

The City Council of the City of Charlotte, NC, convened for a Dinner Briefing on Monday, March 8, 2010, at 5:15 p.m. in Room 267 of the Charlotte-Mecklenburg Government Center with Mayor Anthony Foxx presiding. Council members present were: Michael Barnes, Susan Burgess, Nancy Carter, Warren Cooksey, Andy Dulin, David Howard, Patsy Kinsey

ABSENT UNTIL NOTED: Councilmembers Patrick Cannon, James Mitchell, Edwin Peacock III, Warren Turner

ITEM NO. 1: MAYOR AND COUNCIL CONSENT ITEM QUESTIONS

Councilmember Carter said I think the City deserves recognition for what they are doing to improve the environment, and I would love to address those, if possible. It's 18, 19, and 20, and then 28, Wright Avenue, has the name of that one section changed or has the ability to locate that area improved now that they are putting in the street? We talked about a name change for safety's sake, and I wasn't sure what happened in the interim.

Curt Walton, City Manager, said we'll get you that answer.

Councilmember Kinsey said just two quick ones. On Item 23, Animal Licensing, it says that PetData receives \$3.50 of the \$10.00 fee paid by the animal's owner. Some animal owner, I guess if the animals aren't spayed or neutered, have to pay a larger amount. I'm just curious if they get a larger amount for that or if it's still the \$3.50. It's really no big deal. I approve it, but I'm just curious. On Item 32 – it's an abandonment -- a portion of ten-foot alleyway between Spruce Street and South Mint. I could not look at the map and decide exactly where it was, so maybe if Linda Poissant is here or someone can help me. Here again, I don't even need to know that before we go downstairs. Tomorrow is fine. I'm just curious.

Councilmember Dulin said a couple of items – No. 22, Curt, the Time Warner contract extension. Our write-up says that Time Warner Communications provided the best price. Do we have any idea how much lower they were from the other competitors?

City Manager Walton said, yes, sir, we'll be glad to answer.

Councilmember Dulin said I'm curious by how much, whether they killed them or not. Item 25, you guys work fast. I think I brought up the revenue control system equipment at the Airport just a week ago or two weeks ago, and here it is a contract to make that stuff better out there. For information, that's good that our visitors will have good equipment to use. No. 35-C, property transaction, and it sort of raised a red flag with me. I was curious if somebody from property could tell us why that was so much – purchase price \$317,000. The tax value on the whole property is just \$258,000, and we're buying 26,000 square feet. It's just a tad over half an acre. There is something about the site that is going on.

City Manager Walton said two commercial buildings on the site. We'll be glad to get that for you. Keep in mind the tax value is now eight years old.

Councilmember Dulin said good point. Anyway, it just raised a flag, and I wanted to ask a question to make sure there wasn't a typo or something.

Councilmember Burgess said No. 31, the public auction for disposal of equipment and police unclaimed property in April. I would like to pull that just to announce it to the public because I think there may be some interest out there if they knew it was happening. Then, No. 33, business privilege license tax. When we are in jeopardy of losing that, I have a renewed interest in it. I'm just curious about often we have a refund of these taxes, and how is the amount set, and why do so many companies appeal it successfully?

City Manager Walton said I think there are both categories of businesses and it's a function of sales, I believe, sales volume.

Councilmember Burgess said how can they appeal it?

City Manager Walton said I guess either it was categorized in the wrong category or their sales didn't meet that category of sales, but we'll get you an answer on that.

Councilmember Burgess said I don't need that tonight. Don't spend a lot of time on it. I'm just curious because we see it often.

Mayor Foxx said any more questions on consent?

Councilmember Burgess said, Mr. Mayor, this is not on consent, but it's on the green sheet. It's unclear to me about Waste Management Advisory Board. If we could get some clear information about who it is that we are supposed to nominate because it's confusing with the County. I had one other thing. This is probably not the time to bring up random topics. Let's wait until the end.

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ITEM NO. 2: MUMPO 2035 LONG RANGE TRANSPORTATION PLAN

Mayor Foxx said we have three major, major items on the Dinner Agenda tonight, the first of which is the MUMPO 2035 Long-Range Transportation Plan, and Norm Steinman will be doing that presentation. Mr. City Manager, any further words of introduction?

Councilmember Cannon arrived at 5:29 p.m.

Curt Walton, City Manager, said this is a committee recommendation that came out of Transportation and Planning, and it's also on your agenda tonight for action. I will turn that over to Norm, but if Mr. Howard has anything to say relative to the committee discussion.

Councilmember Howard said, no, and I'll turn it over to Norm.

Norm Steinman, Manager, Planning and Design Division, Charlotte Department of Transportation, said I'm here tonight to present to you recommendations regarding the Draft Long-Range Transportation Plan, which has just been released for public review by MUMPO. Actually today is the last day of the public preview period. He began a PowerPoint presentation entitled, "Draft Long-Range Transportation Plan," a copy of which is on file in the City Clerk's Office.

Councilmember Carter said I'm sorry to interrupt, but are we assuming there is no increase in the standards registered by EPA?

Mr. Steinman said in this case we are looking at – how should I describe this? – the existing ozone standard, which calls for no readings at any of the monitors above 84 parts per billion. EPA, as you know, has already indicated that they are going to be lowering, tightening, making the standard more difficult. We don't know if that will end up at 70 parts per billion or 60 parts per billion or somewhere in between, but this particular long-range transportation plan does not have to deal with the new standard.

Councilmember Carter said it does not even though it addresses a part of the time that we'll be under the new regulation?

Mr. Steinman said the irony that I can come back and show you the information is that in the future emissions from motor vehicles will be far lower than they are today primarily because of the assumptions about technology, and those assumptions, by the way, are produced by EPA and NCD. He continued the PowerPoint presentation with the bottom slide on page 4.

Councilmember Dulin said let's go back to the Monroe Parkway for just a second. That design is 100% going to stop before it gets into – I mean it loops around literally, you know, obviously

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around Monroe, but then it stops and dumps folks into what is the little town over there – Wingate.

Mr. Steinman said actually it's Marshville; isn't it?

Councilmember Dulin said Marshville. That's correct; right?

Mr. Steinman said, yes, it is.

Councilmember Dulin said that just seems like madness to me to take a road that is going to be as busy as 485 and to literally dump it into downtown Marshville. Obviously that's out of our jurisdiction, but it just doesn't seem like good planning.

Mr. Steinman said you're right.

Councilmember Dulin said there you go. That's a wrap, Mr. Mayor. But there is nothing we can do about it, is there, sir?

Mr. Steinman said not at this point because the project has gone through an extension process of public participation. They looked at a large number of alignment alternatives, and that is what is going to be built.

Councilmember Dulin said I'm glad that I brought it up again. Thank you.

Councilmember Carter said, Mr. Dulin, I share your anxiety, but I share it on the other end. I have been to many of these meetings, and they dump the traffic into Idlewild and 74, and these are streets that are not prepared to take traffic of this measure, and I'm very concerned.

Mr. Steinman said just for everybody else's benefit, the new toll road because that's what it will be. It will be a four-lane freeway, but not free, will connect into I-485 at approximately US74, what we call Independence Boulevard, so that is why we are working at the staff level to start to make changes particularly to Independence Boulevard to be able to receive the traffic that will be coming from that movement. He continued with the PowerPoint presentation with the top slide on page 5.

Councilmember Burgess said I'm curious about your streetcar comment. I expect that we will receive the Urban Circulator Grant, so we will have a mile and a half of our streetcar operational by 2015. Is that too small of an area to be included, or why is streetcar in this plan since it's a project of the City of Charlotte?

Mr. Steinman said at the time when the plan was starting to be put together and actually the process for this began two years ago the streetcar project was assumed to be part of the CATS Rapid Transit Program projects. The fact that it is in the LRTP this way for 2035 doesn't prejudice any attempt by the City to build it faster. If the City secures the grant or when the City secures the grant – to be more positive about it – the LRTP is likely to be amended perhaps as quickly as within two years, certainly within the next four years. This is all going to have to be revisited anyway.

Councilmember Burgess said when I read this I think it's pessimistic, and I'm very optimistic that we are going to receive that grant. You think that it would deserve an asterisk that if the grant is received that we will proceed with a small section of it.

Mr. Steinman said it is something that can be put into the plan. I'll call that a technical correction. It doesn't really change anything.

Councilmember Burgess said I think that reflects more of reality right now.

Mr. Steinman said it reflects your current intent certainly.

Councilmember Dulin said with the streetcar we have seen some preliminary drawings of what a station might look like, and they are out asking the transportation group, y'all are getting some

charettes together or evening meetings to get citizen input of what the station might look like. I made a request, I don't know, a couple of weeks ago or month ago about seeing – I would like to see a schematic drawing of what Trade and Tryon is going to look like with overhead wires run through there, and I would like to make that request again, if we could. I'm not upset that I haven't seen it yet, but that probably got past us.

City Manager Walton said I think we will have to hire somebody to do that. It would be part of the streetcar planning process, which the \$5.5 million contract will include, so that would –

Councilmember Dulin said we paid somebody to draw what a station will look like. I think it's important for this body to know what Trade and Tryon is going to look like with overhead wires strung through there.

City Manager Walton said there are also alternatives, Mr. Dulin that can get streetcars through intersections and under bridges and things like that that are powered differently than overhead catenaries. We can get you that when the consultants are to that point, but there may be other options that probably would win out.

Councilmember Dulin said when do you think that we are going to be able to have those conversations?

City Manager Walton said I think the contract was for third quarter of this year, so sometime in the next three to six months. Included in that was a recommendation for the power source for the whole length of the corridor.

Councilmember Dulin said in the next three to six months we'll have a recommendation of the power source.

City Manager Walton said we'll have a recommendation on the power source, the alignment, stops, the whole thing.

Councilmember Dulin said very good. I'll be very interested in seeing what our marquee intersection in our city will look like with overhead wires.

Councilmember Howard said just a little bit to go beyond, Andy, what Curt is saying. About a month or so ago -- and I know we are way off from where Norm wants us to be, so real quick – we hosted in this room several vendors that dealt with streetcars, and technology has gotten to the point now where you can run on a battery for about a mile. So the thought process is to get to around the CTC, the Transit Center, and then go across the Square before you have to pick it up again. That is the way the technology is going, so by the time we do this particular leg and then we come back in a couple of years and find funding for going across the Square, I think everybody is agreeing that we would like to find another way to do it if you have to. Mind you, I think Councilmember Cannon just mentioned there are other cities across the world who have their lines going across all kinds of places, and they look fine, but there is new technology that will allow you to not have to do that. As a matter of fact, when they get real good, you can hit one of those charging stations for 30 seconds, charge up for the next mile, so you may not – in the future, they don't foresee having just lines lining the street at all. You can hit the station maybe when you stop to let people off, go a mile, do the same thing, and back and forth.

Councilmember Burgess said I want to add to that. The cities and the Streetcar Coalition, some of them actually came to that expo here on technology, and some of them are interested in a buying consortium so that we can have a big enough order of this kind of technology to make the manufacture much more affordable, so there is a lot of discussion going on amongst cities that are interested or have streetcars for a lot of cooperation. Charlotte is a leader, and I think we are going to get the grant.

Councilmember Carter said in this schema there is a very glaring omission. The southeast corridor is not mentioned at all. Has it dropped off into infinity?

Mr. Steinman said the west end of the southeast corridor is not shown in the plan because neither one of those is assumed to be opened for service by 2035.

Councilmember Carter said this goes to 2035?

Mr. Steinman said 2035. So there are both highway projects and transit projects that did not make it to the financially constrained or financially feasible boundary of this plan.

Mayor Foxx said just to put a finer point on it this timeline that you have up here is set there so you can program in conformity analyses into the LRTP.

Mr. Steinman said yes.

Mayor Foxx said if these projects happen on an accelerated basis or whatever this is not showing the 2030 Plan per se. This is a reflection of what the revenues –

Mr. Steinman said this is a snapshot at this time of what projects, highway and transit, can be completed based on the revenues currently anticipated.

Mayor Foxx said but that picture can change.

