City of Charlotte as a means to insure a balanced State budget; and

WHEREAS, additionally withholdings are possible which will negatively impact local governments budgetary process; and

WHEREAS, it is near impossible to prepare a local budget when \$30 million of our total budget are included in reimbursements and HB #2377 funding.

NOW, THEREFORE, BE IT RESOLVED that the City of Charlotte respectfully request that the General Assembly take the following actions:

- 1) Restore the automatic statutory distribution of HB #2377 local revenues, thereby, eliminating the necessity of the General Assembly to make annual appropriations to local governments and, thereby, returning order to the local budgeting process for these funds.
- 2) Encourage the General Assembly to balance the State budget with State revenues while exempting all traditional local government pass throughs or reimbursements.
- 3) Restore the previously repealed inventory and intangibles taxes which have been a traditional source of growth and revenue for the City of Charlotte.
- 4) Approve a "menu of local revenue sources" which will allow local governments to pick the most appropriate available source of local taxes and not be limited to raising revenue primarily from the property tax source
- 5) If the inventory and intangible taxes are not restored, all reimbursement sources of revenue, including homestead exemption and sales tax on food stamp purchases, should be replaced by authorizing the City of Charlotte to impose a sales tax which will guarantee that we are held harmless in loss revenues and will restore the growth factor in the future. Any sales tax in lieu of reimbursements should be distributed in an equitable fashion based upon the percentage of reimbursements that each municipality currently receives.

CERTIFICATION

I, Brenda Freeze, Deputy 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 22nd day of April, 1991, the reference having been made in Minute Book 98, and recorded in full in Resolution Book 27, Page(s) 428-429.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of April, 1991.

Brenda R. Freeze  
Brenda Freeze, Deputy City Clerk