Mr. Steinman said the picture can change, and by the time the plan is put together no further than four years out from now the picture may change for the better or remain the same. He continued with the bottom slide on page 8 and said the last thing here really is the Transportation and Planning Committee unanimously voted when they met to discuss this item on the February 25th meeting recommending approval of the staff recommendation. That is on your business agenda tonight, and MUMPO is scheduled to vote on the LRTP on the 24th of March.

The one thing that I want to hasten to point out here is that sometimes we at CDOT have been reprimanded by coming to Council at the last minute. Tonight we are not coming to Council at the last minute, but in order to do that, we are coming to you ahead of the TCC meeting. What we are recommending to you here tonight will frankly lock in the vote of Council ahead of the TCC meeting this Thursday.

Mayor Foxx said that item is on our agenda tonight for directed vote.

Mr. Steinman said, yes, sir. I will just add parenthetically that we are seeing a change at the federal level, and now they are looking at funding using federal transportation dollars, and I think we are going to be well served by advancing the dialogue about MPO consolidation because regions that have aligned themselves or a regional perspective on transportation are going to do better in this administration than regions that are broken down in smaller pieces as we are today. I know that Ms. Kinsey is helping us with the COG Blue Ribbon Panel that is looking at a lot of issues, MPO restructuring potentially part of it, but we really need to turn the heat up on that conversation.

Councilmember Howard said I know that going on that same line that the new HUD Secretary has a new program, Sustainable Neighborhood and Community, or something along that line, but they are looking to put money into places to help with regional planning. I would hope – I didn't get a change to put that into the conversation when we were talking to our lobbyist, but that is one of those things we should keep on the radar so we can get some money to help move that type of conversation along.

Mayor Foxx said we need some political will to go along with that money because it's always been a really difficult conversation.

Councilmember Howard said money usually helps those things.

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ITEM NO. 3: CENTER CITY 2020 PLAN

Mayor Foxx said we are pleased to have tonight members of the Charlotte Center City Partners, who are going to help us walk through the 2020 Plan. I know enough about this to be a little dangerous, and I do know it's one of the most expensive drill-downs that we have done in this community to look forward at a vision to cast out, and I know Michael Smith over there and Sheryl Myers, and I see Ann Caulkins over there as well. Welcome tonight, and I look forward to the presentation.

Curt Walton, City Manager, said Ann Caulkins is one of the co-chairs of this along with Harvey Gantt, and Ann will be providing an update tonight of work that began in September of 2009 in updating the Center City Plan aiming for 2020. Debra Campbell and Michael Smith are the managers of this project, so it's something that we are working closely with them. The consultant team is led by MIG, which is out of Berkeley, California, and we the local firm supporting them of Cole Jenest Stone, Wray Ward, and Kimley-Horn. With that, I will go ahead and turn it over to Ann Caulkins to give you the overview.

Ann Caulkins, Co-Chairman, 2020 Center City Plan, said how many of you have lived in the city more than 20 years? How many of you have lived in the city less than ten years? So for those of you that have been here a long time, you have seen a renaissance of uptown, the Center City. It's been unbelievable. The Center City didn't use to be the Mecca of all the activity that it is today. Part of what has made our Center City so great is we have always had these ten-year vision plans going back all the way to the Odell plan in 1966, which is pretty incredible. One of the things that sold me on co-chairing this with Harvey Gantt was that when I talked to Michael Smith he showed me the last vision plan that was done in 2000 for 2010, and most of the things on that plan were done, and that's impressive.

She began a PowerPoint presentation and said so you can see what we did, the many things we did. We added 6,000 housing units in uptown, South End, and surrounding neighborhoods. We revitalized the Little Sugar Creek Greenway. We reconnected Stonewall Avenue and Independence Boulevard, and we were able to add parks including the Education Quad in First Ward. So you can absolutely see that so many things that were set out in that plan have been done, and because we have been doing these vision plans every ten years, we have a better and bigger foundation every time we develop the next ten years.

So, now it's time to chart the course for the next plan, the 2020 Vision Plan. With this plan, you are going to see there are a lot of things different – creating a new vision, new goals, new planning recommendations to guide the growth and development of our region's center for the next ten to 20 years. So much of what we have done has been to include others in this dialogue. When we were looking for the consulting team, we had the best and the brightest in the United States and Canada bid for this work, and probably one of the biggest things to us was the community engagement piece because we all know today you can't engage your community in the same ways you used to be able to do, so you are going to hear more about that later. But what has been so inspirational for me is as the community has come out and talked about what their dream and their vision for their city is and us, with the consulting team, could take those things down and make them a part of our plan.

Here's another thing that's very, very different about this plan. It doesn't just include uptown. It includes the surrounding neighborhoods to uptown. Our planners have been focusing big time on connecting and having those neighborhoods feel connected to uptown, and something that has come up repeatedly that will make sense to everyone here is the barrier of I-277. It really is a barrier with what we are trying to do. Because it's the foundation of so much of our success with what we have had in the past, we want to continue to inspire the public and private partnerships to implement projects like the South Tryon Cultural Campus that we are all enjoying so much and the First Ward Park and the Urban Village. These are things that have been very, very important in making us successful.

Now, in developing the new blueprint for the future, we are addressing key issues, and, again, these will not be surprising to you. How do we continue to feed and nurture the Center City as it continues to be a strong and viable economic engine for this region? That's the strength; how do we continue to make it even stronger? What should be done to create a quality urban lifestyle for

citizens of all walks of life that would be with affordable housing, other amenities such as parks and services? That has been a key part of this conversation is affordable housing, and some of these people who have come to our community meetings that they feel they can live and be a part of uptown neighborhoods and the surrounding neighborhoods. How do we build on the investments that we have in our cultural campuses, our arts, our sports, our entertainment venues?

We want to make this an absolutely unique destination so people from the region, from other parts of the country want to come visit our uptown. That's important. We need to identify the key steps to creating a retail revival to uptown. All I want is a women's shoe store. That would make me happy, but we do. We need to bring retail into uptown, more retail so that it not only serves the people that live and work but that people will want to come to uptown for a unique experience. How can we design and build streets, transits, parks, recreation facilities, and all that infrastructure that we need to integrate and connect all the Center City neighborhoods.

Councilmember Mitchell arrived at 5:58 p.m.

Next, how do we continue to build our city using the most progressive and environmentally sustainable practices available? As a part of this 2020 Vision Plan, we invited people – the public and others – to open lectures that we hosted. One was on the sustainable city. I thought I pretty much knew all of that. I'm a neophyte compared to what other countries are doing, how they are doing to make our cities more sustainable, so that is something that is big for us. All of this is a huge and a tall task, but, again, I think the steering committee and the others that have come out to support us in this community meeting make us feel like we are all up to the task.

So now let's get to the planning process and kind of get to the nuts and bolts. I'm going to quickly tell you how we have done this. The consultant team began their work in September, as you can see from this, by studying existing conditions and meeting with the community to really hear them out in different communities – not just in uptown adjacent neighborhoods but throughout the city because this is everybody's uptown. Now the consultants are going through that information and will present their thoughts to the community at the end of this month. I mean this thing has flipped along. They will present the final draft plan to the community this summer. Again, we asked for all this feedback. We heard it. This is their plan. We need to get back to them with the actual draft of the plan. And then we plan to ask you and the City Council to consider adoption of this plan this fall. Now I'm going to turn it over to Michael Smith to tell you about the community engagement, which to me has been probably the most exciting piece of this whole plan.

Councilmember Peacock arrived at 6:01 p.m.

Michael Smith, Charlotte Center City Partners, continued the PowerPoint presentation and said our 2020 planning process was really directed to be more than a community input process but a community building process. Our steering committee was kind of based for that. Our steering committee consisted of 43 citizens – business leaders, neighborhood leaders, folks from Wesley Heights, from Ballantyne, from Mint Hill, from Lake Norman, from our four wards from the South End. We tried to be really intentional about the group that was involved in that, and this is a group whose mission is to test plan ideas, to test growth and development strategies, and it has really been a great beginning.

The steering committee has met three times, and what we have asked them to do so far is to identify issues and opportunities and challenges, and then in our last meeting we went through and reviewed a lot of the community input that we have received, and we have received a lot, and I'll share a little bit of that – a lot of visioning, also the goals and the planning concepts. The work to be completed is really to review the draft plan and to advise us as to what we'll take to City Council, County Commission in the fall.

One of the more interesting approaches we have used in the process is the work of these working groups. The working groups had 65 citizens, and we also had community workshops, and there will be three of those. But these working groups are folks who wanted to dig deeper. They met twice. They were organized into these five focus areas – economic vitality -- transportation and mobility -- arts, culture, and entertainment – parks and recreation – and urban living. There was

a chair of each of these groups that is also on the steering committee. The folks who got involved in this are subject matter experts, and they came up with 80 different ideas. After the first meeting, they all took a homework assignment and went and researched best practices from all around the world. They brought them back together. They voted on two to bring forward and share indepth with the steering committee, but all 80 are being passed along.

Three workshops will be held. The first has been held. It was at the Convention Center. We had great participation. We had over 300 attendees, and we also partnered with Charlotte Blog, cltblog, and this is the first time I have been a part of this. It was outstanding. It simulcasted online. We had 100 participants. We had one as far away as New York City, and the feedback was great. They were able to participate as if they were in the room, and it was not your normal faces that were coming out and providing this input on the aspirations of what they want their Center City to become. That is the heart of this process. If we do this right, at the end we are going to hear the voice of this community and what they want their Center City to become. Debra Campbell is going to pick it up from here with community input – our director of planning.

Debra Campbell, Planning, said I'm going to talk to you a little bit about the community input process, that is, in terms of what we have heard. You heard Michael and Ann talk about the number of meetings we have had. We had input from community workshops, we have a blog site, and I know that will resonate with Councilmember Cooksey, and we have a Web site. I'm going to quickly again go through a couple of the things we have heard as a result of a number of these meetings.

Some of the things that the community values – they wanted to continue to be culturally diverse, they want us to be fun, they want us to continue to talk about community development (tape change). They want it to be connected. You heard us say that a number of times in terms of the value that communities are placing on being physically and mentally connected to our uptown because I believe these surrounding communities really want to own uptown and feel a part of our Center City. They want it to be memorable, want us to continue to advocate for great design, for new buildings and new facilities, but I think they are pleading with us not to forget about our existing fabric, the existing architecture, our past architecture that has really made Charlotte a good place to live, work, and do business.

We didn't just want to have meetings in our Center City and uptown. We wanted to take our message outside of Center City, so we hosted a number of community forums, workshops outside of Center City in the northern portion of our community – southern portion, east and west, and we held them in public libraries, and these are some of the main issues that were raised at the community workshops. Obviously in the north they want us to accelerate transit so they can get to uptown is what they told us is the reason. As Ann said, everybody wants to shop uptown, so additional retail is very much needed and desired. In terms of the west side, we heard again the connectivity between the Center City and neighborhoods, and they want more things for teens to do in our uptown.

I have had the pleasure of making presentations with someone from Center City Partners at Piedmont Middle School, and we had a game where we showed them visual images of different types of things, and we asked them to vote on things, and it was amazing to me that these kids are so astute, very much know our Center City and very much know what they want from our Center City, so they are sending us a very loud message.

Mayor Foxx said, Ms. Campbell, the Piedmont Open Middle School kids were always very astute.

Councilmember Kinsey said even when it was Piedmont Junior High.

Ms. Campbell said I'm glad I brought that up then. On the east side of town at the Independence Library, we heard more about wanting additional green space, parks and plazas, and other types of amenities, and then actually more entrepreneurship and business development from neighborhoods on the east side. For the south, we heard about wanting and desiring more opportunities for housing of families, and, again, to break down that barrier for I-277. As we said, we have a number of opportunities for people to be engaged in this process. Our Web site

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centercity2020.com you can go on and stay involved and engaged in this process. Also Face Book, Twitter, and cltblog.com if you are like Councilmember Cooksey and Mr. Dulin.

In terms of our next steps and where do we go from here, our second workshop is March 31st where we will be testing our vision, goals, and some development concepts that will be at the Convention Center, and I hope that you all will be able to attend. Our third workshop is scheduled for June 10th where we will present draft plan and draft recommendations. I don't know if we have a location for that as of yet. I think that is to be determined. Then, as Ann said, in the fall of 2010, we will come back to you for final action and adoption of the plan. With that, we'll take any questions that you all might have, and we appreciate the time you have given.

Mayor Foxx said thank you very much, and I want to thank Michael and Ann and Debra for a wonderful presentation.

Councilmember Barnes said quick question for you, Ms. Campbell, regarding the locations of the meetings. As you know, we are doing a lot of work to try to connect northeast Charlotte by way of the Blue Line extension to uptown, and UNC-Charlotte has obviously begun its facility in uptown Charlotte. This North Regional Library is obviously not a University City Library. Did you all do anything or hold any meetings that were in that general area in light of again the connection that we are trying to establish and the commitment the University has already made to both uptown and obviously northeast Charlotte?

Mr. Smith said those are the four locations we have hosted them. The idea was not to go into every neighborhood –

Councilmember Barnes said I get that.

Mr. Smith said but just to try to be as accessible as possible and really to break through because in the past the planning sessions were all held inside of uptown, so we were trying really hard to reach out in that way.

Councilmember Barnes said do you understand the value of what I'm talking about? We are projecting to have about 25,000 riders – or at least we were – per day on the Blue Line Extension, and as I indicated the University itself has established a physical presence in uptown Charlotte, and obviously their main campus is in northeast Charlotte, so there are clearly people who would be moving from that part of the city here and back. I think is the North Regional Library in Huntersville?

Ms. Campbell said, yes, it is.

Councilmember Barnes said it just seems to me that it would have been a valuable experience to get information from people who do business and go to school and work between those two areas.

Ms. Campbell said we have had a lot of attendance from people throughout the community. We simply picked a couple of these locations particularly for the north because the people in the north don't usually come into our uptown, so that was a way we could expand ourselves.

Mr. Smith said, Michael, one of the things we did, too, is we brought a map to a lot of our workshops, and we asked people to put a pin in with one color where they worked and another where they live. It's a great scattered diagram with a lot of input across the community. To your original question of do I understand the importance -- yes. You will see in some of the early planning concepts a lot of thought on this about the importance in that connection between uptown Charlotte and the University and a lot of the opportunities that lie on the north end.

Councilmember Burgess said several years ago Martin Cramton proposed that we consider capping 277, and I really thought it was a nutty idea until I went to Columbus, Ohio, and saw what they did with connecting the short north with their center city. Columbus is financially constrained to a huge degree right now, and they are planning a second cap right now because it has been such an economic benefit to their city. We had a proposal from a developer to build

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that cap somewhat at his expense with kind of a complicated scheme, but that project obviously has been delayed. In your discussions, have you talked about capping 277?

Ms. Campbell said we are continuing to look at and assess just about everything that has been in our previous plans – the Odell Plan, the 2010 Plan. We are looking at all of them, so, yes, we have, but there is a reality though that we have to live with particularly now since there is such a huge economic downturn. So how we prioritize the projects we move forward on, I think will be extremely important, so none of those great ideas particularly those from Martin Cramton will be lost. We will continue to discuss and debate and prioritize. I don't know if you want to add anything.

Mr. Smith said that's the challenge of this type of visioning process is you have to do it inside the climate where we exist, but hopefully we are looking to the next cycle and the cycle after that and the cycle after that, and this becomes our foundation. If this plan does not produce some big ideas then I'm not quite sure what the visioning exercise was for, so we really have to balance those two as we consider what's next for the Center City.

Councilmember Burgess said I'm not suggesting that I support that right now, but I just don't want that idea to get lost.

Ms. Campbell said it will not.

Councilmember Burgess said because it's working in other communities.

Mr. Smith said our 2010 Plan was strong, and I really think, as Debra articulated, it has to be our foundation for the next one.

Councilmember Burgess said will it be in your report? Has the steering committee or the big committee discussed it?

Ms. Campbell said we are not to the point of recommendations, but we have looked at actually a number of ways to address the I-277 barrier. We actually like to friendly describe it that there are a number of things we can do possibly in the interim before we leap to a major, major project like a capping. But, yes, it is still being discussed.

Councilmember Cooksey said, Michael, in particular, I realize that going out into the community meant that there were some areas you had to pick and some you couldn't, and I appreciate that, but as a participant in the 2010 process ten years ago where everything was centered uptown, I do want to take this opportunity publicly to thank you again for coming to the south and hearing from folks in that South Regional Library area about what is their Center City as well, so thank you for that.

Mr. Smith said it's been very instructive to us on how when we go out and share updates on things that are going on in the Center City, how important it is to make it a little bit more workshop so that we can get more input. The response, particularly the South Library, was "Thank God you have finally come."

Councilmember Cooksey said I tried to publicize it as much as I could.

Mr. Smith said thank you.

Councilmember Cannon said, Ms. Caulkins, thank you so much for your presentation as well as you, Debra. The park and recreational piece of it, you know, it used to be when we talking about planning uptown we were concentrating, we were hearing from a lot of people who were yuppies and puppies moving uptown – loving it for what it is but still wanted an additional nightlife, if you will. Well, that has occurred. Now families are now saying we want to have that same opportunity for us to go as a family. A part of that happens to be that, well, there is not enough happening for our children to have outlets. Is the idea to subscribe to more and embrace what we are talking about with the green space type related things, and also from a recreational perspective, are we talking about creating maybe – I don't know – a mini-skateboard park or something so we can preserve our stock within the Center City from being shredded for lack of

another word. That is important. I want to know a little bit more about the park and recreation side of it largely in part because families are asking that question, and it has become more of a family focused inner city. A friend of mine just moved uptown with her kids, and she is asking about that as well.

Mr. Smith said concurrently we have our Center City Open Space Master Plan being developed, and we hope that is going to be at a point where it can be a foundation for the vision plan. It has great focus on the importance for programming in our Center City Partners, and that has been one of the lessons of the last couple of decades for us is that great urban parks have to be heavily programmed. We have heard a lot from the skateboard community, and the idea of having a place that they can express themselves in common and be a part of this I think is important, and it is one that we have connected a lot of that community.

Ms. Campbell said the only other thing I would add is we are looking at Center City parks and open space as a system. It is okay to have a park over there and park over there, but we really want to have a network of parks and green space and open space. In terms of skateboards and things for families, one of the highest vote getting projects or activities from the Piedmont Open Middle School experience was the skateboard park. Every kid in the gymnasium wanted a skateboard.

Councilmember Cannon said we used to have one at Scaleybark and South Boulevard. I would go there a lot with Phil McCrory back in the day, and it's just a good something to have. It's never played out. It is still playing in obviously if you just go uptown and look around. Thank you so much for that.

Councilmember Howard said my question might have more to do with just downtown. I, like everybody else, will agree that the things that have happened in uptown have been spectacular. Going back to when I was a little boy, it doesn't come close to feeling like the same place. The energy is incredible. Anybody who went downtown during the CIAA weekend it didn't feel like – it felt totally different, which is a good thing. My question has more to do with the aesthetics along Tryon Street. If I remember right, the Tryon Street Mall dates back to the early '80s – the shelters and the other things – and I think we have tried our best to keep that up over the years. I was just wondering if this plan addressed anything updated in the field to look or if it still fits in and everybody is happy with it. I was wondering if you could address that at all.

Ms. Campbell said are you saying the Tryon Street Mall type of concept and the amenities that have been added – the brick pavers that are uniquely about Tryon Street Mall?

Councilmember Howard said the things we have tried to maintain. The shelters and the benches are the only things that really even resemble kind of what that whole project was about.

Ms. Campbell said we are really, really trying not to recreate the wheel. Essentially what we have heard a lot from our consultants is this community has a whole lot we can built from and build upon, so I would imagine that we will have some recommendations in terms of streetscape and infrastructure enhancements coming out of the recommendations from the consultants, but we are really just kind of at the starting phase and don't have specific detailed recommendations as of yet. I don't know if you want to add anything.

Councilmember Turner arrived at 6:21 p.m.

Councilmember Kinsey said I know we are talking about recent history, but as I look around the room, I'm probably the oldest person in here, and I know I'm the senior resident City Council member, and the other two that are fairly close to me in age haven't lived here all their lives, as I have. But uptown used to be the center of things, and I don't want us to sort of forget that. It used to be residential – Fourth Ward, First Ward, Second Ward, great shopping. That's where we all went uptown to shop – movie theatres. Still want to save the Carolina, so let's don't forget that we are turning back to our glory days.

Mayor Foxx said very good point, and a good way to close the conversation. I just want to say to Center City Partners I appreciate not only what you are doing but the way you are doing it, which is going out into the community and getting input and buy-in frankly from a lot of

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different avenues. My only advice to you is once the plan is actually finalized continuing to communicate the vision because that's a process we continue as a community to struggle at times with following through on a vision, but it's that vision that keeps us all bound together. So, keep doing what you're doing, and we look forward to the product of your work.

Councilmember Burgess said, Mr. Manager, would you remind me what our financial investment is in this plan?

City Manager Walton said \$125,000 this year and \$125,000 pledged next year.

Councilmember Burgess said I was trying to put that in context of the request from the Foundation for the Carolinas. Thanks.

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ITEM NO. 4: MECKLENBURG COUNTY DOMESTIC VIOLENCE ADVISORY BOARD ANNUAL REPORT

Mayor Foxx said the final presentation during our Dinner Meeting is from the Mecklenburg County Domestic Advisory Board.

Curt Walton, City Manager, said we welcome Julie Owens, who is the co-chair of the board, so we welcome them to present their annual report to you.

Julie Owens, Co-Chair Mecklenburg County Domestic Violence Advisory Board, said we are your Domestic Violence Advisory Board, and the members just stood. A few of us are going to give you some information; a few are not. Those who are not presenting I would like for you to stand and introduce yourselves, please. These folks work really hard for you. (The members stood and introduced themselves.) You have our report in front of you, I believe, and we just want to point out a few of the highlights, if we can.

Councilmember Dulin said I'm sorry. We do not.

Ms. Owens said you do not have the report?

Councilmember Dulin said, no, ma'am.

Ms. Owens said we provided a report and were under the impression that you would have a copy of it.

Councilmember Dulin said I'm sorry – page 3.

City Manager Walton said, I'm sorry, Mr. Dulin, I don't think it's here. We will get that to you.

Ms. Owens said I apologize for that.

Councilmember Dulin said it's all right. We can work without it.

Ms. Owens said I apologize for that. I had hoped you would have it in front of you, but we are going to touch on a few highlights and let you know that in Mecklenburg County this past year – we are talking about 2009 – we had seven domestic violence homicides and almost 35,000 calls for service to CMPD, almost 3,000 protective orders. Other domestic violence related crimes, which are not classified as domestic violence, so they sometimes don't show up in the data, but over 8,000 of them. These included forcible rapes, assaults, and other sorts of crimes. One of the things you might find interesting is when you see the violent crime data sometimes it won't include domestic violence because violence against women is usually charged as assault on a female, so it's a misdemeanor, so the stats you usually see are felonies. But those 8,248 are felonies. Then over 600 abusers were referred for intervention. I'm going to turn this over, and the reason I'm going quickly is obvious, I think, and let the next presenter come and talk to you

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about the victim services that were provided this year in Mecklenburg County and also the abuser services, and I believe that is Patrick Burris.

Patrick Burris continued with the PowerPoint presentation and said if you look at the slide there and you see domestic counseling for adults 2,309, please understand that's an increase of 82% over this time last year. If you look at the second bullet, domestic violence shelter 617, please understand that the domestic violence shelter only has 29 beds. With that, the average stay was 150 days for people who were admitted there, and those people were in immediate danger. That is 131% increase over this time last year. If you look at the third bullet – legal services pro bono – a grant funded through United Family Services substantiated the funding that ran this program, and an attorney there volunteered services to recruit others who provided pro bono services to victims who were in danger, and that also served about 350 victims, a substantial increase over last year.

Councilmember Barnes said just point of clarification regarding the first two bullet points. You said the 617 is at a facility that has 29 beds and the average stay was 150 days, so I'm trying how mathematically to get from 29 beds at half the year with 617 victims or stays?

Ms. Owens said that was individuals and their children.

Mr. Burris said together that came that were served for the whole year.

Ms. Owens said the average stay is 24 days.

Councilmember Barnes said so what's the 150, I'm sorry?

Mr. Burris said that was out of 150 days. That was 150 days out of the year, I'm sorry.

Ms. Owens said typically a month is the most someone can stay in an abuse shelter because of the limitation on the bed space, which is one of the problems we are working on.

Councilmember Barnes said the first bullet point, 2309, represents an 82% increase over this time last year. Is the reason you counsel more people because you had more funding, because more people needed services, because you had more counselors? In other words, how did you counsel 82% more people with the same number of counselors, same resources, etc. unless your resources changed?

Mr. Burris if you look down where we had the grant through United Family Services some of those monies were allocated to help. So it was like whatever monies we had, we spread those as thin as we could to cover, you know, shifting funding, and that was what we were able to allocate and offset that.

Councilmember Barnes said finally, if I might, Mr. Mayor, I suspect that a deteriorating economy leads to a lot of things – alcohol, drug abuse, violence, domestic violence, etc., etc. Have you reached the same conclusions with respect to some of these numbers, number one? Number two, have you found any correlation between the services you have to provide and any issues regarding our veterans from the Iraq or Afghanistan wars?

Mr. Burris said I can't really speak directly with vets returning from Iraq and wars, but I can tell you this. With the economy as it is, virtually every economic and demographic sector is affected by domestic violence whether it's in southeast Charlotte or whether it's on West Boulevard. Whatever fractures were there, the economy has predisposed people who may not have been affected to that, and we are seeing that across the sector in every demographic – in financial bracket, education, socioeconomic, or what have you.

Councilmember Barnes said one more, Mayor. Are you seeing – this is going to sound strange, but are you seeing any female to male violence?

Ms. Owens said, yes, that does happen. I believe the statistics are about 98% of the victims are females. Those male victims are also served in the programs that serve victims. Please

understand that we don't do the direct services. We are your advisory board, and United Family Services and Mecklenburg County are the primary providers of services to victims.

Councilmember Burgess said would you go back to your comment that you said that – I think it was the crime reports – that it's not a felony because it's an assault on a female.

Ms. Owens said the law that – Judge Trosch could speak to this. The law that is considered the domestic violence law or family abuse under the North Carolina Statutes – it's called assault on a female. Of course, when men are assaulted by females, it's a different charge. It's an assault, but it's a similar charge. They are misdemeanors. Often when they are charged as felonies because of the severity of the injuries, they will be plea-bargained down to a misdemeanor and end up being a misdemeanor. So domestic violence being an incredible violent crime – as you know, we have already had two homicides this year – it doesn't usually get counted in those statistics that you see when you hear that violent crime is down. Should we move on?

Mr. Burris continued with the PowerPoint presentation and said when you look at children with domestic violence, maltreatment, please understand when a child is referred to Child Protective Services for assessment of impact exposure, they have already seen and heard before that. There was an increase of CPS referrals last year as well. DSS approximately helped people 24,226 cases where people were screened where domestic violence was a concern. There were 152 cases with 341 children assessed with a primary cause of child maltreatment and physical or emotional house characterized with domestic violence.

If you look at the second bullet, the Child Development Community Policing Program only serves seven out of 12 divisions in Mecklenburg County – 2,478 families with 4,062 children were seen by area mental health professionals. Of these, 43% or 1,073 referrals were related to partner violence, and that could have consisted of female to male, male to female, if you would – up from 41% over this time last year.

If you look at the third bullet, the Charlotte-Mecklenburg Women's Commission worked with 792 individuals in support groups to address domestic violence. Finally, if you look at education in CMS 8th and 9th grade, they only get a 90-minute class presentation on domestic violence in the 8th grade on healthy relationships, and that's only shown one day, so if you miss school that day, you don't get it because it only comes up about once. In 2007, 10.7% of Charlotte-Mecklenburg High School students reported responses in conjunction with either dating violence or other related violence regarding domestic violence, and that was a 1% increase over that same time in 2007, so it is a real problem.

Ms. Owens said now Joe Marinello is going to speak about a future intervention.

Joe Marinello continued with the PowerPoint presentation and said I would like to submit to the men in this room and just make three statements to you before I read what I want to read to you. Domestic violence is a core crime for all other crime. Domestic violence is a social cancer. Think about mothers, sisters, and daughters when we talk about this issue. As far as abuser intervention, NOVA, which is an acronym for New Options for Violent Actions, Impact, both of these programs, they are both state-certified programs in Mecklenburg County. NOVA screened 571 new abusers; Impact had 34 new clients. Now, this reflects a reduction of approximately 100 referrals from the courts this year some of which is due to abusers choosing jail over a batterer intervention program or a change facilitation program due to not having the funds to pay for attending. NOVA instituted in January an option of paying through approved community service by indigent abusers, and, again, the economics has created that. This may have two impacts. It might financially improve attendance for those clients who can pay and reduce jail and parole costs to the county and more abusers not continuing that behavior.

NOVA, which is part of the Community Support Services of the Women's Commission, was restructured to provide more programmed services at less cost. They actually combined programs into one less night, reducing facilities costs. It stopped offering aftercare case management and added offering parenting classes for all clients plus the alternative payment option discussed above.

As far as expanding partnerships and expanding services, United Family Services and Community Support Services of the Women's Commission partnered on several projects resulting in providing DV counseling in north Mecklenburg and providing screening and hotel emergency shelter with United Family Services' shelter, which is always full 365 days a year. United Family Services and the Women's Commission Community Support Services and Youth and Family Services and Adams Outdoor Advertising collaborated on a grant that resulted in public awareness billboards. One thing that we don't have in Mecklenburg County is we have no transitional housing for battered women in Mecklenburg County. UNC-Charlotte, United Family Services, the Community Support Services, Charlotte-Mecklenburg Schools, the Humane Society, CMPD Animal Care, all collaborated at different times on training such as for police who suspect domestic violence when there is animal abuse or school nurses and teachers to recognize signs of dating violence. Both CMC and Presbyterian Hospital provided training for their social workers in responding to disclosure of domestic violence and supported emergency nurses to be trained to collect evidence for rape.

Finally, as far as prevention is concerned, the Women's Summit at UNC sponsored a conference for employers on DV polices. Also, UNC-C actually offers an undergraduate course to college students. It's a full semester course in domestic violence, and we cover that course from perpetration to victimization. The Domestic Violence Advocacy Council brings together public providers on topics. Public awareness of the DV billboards continued after three-month funding by Adams Outdoor Advertising. The organization of men, which is Men for Change, which comes under United Family Services supports ending domestic violence through public education and fund raising. You may be familiar that every year we have a breakfast at the Panthers Stadium. It's generally held in June, and Men for Change has raised a significant amount of money for the Shelter for Battered Women. A partnership applied for funding, which is the last bullet, supervised visitation grant not funded. It's a partnership for funding due to many victims injured during a child custody exchange for visitation, and it continues to be a priority to find funding. Thank you for listening to our comments.

Ms. Owens said Joe works with the offenders at NOVA program and also teaches at UNC-C, and Bea Cote, who is going to share next runs the Impact program. She is the chair of the Domestic Violence Advisory Council, which is the larger community group.

Bea Cote said thank you so much for the opportunity to serve on this board. I would like to talk to you about some positive things, some changes that have happened in this past year. One is that we now have a Domestic Violence Fatality Review Team. The state law was passed, and Charlotte-Mecklenburg is the pilot site for that project, and this is something that people have called for for a very long time, and we are real excited about that. The Charlotte Housing Authority is no longer going to evict victims in subsidized housing because of the perpetrator actions. That was happening before, and we are hoping that is no longer going to happen because of these changes. The Homeless Services Network database is up and running and is now including United Family Services and the Community Support Services, Women's Commission in order to increase communication and reduce duplication of information gathering.

Mayor Foxx said we have a question on that one. I know there are a significant number of women who are homeless with children. Do we know the percentage of homeless women who are homeless due to domestic violence?

Ms. Owens said the average is 50%. In fact, I would say it's much higher than that. Center for Hope, isn't that right, Amanda? Yes, Amanda works with United Family Services. I would say the majority of their homeless women there are homeless because of domestic violence.

Mayor Foxx said I want to make the point because as we are going through our budget cycle and start talking about our support of housing and things like that there are some real human stories behind the numbers. The more we can try to attack homelessness at the level where women and children are finding it the more we are going to be able to help address some of the issues of domestic violence, too, so there is a connection there.

Councilmember Cannon said that leads me to your second bullet. How are you actually working with the Housing Authority domestic policy there? I'm trying to understand it more because if a

perpetrator goes in and commits an act if the lady of the house is not working, she is not employed, what happens at that stage? Do they remain? Do they go elsewhere? To the Mayor's point, are they homeless? Where do they go?

Ms. Cote said you mean before this policy?

Councilmember Cannon said yes.

Ms. Cote said, yes, that is exactly what was happening. Just the same as anybody else who had been evicted, where do they go, what do they do, but in this case she is evicted because she is a victim.

Councilmember Cannon said she's a victim. What if she's not employed? Where does she stay, where does she go, what does she do?

Ms. Cote said that's a good question.

Ms. Owens said that is part of the problem, and that is why programs like the Displaced Homemaker Program that Community Support Services has that the Women's Commission helps support for individuals who need retraining or education if they had not worked outside the home. Of course, many of the victims do work outside the home, and some are not allowed to. The problem with the unemployment what we are seeing is that rates of domestic violence the employment has been the biggest factor probably because abusers are home, out of work, and there is more opportunity to abuse and harder for the victim to find jobs if they are allowed to.

Ms. Cote said so they end up in other places in the system.

Councilmember Barnes said do you know whether the Housing Authority will relocate women – not throw them out – but relocate them to another CHA property if they have got this issue because it seems to me a lot of abusers will obviously know where the person lives, and unless she is relocated, they are going to keep coming back, which creates a problem for us in terms of CMPD resources, and obviously it creates a problem for the female victim. But, do you know whether they relocate victims?

Ms. Cote said I don't know if they have a policy about that –

Ms. Owens said it's part of the new policy. They will help them relocate. Of course, it's not a safe, secret location where they go. That's why we need the safe transitional housing, which is secure, which is part of the United Family Services plan. They will relocate them now. They will give them priority as a result of the new policy.

Councilmember Carter said is the perpetrator barred from CHA property?

Ms. Owens said they can be.

Councilmember Carter said they can be. Is it the choice of the victim; is it the choice of the CHA authority? Where does the responsibility for that lie?

Ms. Owens said that's a good question. We'll get back to you on that. I do believe that they can be banned by CHA.

Councilmember Carter said because that's violence on the property.

Ms. Owens said I don't know that they require a restraining order on the part of the victim, but that's a good question.

Councilmember Turner said could she repeat the question. We didn't hear you.

Councilmember Carter said to see if the perpetrator is barred from CHA property.

Ms. Cote said I think the police can bar them.

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Ms. Owens said I think it might be in that new policy, and I apologize. I haven't looked at it in a while, but I could get you a copy of it.

Councilmember Turner said I was trying to get your numbers again when you indicated what was the percentage of domestic violence reported for this year versus last year. Did you say that it doubled.

Ms. Owens said those numbers are in the report. I believe you have the report in front of you.

Councilmember Turner said, yeah, but I have my glasses out in the car.

Ms. Owens said the domestic violence calls were increased by 8.6%.

Councilmember Turner said is there another number that was more alarming than the eight. That's a lot, but I guess my question, and I apologize because I can't see this. My question was going to be are you doing something different, or do you believe that this is directly related to our unemployment rate? Are you finding more new cases where they end up in court and can prove they have not generally been a problem when you have the wife or the husband supporting that scenario but unfortunately have ended up in court, so it ends up on your doorstep due to the financial crisis that we are dealing with in our society, or do you want us to believe that you are doing a better job of reporting or a different method of collecting this data? Which is it or both maybe?

Ms. Cote said it's interesting because although we know there is a correlation with poverty and an increase in poverty and domestic violence, and, of course, when people are home more the stressors are going to build and all that. We are not seeing an increase in judgments that order the offenders to batter intervention programs, and I don't know why that is. Certainly the police calls for service to domestic violence incidents are up, so I don't know. Actually March traditionally has been our highest referral month. (Tape change)

Ms. Owens said, of course, the vast majority of those who make calls to the police probably don't have a case. Those are calls, and most victims don't even call, and only maybe 3% will go to the shelter. Remember, we are just talking about the tip of the iceberg even with these tremendously high numbers. I thought maybe Judge Trosch could speak to this.

Councilmember Turner said, please, that would be fine. As she approaches, let me – I also want to touch on what my colleague just stated here that the particular point I was looking for was 250 women and children receive emergency shelter in hotel rooms. This is 131.5% increase from the prior fiscal year. Now, that to me is a huge increase, but it all makes sense when you start talking about the foreclosure rate, the unemployment rate where families have had to walk away from their homes or live in, my God, a 15 x 15 space.

Ms. Owens said remember they are not homeless individuals.

Councilmember Turner said but that correlates. It sends them into those crises, and I think you believe that would have a lot to do with that scale we just talked about because that is a drastic change in a year, very drastic, and I understand – I mean I deal with it every day, but that is shocking to me, and I do this for a living to see that increase that you all have reported within your organization.

Ms. Owens said, Judge Trosch, do you want to add what you are seeing in court?

Judge Elizabeth Trosch said I don't know that I could say just from the cases that I hear that I would isolate financial stressors as the cause for the filing of more cases. I think that certainly increases stress in relationships where there is a predisposition for domestic violence, and we have seen a higher number of cases where employment is an issue. I don't know at this point that I would say that I could isolate that as a primary factor. I think that there may be other factors that contribute to that, but the economic situation is one that certainly does obviously increase that potential because of the stress that it creates in a relationship where people are predisposed to acts of violence.

Councilmember Turner said thank you for that comment, your Honor. Let me ask you this. What method do you all use to determine those factors in regards to the interview process because when it ends up before you there is a reason other than the fact that there is a physical altercation that has taken place of abuse? To me, I guess I would be trying to find that cause. If that is not one of your processes you use to analyze what put this particular case in front of us other than the final outcome, which means there is a 911 call, a police officer ends up there, someone is going to jail and eventually has a hearing, which is going to come before you.

Judge Trosch said Ms. Cote may be in a better position just to explain the issue or the distinction between someone who is a batterer versus isolated acts of violence that are predicated by environmental stressors. Typically when we are talking about domestic violence and we are talking about situations where people come into court and are seeking a domestic violence protector order in particular, we are dealing with a situation where the perpetrator is able to channel and direct that stress and that anger and that need to exercise power and control on a specific individual and to be able to hold that in and target one person rather than any person who happens to be in the room or available at the moment that stressor triggers anger or rage or violence. I don't look at my job as District Court judge hearing an individual case as necessarily isolating the cause for the domestic violence.

I think it's pretty well established by very good research nationally that this isn't going to usually be an issue of batterer has a substance abuse problem or an issue of batterer is temporarily unemployed or batterer is currently experiencing mental health issues. It's really its own separate distinct behavior pattern. While there are other things that will exacerbate that and perhaps be risk factors for more violence or for higher degrees of violence like substance abuse issues or unemployment, those aren't causes. Those are perhaps, I think, exacerbating factors, and they certainly are factors that contribute to I think -- and the people from United Family Services could speak to this -- that can contribute to doing an assessment of the risk for fatality in a particular situation, so those are factors that I might consider in determining what terms should be included in an order to provide adequate protection, but those really aren't causes for acts of domestic violence.

Councilmember Burgess said, Judge Trosch, could you explain a question that I mentioned earlier about why assault on females in a domestic violence situation is considered differently than assault on a male?

Judge Trosch said I can't tell you exactly why the legislature when that distinction was passed created that distinction, but generally in the law there is the crime of assault, which is actually a common law crime and it's classified as a Class 2 misdemeanor. The General Assembly, and I can't tell you when, and I think in response to the issue of domestic violence created a statutory crime of assault on a female, which defines that assault as an assault by a man who is 18 years or older on a woman. So, it could be any man in this room who is 18 years old or older assaulting any women whether they are related or not or in an intimate relationship or not, and that crime is made by a statute, a Class A1 misdemeanor, which is the highest level of misdemeanor and punishable by up to five months in prison. That is the distinction that exists.

I think that the point that Ms. Owens was attempting to make was that when we talk about violent crimes and we hear in the news reports of increases or decreases in violent crime, we are talking about homicides, rapes, assaults inflicting serious injury, attempted murder; and while domestic violence is violent crime, it's not reported in those categories of crime when we talk about increases or decreases in violent crime because it's not included in that Class A1 misdemeanor -- assault on female is not included in those reports.

Ms. Cote said I would like to make just one quick statement before I get back to this -- something that was in the newspaper this morning that will kind of help explain I think why batterers do what they do, and I think that is the question that is behind a lot of these comments. In another county, a man was arrested for carving the word "mine" on his partner's belly.

Councilmember Cooksey said I think I still share a little of the puzzlement that Mayor Pro Tem had a moment ago, and I want to make sure I'm getting it right. First of all, thank you for the work that you are doing and the report that comes before us each year to remind us of what all is

going on. On this assault matter, I just want to make sure I understand correctly that as we are talking about the measurement of violent crime because as we have lauded the work of our police department in reducing crime in this community in general this issue of assault I want to make sure still is pretty clear. In other words, if I assault Andy or if I assault Patsy, they are both misdemeanors, but the assault on Patsy is a higher misdemeanor than the assault on Andy.

Councilmember Barnes said and the first one is justified.

Councilmember Cooksey said my point on this in terms of the reporting though is neither of those assaults would be counted in our violent crime statistics, so there isn't this distinction, and I think I was under the impression that existed beforehand. So neither of my alleged assault on Andy nor my alleged assault on Patsy would fall into violent crime statistics.

Ms. Owens said correct.

Councilmember Barnes said but it would be in the paper.

Councilmember Cooksey said but it would certainly be in the paper. Thanks, but the one against Patsy would be a higher caliber of misdemeanor than the one against Andy, and, again, rightly so.

Ms. Owens said if they defended themselves, it's a whole other matter as well. We appreciate your questions and the interest. That's very encouraging to us.

Ms. Cote said we are going to move on to recommendations. We would like to continue collecting domestic violence for the score card, the County score card. We would like to continue providing shelter at hotels when we run out of space at the shelter or to serve male victims, and we would like to continue support for the new shelter and for transitional housing. There is not a whole lot that a victim can do with 30 days. They are going to need a whole lot more time than that. Let's restore the project that the Police Department had a few years ago to target high risk perpetrators and basically make their lives very uncomfortable by keeping them under a microscope, and we would like for the Council to look at adding one more seat to this board in order to equal up the numbers between city and county and also to include the board in the selection process of new appointees.

Councilmember Carter said that project was based in Baker 1, which is part of the Eastway Division now. Is that because there is a higher number of assaults in that area?

Ms. Cote said I believe what happened is that the captain there at the time they were doing projects, and that is just one of the projects that they started that members of his staff, the police officers who were on patrol, took this on as kind of a demonstration project for something they were doing, and it turned out to be really good, but then it wasn't continued. We would also like to continue to explore options to get these abusers into our batterer intervention programs such as mine, the Impact program or the NOVA program. Please note that there is no funding anywhere I know of to help pay for these services, and so NOVA is a County program. My Impact program is a private program, but in both programs, the offenders are required to pay a fee, and that is part of the state standards that they must pay a fee for a lot of different reasons, which we won't go into now. I'm going to turn this over to Julie again now.

Ms. Owens said one of those recommendations we made when we presented to the Board of County Commissioners was to assign a Sheriff's representative to our Domestic Violence Advocacy Council, which is a separate body that anyone can join, and that's our larger coordinated community response body. We also continue to request since 2006 the study that was done by Carol Morris that we have a domestic violence coordinated for Mecklenburg Domestic Violence Services that would be jointly funded by the County and the City and the Domestic Violence Services. We have a number of reasons for that. Those were outlined in that original report. If any of you need a copy, we can get you that.

We continue to encourage everyone to be thinking about the need for a supervised child visitation center with safe exchange in cases of contested custody, which is usually the case or where there are restraining orders in place. We used to have one, and we don't any more. We

used to have a transitional shelter, and we don't any more. So in some ways we have made progress; in other ways, we have moved backwards some, and we want to continue to move forward even though we understand the economic climate is extremely challenging. We have also asked the county and state, and we're hoping they will consider placing a magistrate in north Mecklenburg so that folks who live up there will be able to get the same services and apply for restraining orders and so forth. We want to thank you for your time. We know that you are right down to the wire and appreciate all your questions and your feedback. If you would like to contact us, please feel free to do that. If you need copies of anything else, please let us know.

Mayor Foxx said thank you to all the members of the board. We really appreciate you coming.

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The meeting was recessed at 7:06 p.m. for the Council to go to the Chamber for the regularly scheduled Business Meeting.

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BUSINESS MEETING

The Council reconvened for the regularly scheduled Business Meeting at 7:09 p.m. in the Council Meeting Chamber of the Charlotte-Mecklenburg Government Center with Mayor Anthony Foxx presiding.

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INVOCATION AND PLEDGE

Councilmember Peacock gave the Invocation and led the Council in the Pledge of Allegiance to the Flag.

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AWARDS AND RECOGNITIONS

Mayor Foxx said we have a very full agenda tonight, and we are going to start out with a proclamation for Census Awareness Month. I understand that Melanie Sizemore, one of the co-chairs of the Census 2010 effort is here with us tonight. I just want to say before we even get started that this year, in fact this month, there will be mailings mailed out to citizens all across our community, and it's an opportunity for every household, every person in this community to be counted in the census for lots of purposes including in terms of representational interests, in terms of resources that are allocated to our area. It is a very important time, and I know that we have a committee of folks in this community who are doing everything they can so we get the best count. I'm going to ask Council member David Howard, who has taken time after every one of our Council meetings to give out census facts to share with you the proclamation, and then we can have remarks from you. Councilmember Howard recognized Sue Breckenridge and Melanie Sizemore, Co-chairs of the 2010 Charlotte-Mecklenburg Complete Count Committee, and presented them with a proclamation highlighting the month of March as 2010 Census Awareness Month.

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CONSENT AGENDA

Stephanie Kelly, City Clerk, said the items that have been pulled are Nos. 18, 19, 20, and 22. Item 23 has been pulled, but I also need to note that there is a correction necessary due to a typo.

The estimated cost per year is \$227,000 instead of the \$207,000 that is listed in the agenda. Also Items 25, 28, 31, 35-C, and 35-G has a speaker.

[Motion was made by Councilmember Burgess, seconded by Councilmember Carter, and]
[carried unanimously to approve the Consent Agenda as presented with the exception of]
[Item Nos. 8, 18, 19, 20, 22, 23, 25, 28, 31, and 35-C, which were pulled for discussion,]
[and Item No. 35-G, which was pulled for a speaker.]

The following items were approved:

21. Service contracts to provide bypass pumping services as required by Charlotte-Mecklenburg Utilities in the combined estimated annual amount of \$500,000 for an initial term of three years to the following three companies: Rain For Rent, Sunbelt Rentals, Inc., Godwin Pumps of American, Inc., and authorize the City Manager to approve up to two, one-year renewal options with price adjustments as stipulated in the contracts and contingent upon each company's satisfactory performance.
24. Contract amendment with Post, Buckley, Schuh and Jernigan (PBS&J) in the amount of \$260,000 for surveying services.
26. Contract with Blythe Development Co. in the amount of \$4,578,925.50 for the construction of the Taxiway D North Extension, resolution accepting a Federal Aviation Administration (FAA) grant in the amount of \$3,434,194 for construction of the taxiway extension, and Budget Ordinance No. 4384-X appropriating \$3,434,194 in FAA grant funds and \$1,144,731.50 in Airport Discretionary Funds to be repaid with future General Airport Revenue Bond proceeds.

The resolution is recorded in Resolution Book 42 at Pages 405-406.
The ordinance is recorded in Ordinance Book 56 at Page 561.

27. Resolution accepting a Federal Aviation Administration (FAA) grant in the amount of \$17,302,493 for Airport projects related to the new runway, and adopt Budget Ordinance No. 4385-X appropriating \$17,301,493 in FAA grant funds.

The resolution is recorded in Resolution Book 42 at Pages 407-408.
The ordinance is recorded in Ordinance Book 56 at Page 562.

29. Budget Ordinance No. 4386-X appropriating \$370,000 in police assets forfeiture funds.

The ordinance is recorded in Ordinance Book 56 at Page 563.

30. Resolution authorizing the Transportation Key Business Executive to execute a municipal agreement with the North Carolina Department of Transportation to share the cost of inspecting 129 qualifying City maintained bridges and culverts.

32. Resolution of intent to abandon a portion of a ten-foot alleyway between Spruce Street and South Mint Street, and set a public hearing for April 12, 2010.

The resolution is recorded in Resolution Book 42 at Page 413.

33. Resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$41,715.51, and adopt resolution authorizing the refund of business privilege license payments made in the amount of \$313.75.

The resolution for refund of property taxes is recorded in Resolution Book 42 at Pages 414-415.

The resolution for refund of business privilege license payments is recorded in Resolution Book 42 at pages 416-417.

34. Lease with Donco Properties, LLC for office and warehouse space for Utilities' North Mecklenburg Maintenance Facility located at 11235 Sam Furr Road (Zone 1) in Huntersville, NC.
- 35-A. Acquisition of 36,145 square feet in sanitary sewer easement plus 58,463 square feet in temporary construction easement on Coleman Drive and Rocky River Road from Betty Parker Coleman for \$14,175 for 2009 Annexation – Hood Road North Sanitary Sewer Improvements, Parcel #56 and 58.
- 35-B. Acquisition of 965 square feet in storm drainage easement plus 681 square feet in temporary construction easement at 3908 Conway Avenue from Matthew Payne and wife, Margot Payne for \$13,850 for Conway/Briabend Storm Water Improvements, Parcel #1.
- 35-D. Acquisition of 2,967 square feet in fee simple plus 261 square feet in existing right-of-way plus 2,587 square feet in storm drainage easement plus 45 square feet in utility easement plus 1,733 square feet in temporary construction easement at 5131 Statesville Road from Irvin Linsey Greene for \$23,542 for Statesville Road Widening (I-85 to Sunset Road), Parcel #56.
- 35-E. Resolution of condemnation of 8,972 square feet in temporary construction easement on Harrisburg Road from Kingstree Homeowners Association, Inc. and any other parties of interest for \$8,550 for Harrisburg & Robinson Church Roads 16" water main, Parcel #1 and #2.

The resolution is recorded in Resolution Book 42 at Page 418.

- 35-F. Resolution of condemnation of 4,938 square feet of utility easement plus temporary construction easement on Harrisburg Road from Kingstree Homeowners Association, Inc. and any other parties of interest for \$5,100 for Harrisburg & Robinson Church Roads 16" water main, Parcel #3.

The resolution is recorded in Resolution Book 42 at Page 419.

36. Titles, motions, and votes reflected in the Clerk's record as the Minutes of the January 11, 2010, Business Meeting.

ITEM NO. 18: DUMP TRUCKS AND BRUSH CHIPPERS

ITEM NO. 19: SANITARY SEWER DEGREASER

**ITEM NO. 20: McALPINE CREEK WASTEWATER MANAGEMENT FACILITY
DIGESTER RECIRCULATION PUMP REPLACEMENT PROJECT**

Councilmember Carter said I was going to move a group being passed – 18, 19, and 20 – because these are environmental issues that I think are very important that the citizens need to know that the City is taking leadership and addressing as an entity itself. No. 18 is buying high efficiency diesel engines in two dump trucks. No. 19 is dealing with a sanitary sewer degreaser. One of the major pollutants for our sanitary sewer system is grease, and please don't put grease in drains. It really gives us problems, and when we collect the grease, we are going into a biomass alternative fuel effort, a new project that we are looking at with ReVenture. No. 20 is replacing waste water digester recirculator pump, and this ensures that bio-solids are reliably treated according to EPA standards. So the City is doing a really good effort in environmental things.

Mayor Foxx said I think Mr. Cannon has a question about 18.

Councilmember Cannon said certainly I would concur with Councilmember Carter in her observations. I think that is really important that we continue to move in this direction. Mr. Manager, on the small business opportunity piece, as we talk about there not being – it reads no SBE goals are established for purchase of goods and equipment due to limited opportunities for

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subcontracting. In my mind, limited doesn't mean no – that there are no opportunities but that they are just limited by definition. Am I correctly reading this?

Curt Walton, City Manager, said I think limited is what the policy says, and the purchase of vehicles something the answer is yes or no, and so limited is correct in the policy, but as far as we know, there were no small business opportunities to provide these trucks.

Councilmember Cannon said as far as we know, so that means there was a concerted effort to pursue this?

City Manager Walton said the bid and the bid specs go to everyone who is interested. I can ask specifically Chuck Robinson.

Councilmember Cannon said it says limited opportunities because it's saying here that we are not pursuing it because there were limited opportunities. I want to know basically if there were no opportunities or there were some opportunities and we just were not able to find anyone, I guess.

Chuck Robinson, Business Support Services, said this type of bid is an ITB, an invitation to bid. It's a straight-up low-bid contract. There was no opportunity with the low bidder for this. These are vehicles that are bought and then reconfigured. I think the language you find there is just standards language that is put into the agenda item.

Councilmember Cannon said it's standard, but it can be interpreted as confusing language, and the point is if there are no opportunities then I think we ought to –

City Manager Walton said it is the policy, and I don't think we have the prerogative to say no.

Councilmember Cannon said unless you go back and revisit the policy.

City Manager Walton said unless you revisit the policy.

Councilmember Cannon said with that said I think at some point I think we ought to pay some special attention to this because we are getting questions from folks about this, so we ought to maybe consider, Mr. Mayor and Council, think about referring this to a committee to look at it further, which would probably be Ms. Burgess' committee at some point.

Mayor Foxx said is there a motion on 18?

[Motion was made by Councilmember Cannon, seconded by Councilmember Carter, and]
[carried unanimously to Award the low bid unit price contracts for providing 12-foot dump]
[trucks and brush chippers for a term of two years to 1) Piedmont Truck Center, and 2)]
[Vermeer Mid-Atlantic, Inc. and authorize the City Manager to extend the contracts for]
[three additional one-year terms with possible price adjustments at the time of renewal as]
[authorized by the contract.]

Summary of Bids

Item 1: Crew Cab type Vehicle (12' dump body and 33,000 lbs)

Piedmont Truck Center	\$75,000
Rush Truck Center	\$79,005
Charlotte Truck Center	\$79,426
Quality Truck Bodies	\$80,203

Item 2: Brush Chippers

Altec (did not meet specifications)	\$23,500
Vermeer Mid-Atlantic	\$26,799
Quality Truck Bodies	\$29,644
Ditch Witch of Carolinas	\$30,200

[Motion was made by Councilmember Cannon, seconded by Councilmember Carter, and]
[carried unanimously to approve the purchase of a sanitary sewer degreaser as authorized]
[by the piggybacking exemption of G.S. 143-129(g) and approve a unit price contract with]

[TP Environmental Products & Services LLC for the purchase of the Bison 300 Degreaser]
[in the amount of \$105,000 for the term of one year.]

[Motion was made by Councilmember Howard, seconded by Councilmember Carter, and]
[carried unanimously to approve the purchase of sanitary sewer degreaser as authorized]
[by the piggybacking exemption of G.S. 143-129(g), and approve a unit price contract with]
[TP Environmental Products & Services, LLC for the purchase of the Bison 300 Degreaser]
[in the amount of \$105,000 for the term of one year; and award a low bid contract to]
[Hickory Construction Co. in the amount of \$466,675 for the installation of four digester]
[recirculation pumps and associated electrical and mechanical appurtenances at McAlpine]
[Creek Wastewater Management Facility.]

Summary of Bids

Digester Recirculation Pump Replacement

Hickory Construction	\$466,675.00
State Utility Contractors, Inc.	\$511,000.00
Dellinger, Inc.	\$526,878.00
Kemp Construction, Inc.	\$582,780.00

ITEM NO. 22: POLICE TIME WARNER NETWORK SUPPORT CONTRACT EXTENSION

Councilmember Cannon said I pulled that one, and it was pretty much with the same concerns, but this one reads that they are not anticipated, that those opportunities are not anticipated, so I want to make sure that we are highlighting the fact that maybe there are some that are out there in terms of opportunities for SBEs, but it reads they are not anticipated. We need to make sure they don't exist. So, once again, I think that is something we just need to refer to committee for clarify as relates to the policy. Thank you, Mr. Mayor, outside of that, that's all.

City Manager Walton said there was another question. Mr. Dulin asked what the difference between the Time Warner and AT&T contracts were, and Time Warner is \$269,000 a year lower.

Councilmember Dulin said 269 a year?

City Manager Walton said, yes, they already had the infrastructure in place.

Councilmember Burgess said I just want to reiterate Councilmember Cannon's point. The Council has an increased emphasis on helping our small businesses, and when a big company like Time Warner has the opportunity to help a small business in Charlotte by subcontracting we ought to encourage them in every way to seek those opportunities. So I don't know. If we need a referral, I know that your taskforce is working on small businesses. I don't know where they are in their work exactly, but this is really important to our city to support our small businesses. We ought to look every time at these small business opportunities and see if our large companies in particular are making sincere efforts to reach out.

Mayor Foxx said we just got a report back from the taskforce last week. They are still in the middle of doing their work, but what I would suggest is maybe we have staff relay the contents of this conversation there, and when the recommendations come back they will go to committee and we can dive into them right away.

Councilmember Burgess said I might add 54% of our workforce here in Charlotte is employed in businesses with fewer than 100 employees, so the majority of our workforce is there, employed in small business. That is just real important.

Councilmember Carter said we have business contracts that are signed for under a certain amount that the Council never sees. Are they scrutinized for small business association as well?

City Manager Walton said yes.

Councilmember Cooksey said, Mr. Manager, what are we paying the \$280,260 for? What are we getting out of this?

City Manager Walton said on the Time Warner?

Councilmember Cooksey said yes.

City Manager Walton said essentially infrastructure.

Councilmember Cooksey said I appreciate the concern for small business, but I don't know how you farm out infrastructure to a small business, but thank you, Mayor.

Councilmember Cannon said my issue is more around language, interpretation, and we need to be clear about the interpretation, and I think you are probably okay with that. And, two, we don't know that it's going to be \$280,000. This is for a cost not to exceed that amount; is that correct?

City Manager Walton said correct.

Mayor Foxx said I think the points have been made, so is there a motion?

[Motion was made by Councilmember Cannon, seconded by Councilmember Kinsey, and]
[carried unanimously to approve Amendment #5 to the contract with Time Warner Tele-]
[communications to extend the network support contract for three years at a cost not to]
[exceed \$280,260 per year.]

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ITEM NO. 23: ANIMAL LICENSING AND REGISTRATION CONTRACT

Curt Walton, City Manager, said actually I just wanted to answer Councilmember Kinsey's question about the \$3.50. It's a fixed dollar amount regardless of the size of the fee.

Councilmember Peacock said, Mr. Walton, I did not ask this question to you in the Dinner Meeting, but in the second bullet it says the City initially contracted with PetData in '05 upon the recommendation of the Privatization and Competition Advisory. Do you recall why it got referred to them to evaluate?

City Manager Walton said, yes, sir, I think there were two issues. First, the premise of the Privatization Committee if it's available in the private sector and can be done by the private sector it will, all things being equal. That was one thing. We didn't have a good collection rate when the City did it before, so the billings and the collections have increased considerably since we outsourced the contract.

Councilmember Peacock said did we have the Police Department – this was managed by the City at first and then referred to be outsourced?

City Manager Walton said, yes, it was a City function, part of the City billing process prior to this.

Councilmember Peacock said and it fed up through the Police Department?

City Manager Walton said yes. The Police probably didn't do the billing. I don't remember on that, but it was billed by City forces.

[Motion was made by Councilmember Kinsey, seconded by Councilmember Carter, and]
[carried unanimously to approve a contract with PetData Company to administer the City's]
[animal registration and licensing program at an estimated cost of \$227,000 per year with]
[four, one-year renewal terms, and authorize the City Manager to execute the four, one-]
[year renewal options.]

ITEM NO. 25: AIRPORT PARKING REVENUE CONTROL SYSTEM

Councilmember Burgess said I would like to move that Councilmember Cannon be recused for this vote.

[Motion was made by Councilmember Mitchell, seconded by Councilmember Kinsey, and]
[carried unanimously to recuse Councilmember Cannon from voting.]

[Motion was made by Councilmember Burgess, seconded by Councilmember Carter, and]
[carried unanimously to approve a contract with Kimley-Horn Associates in the amount of]
[\$110,410 for the design of a Parking Revenue Control System.]

ITEM NO. 28: WRIGHT AVENUE STREET IMPROVEMENT SPECIAL ASSESSMENT

Councilmember Carter said the question is Wright Avenue, and I was wondering if the name of that street, that portion of the street that is unbuilt, has been changed; and, if not, is there assurance that these residences can be located in case of an emergency. We have had difficulty before.

Curt Walton, City Manager, said the street name has not been changed yet. It can be changed at any time that there are dual addresses in the emergency responder systems now. They are guaranteed to get served regardless of the name change.

[Motion was made by Councilmember Carter, seconded by Councilmember Kinsey, and]
[carried unanimously to adopt a preliminary assessment resolution for a special assessment]
[to construct an unopened, one-block portion of Wright Avenue extending to the south from]
[Lomax Avenue, and set a public hearing for April 12, 2010.]

The resolution is recorded in Resolution Book 42 at Pages 409-410.

ITEM NO. 31: PUBLIC AUCTIONS FOR DISPOSAL OF EQUIPMENT AND POLICE UNCLAIMED PROPERTY

Councilmember Burgess said I pulled that one. I just want to make the citizens aware that the City of Charlotte is having a sale. It's actually an auction of excess property, vehicles, equipment, and also unclaimed unclaimed from the Police Department. It will be held on two dates -- April 17th and April 20th -- at our disposal facility at 3301 Rotary Drive. This is an interesting event. My children used to buy their bicycles at the police auction, so I want to make sure that everybody realizes that we do have these auctions and to take advantage of it if you would like to do that. Move approval.

[Motion was made by Councilmember Burgess, seconded by Councilmember Cannon, and]
[carried unanimously to adopt a resolution declaring specific vehicles, equipment, and other]
[miscellaneous items as surplus, and authorize said items for sale by public auctions on April]
[17, 2010, and April 24, 2010.]

The resolution is recorded in Resolution Book 42 at Page 412.

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ITEM NO. 35-C: ACQUISITION AT 4421 AND 4425 STATESVILLE ROAD

Councilmember Dulin said the numbers jumped up on us a little bit. It's a property transaction. I asked for a little bit of clarity.

Curt Walton, City Manager, said the purchase price is \$317,000, and the tax value is \$258,000. The tax value is eight years old, so that would be one issue. There are two commercial buildings involved, and we also have to buy the fixtures of the three businesses that we are buying, and they are a restaurant, a beauty salon, and a recording studio. So we not only have to buy the property but we have to also buy the contents of the building.

Councilmember Dulin said are we going to be able to recoup some of this? There is tragically zero value in restaurant equipment, but is there anything else of value that we can sell?

City Manager Walton said I don't know that, Mr. Dulin. We can certainly answer that for you, but I don't know that now.

Councilmember Dulin said I certainly want to make sure that A) we have are having –

Unidentified Speaker said most of the fixtures are customized for the buildings, so they probably wouldn't be usable in another location. The other two – the restaurant was the prime source of the fixtures.

Councilmember Dulin said thank you. I just look at all these numbers. It's always \$14,000, \$13,000, \$10,000, and all of a sudden you have \$317,000, and I like to make sure we are watching.

Unidentified Speaker said in addition to the two commercial buildings we are also taking over a half of an acre in fee, so we are paying 100% of value for that.

[Motion was made by Councilmember Dulin and seconded by Councilmember Carter to]
[approve acquisition of 26,359 square feet in fee simple plus 859 square feet in storm drainage]
[easement plus 14 square feet in utility easement plus 5,207 square feet in slope easement]
[plus 30 square feet in combined permanent utility and slope easement plus 7,687 square]
[feet in temporary construction easement at 4421 and 4425 Statesville Road from Bernadette]
[F. Jean-Francois and Solon Jean-Francois, Andre Jean-Francois, and Edith Jean-Francois]
[for \$317,125 for Statesville Road Widening (I-85 to Sunset Road), Parcel #11 and 14.]

Councilmember Barnes said just a point of clarification, if I might. Did you say the restaurant is functioning?

Unidentified Speaker said, no, I don't believe the restaurant is functioning. The owners, as I understand it, left in the dark of night.

Councilmember Barnes said what portion of the 317 is actually for the restaurant itself?

Unidentified Speaker said the amount assigned for the fixtures was ninety seven hundred and seventy five dollars. The remainder was for the two commercial buildings and over half an acre of fee taking in land.

Councilmember Barnes said what we are buying is two buildings that aren't being used that we are going to have to raze.

Unidentified Speaker said they are being used. What I'm saying is once we approached the owners of the restaurant they apparently felt like we were immigration or somebody that had a different agenda, and they didn't hang around.

Councilmember Barnes said we can have a discussion about that tonight. I just want to understand. Of the two commercial buildings, are they both being used or are they both unoccupied?

Unidentified Speaker said they were both being used.

Councilmember Barnes said now.

Unidentified Speaker said were being but not now. They are both being used except for the restaurant, which is now not being used.

Councilmember Barnes said the restaurant was in one of the two commercial buildings.

Unidentified Speaker said and it was in use until we approached the users.

Councilmember Barnes said can you tell me the nature of the businesses that are there now?

Unidentified Speaker said there is a beauty shop and recording studio and a non-operating restaurant, as I understand it.

Councilmember Barnes said the beauty salon and recording studio are functioning?

Unidentified Speaker said that's correct.

Councilmember Barnes said I think we all have the same sort of "hmmm". How old are the structures?

Unidentified Speaker said the structures themselves were assigned a value of \$132,000. The use – the highest and best use that has been assigned to the land is for commercial redevelopment, so the structures have been adjudged as a good interim use, but the highest and best use is the existing structures be demolished and the entire two parcels be redeveloped.

Councilmember Barnes said how old are they?

Unidentified Speaker said I don't have that information with me. I could find that out for you.

Councilmember Barnes said that one, something about it is strange to me. This was an independent appraisal, Mr. Manager?

City Manager Walton said yes. How many appraisals were there?

Unidentified Speaker said there was an independent appraisal and an independent review.

Councilmember Barnes said recently?

Unidentified Speaker said yes.

Councilmember Dulin said you guys cut the best deal you can over there?

Unidentified Speaker said absolutely, sir.

Councilmember Dulin said you feel good about your work over there.

Unidentified Speaker said absolutely.

Councilmember Dulin said, well, there you go. Thank you.

The vote was taken on the motion to approve the acquisition and recorded as follows:

AYES: Councilmembers Burgess, Carter, Cooksey, Dulin, Howard, Kinsey, Mitchell, Peacock, Turner

NAYS: Councilmembers Barnes, Cannon

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ITEM NO. 35-G: CONDEMNATION AT 4900 AND 4916 STATESVILLE ROAD

Paul Barnes Stewart, 5108 Shady Meadow Ln., Denver, said I probably am one of the oldest people here and probably been around Charlotte longer than anyone here. I was born in the '20s, and I want you each to listen closely, please. I have been here twice in the last 30 years. I'm speaking about Statesville Road. You good people have the control of what's going on in Charlotte. It's been neglected for all my life. Now, keep in mind when I said I was born, and my dad and mother came here in 1913, so we know there is no doubt Statesville Road has been neglected. I have called some of you. I don't get called back. I did have some call to say we are just so busy; we have so much on our agenda. I hate to put it so blunt, but that's a bunch of bull. Statesville Road has been neglected. Now, I came out of the Army. I'm a veteran. My dad and mother gave up three of us to protect that flag. What I'm trying to get over to you. I'm from the old school – right is right and wrong is wrong, and the neglect that you people have been giving – not any individual, not any one of y'all because it changes, but it's time for somebody to understand and drive out there, look at it on a map especially from Niven Road to Sunset Road. See what you see. That is a U.S. highway. I came out of the Army. I built a little building there and was in business. I saw I was growing, and I did not need to stay in the city limits of Charlotte with my type business. The bottom line – I held onto the property thinking that some day it would be of some value for my children or some interested business. I had an interested person for the business, for the property, 225 feet on U.S. Highway 21. Now, please look at your map or ride out there. There is not a single road going out of Charlotte that has been neglected any more than Statesville Road. I'm not pointing my finger at any particular one, but you grew. Y'all are in charge of it. Something needs to be done. The bottom line if y'all were in my shoes, if y'all – and I know y'all don't want to be in my shoes on this. If y'all were born in the '20s and paid taxes to the City of Charlotte for 55-plus years – check your records – paid taxes and that property has been going down, down, down. Now, right is right and wrong is wrong.

Mayor Foxx said I'm sorry, Mr. Stewart. That's the three minutes.

Councilmember Turner arrived at 7:39 p.m.

Mr. Stewart said I appreciate it, but please – if I ever could ask you to give some thought ride out there and look at it and call me. You have got my number somewhere. I'll meet any of you.

Mayor Foxx said thank you, sir, I appreciate it. I tell you what. You look real good. If I'm lucky enough to look as good as you are at your age, I'll be feeling pretty good about myself.

Mr. Stewart said you are a nice man.

Mayor Foxx said we have this item on the agenda, 35-G. Does staff have any response to this?

Curt Walton, City Manager, said, no, sir. I think this is for a project to improve the road that he is asking about.

[Motion was made by Councilmember Mitchell, seconded by Councilmember Howard, and]
[carried unanimously to approve the resolution of condemnation of 4,121 square feet of fee]
[simple plus storm drainage easement plus temporary construction easement at 4900 and 4916]
[Statesville Road from Paul Barnes Stewart and wife, Jean Brown Stewart, and any other]
[parties of interest for \$3,150 for Statesville Road Widening, (I-85 to Sunset Road), Parcel]
[#37 and #39.]

The resolution is recorded in Resolution Book 42 at Page 420.

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ITEM NO. 9: PUBLIC HEARING ON RESOLUTION TO CLOSE A PORTION OF EDENBRIDGE LANE, VANDERHORN LANE, AND BANFIELD PLACE

The scheduled public hearing was held on the subject item.

[There being no speakers either for or against, a motion was made by Councilmember]
[Cooksey, seconded by Councilmember Kinsey, and carried unanimously to close the]
[public hearing and adopt a resolution to close a portion of Edenbridge Lane, Vanderhorn]
[Lane, and Banfield Place.]

The resolution is recorded in Resolution Book 42 at Pages 397-404.

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ITEM NO. 11: LONG RANGE TRANSPORTATION PLAN DIRECTED VOTE

[Motion was made by Councilmember Barnes and seconded by Councilmember Burgess to]
[approve the Transportation Committee recommendation to direct the vote of the City of]
[Charlotte's representative, Mayor Pro Tem Burgess, to the Mecklenburg Union Metropolitan]
[Planning Organization (MUMPO) related to the following: 1) approve the MUMPO 2035]
[Long Range Transportation Plan, 2) approve an amendment to the 2009-2015 Transportation]
[Improvement Program to change the start of construction of I-485 in northeast Charlotte from]
[2015 to 2011, and 3) approve the accompanying Air Quality Conformity Determination]
[Report.]

Councilmember Carter said I would like to explain my vote. It will be negative because there is no mention of the southeast corridor. I understand it was omitted because financial planning forecasts that there is no money within this time span, but I think it needs to be in the plan stated as an objective for the city, and I also think the timeline for the streetcar, as Ms. Burgess discussed in the dinner meeting, is not respectful of the impetus within the City Council to put that on the ground beforehand.

Councilmember Burgess said, Mr. Mayor, when I brought up the fact that the streetcar was not included even though I expect that we will get the urban circulator grant, Mr. Simon said he would add it as a technical note, and it may be that the southeast corridor could be handled in the same manner that's our aspiration but not in this financial model. If I could ask the Manager if that might be possible.

City Manager Walton said I think it would be possible. I think even as much as the funding is the mode that decision still hasn't been made for the southeast whether it be light rail, rapid bus, so I'm not sure what financial assumption you would make, but it can be referenced that decision is yet to come if that would help.

Councilmember Carter said if I might respond? I think it's incumbent upon the district rep to say that this is an essential part of the transit system and that it should be mentioned, and I would very much appreciate a note at least.

City Manager Walton said we will make those two technical notes.

Councilmember Carter said given that that will change my vote.

Mayor Foxx said keep in mind this is a vote to direct, so the action is actually MUMPO's action; not ours, but we are directing the vote. With that explanation –

Councilmember Mitchell said the chair is here. I didn't know if he would want to add anything.

Mayor Foxx said, Mr. Howard, there is a motion on the table to approve the directed vote item on the long-range transportation plan.

Councilmember Howard said the committee definitely discussed it. I think for all the reasons we know it's connected to our federal funding and some other things that it's important for us to move forward, and the committee is in full support of it.

The vote was taken on the motion and recorded as unanimous.

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ITEM NO. 12: CHARLOTTE-MECKLENBURG BROADBAND TECHNOLOGY OPPORTUNITIES PROGRAM GRANT APPLICATION

Mayor Foxx said I think we got a presentation on this at one of our recent dinner meetings. Don't know if there are any questions on it.

[Motion was made by Councilmember Mitchell and seconded by Councilmember Kinsey to]
[authorize the City Manager to apply for a \$16,996,500 Broadband Technology Opportunities]
[Program (BTOP) Grant from the American Recovery & Reinvestment Act of 2009 (ARRA)]
[to construct a regional, wireless, long-term evolution network.]

The vote was taken on the motion and recorded as follows:

AYES: Councilmembers Barnes, Burgess, Cannon, Carter, Dulin, Howard, Kinsey, Mitchell, Peacock, Turner

NAYS: Councilmember Cooksey

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ITEM NO. 13: ENERGY INTERNSHIP AND FELLOWSHIP PROGRAM

[Motion was made by Councilmember Mitchell and seconded by Councilmember Carter to]
[authorize the City Manager to submit a proposal for interns and/or fellows through the North]
[Carolina Energy Office's "Student Energy Internship and Fellowship Program," which is]
[funded under the American Recovery and Reinvestment Act.]

Councilmember Barnes said I wanted to know, Mr. Mayor, and I could get the information after tonight, but I wanted to know if there would be an equal number of students from each of the participating schools – UNC-Charlotte, Davidson, and J.C. Smith participating in the program.

Curt Walton, City Manager, said I think, Mr. Barnes, it depends on the level of funding. As you see the ranges are from \$30,000 to \$500,000, so certainly at the upper end we have more opportunities to balance things out; on the lower end, we will have to work through that because I think that's the decider.

Councilmember Dulin said do we have any idea – this is an internship program, which is not a jobs program. I mean it will help these folks be educated better so they can go get a job, but this is funded under the American Recovery and Reinvestment Act, and it doesn't have anything to do with making jobs. I was reading it this weekend, and it just sort of seemed a little bit odd to me that we are jobs, jobs, jobs, and this doesn't have anything to do with creating jobs and putting people to work.

Councilmember Howard said I don't know, Andy. I kind of disagree. I mean part of the jobs program is also workforce training, and a lot of the money is going to CPCC and other places like that to get people retooled, if you can, to go back out into the workforce. It's somewhat the same thing.

Councilmember Dulin said I understand. Clearly by training kids to be – you can teach kids to show up for work during an internship. You can teach a kid that he can show up for a job, but I was sort of – this was sort of gray for me this weekend when I was reading. Thank you. I just wanted my two cents.

Councilmember Burgess said in the Economic Development Committee we have been talking about ways to expand opportunities for young people, and when I read this I thought this is wonderful because it gives students an opportunity for outside of school employment. It also gives them experience in the environment energy sector, so if they choose to work in that emerging part of our economy, which is one of our targeted industries, then we have some potential workforce applicants. I thought it was a win-win, and I hope we get as much as we can so we can offer this opportunity to as many students as we can.

Councilmember Turner said I concur with Ms. Burgess, but I also think the importance of this is under these tough economic times and we have required and asked a lot of our staff – I think any assistance when you can get an intern in here that can help them carry out small objectives that they can be effective at. It frees up some of our staff time so they can carry on and do things that we have asked them to do. I think it's a win-win for everyone.

Councilmember Cannon said lastly I just will simply say that the University of North Carolina at Charlotte, Davidson College, and Johnson C. Smith have stepped up to the plate and asked us will you partner with us, will you help us? That is what has made Charlotte what it is today – partnering – so this is another grant opportunity for us to engage and be a part of the process that essentially will provide on-the-job work experience for current or recently graduated students, so I'm hoping we will all support this.

Councilmember Carter said I think the Council needs to recognize the efforts of Mr. Rob Phocus. He has been our environmental expert as an environmental lawyer. He has also run the stimulus research for us, and I am very grateful to him for all he has done for the city and seconded by our Assistant City Manager Julie Burch, so thank you all for your efforts.

Councilmember Burgess said I was wondering about the omission of Queens University and their science majors there. Is there a reason they are not in this consortium?

City Manager Walton said I think maybe they didn't approach us.

Rob Phocus, City Attorney's Office, said it wasn't intentional. At this point, academic institutions that are listed are the ones that had reached out to us. I would add that Central Piedmont Community College has also been added to that list. They were one of our energy partners as part of the process, and reached out to us recently, so it wasn't intentional, and an effort could be made to reach out to them.

Councilmember Burgess said, Mr. Mayor, could the list be expanded in the future? We are voting to exclude any other schools; are we?

Mayor Foxx said I think we are voting to participate in the program, and the program can add schools in the course of things, so I don't think we need to worry about it too much.

Councilmember Dulin said how do you think the numbers are going to break out? Our write-up says that the City expects to hire between five to seven interns with this.

Mr. Phocus said we are in the process of trying to determine the City's needs in terms of might they be internships, might they be fellows, how many students the academic institutions might be able to provide, but we are thinking maybe two or three fellows and then the remainder would be interns.

Councilmember Dulin said what would the money actually be used for?

Mr. Phocus said it would be used for basically salaries for the interns and the fellows and also there could be program oversight.

Councilmember Dulin said so they are paid internships.

Mr. Phocus said yes.

Councilmember Dulin said while they are being paid in the summer we don't have to give them benefits or anything. They just get a paycheck every two weeks.

City Manager Walton said I don't know that the grant requires benefits.

Mr. Phocus said it doesn't.

Mayor Foxx said I will only say that there is another angle to this, too, which is a lot of what is being attempted here is direct investment in the internships and helping to expand capacity, and those points have been made. But there is a secondary benefit, too, which is that as we implement our sustainability policy it also helps to deepen the sector growth in the energy and sustainable growth area. So when the City expands its weatherization of its buildings or it uses solar energy or any of a number of things that will come out of our sustainability implementation it is actually creating sector growth that we are concerned about long term. So the better and faster we are able to do that the better off we are. I think it is money well spent.

The vote was taken on the motion and recorded as follows:

AYES: Councilmembers Barnes, Burgess, Cannon, Carter, Dulin, Howard, Kinsey, Mitchell, Peacock, Turner

NAYS: Councilmember Cooksey

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ITEM NO. 14: LEAD BASED PAINT HAZARD REDUCTION CONTRACT FOR WEYLAND II APARTMENTS

[Motion was made by Councilmember Carter and seconded by Councilmember Kinsey to]
[award the low bid of \$150,211 to WJ Schowald Construction, Inc. for lead based paint]
[hazard reduction at Weyland II Apartments.]

Councilmember Barnes said a quick question regarding how this particular complex was chosen.

Diane Adams, Neighborhood and Business Services, said they applied to us. We recruit out in the target neighborhoods, and they came to us.

Councilmember Barnes said are there any other complexes that have indicated an interest in taking advantage of the program?

Ms. Adams said, yes, and we investigate each one and try to work with each one that comes our way. We also are out there recruiting apartment complexes and landlords at particular properties that look like they would be a good fit.

The vote was taken on the motion and recorded as follows:

AYES: Councilmembers Barnes, Burgess, Cannon, Carter, Howard, Kinsey, Mitchell, Peacock, Turner

NAYS: Councilmembers Cooksey, Dulin

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ITEM NO. 15: APPROPRIATION OF RESERVE FOR ECONOMIC DETERIORATION

[Motion was made by Councilmember Barnes, seconded by Councilmember Carter, and]
[carried unanimously to adopt Budget Ordinance No. 4383-X to appropriate \$7.4 million]
[from reserve for economic deterioration.]

The ordinance is recorded in Ordinance Book 56 at Page 560.

ITEM NO. 16: APPOINTMENTS TO BOARDS AND COMMISSIONS

Charlotte International Cabinet

1. Karim Azar, nominated by Councilmembers Barnes, Burgess, Carter, Dulin, Howard, Peacock
2. Deborah Bell, nominated by Councilmembers Barnes, Burgess, Carter, Howard, Kinsey, Peacock
3. Phillip Davis, nominated by Councilmember Burgess
4. Timothy Fallon, nominated by Councilmembers Barnes, Howard, Kinsey
5. Steve Goldberg, nominated by Councilmembers Barnes, Burgess, Carter, Dulin, Howard, Peacock
6. Molly Hedrick, nominated by Councilmembers Barnes, Burgess, Carter, Dulin, Howard, Kinsey, Peacock
7. Rory McNicholas, nominated by Councilmembers Kinsey, Peacock
8. Yolanda Perry, nominated by Councilmember Carter
9. Lisa Rudisill, nominated by Councilmembers Kinsey, Peacock
10. Nadine Russell, nominated by Councilmembers Carter, Howard, Kinsey
11. Aaron Sanders, nominated by Councilmember Burgess
12. Heather Whillier, nominated by Councilmember Dulin

Results of the first ballot were recorded as follows:

1. Phillip Davis, 3 votes – Councilmembers Burgess, Cannon, Turner
2. Timothy Fallon, 5 votes – Councilmembers Barnes, Cannon, Howard, Kinsey, Mitchell
3. Rory McNicholas, 4 votes – Councilmembers Cooksey, Howard, Kinsey, Peacock
4. Nadine Russell, 5 votes – Councilmembers Barnes, Carter, Dulin, Mitchell, Turner
5. Aaron Sanders, 2 votes – Councilmembers Burgess, Peacock
6. Heather Whillier, 2 votes – Councilmembers Cooksey, Dulin

Stephanie Kelly, City Clerk, said you will need to have a runoff between Timothy Fallon and Nadine Russell, both of which received five votes. I need two appointments, and the next runoff will need to be between – excuse me. There is a Timothy Fallon and Rory McNicholas.

Mayor Foxx said we have two seats, and the first runoff is between Mr. Fallon and Ms. Russell.

Ms. Kelly said and Mr. McNicholas.

Mayor Foxx said we are going to need to redo this vote. All in favor of Mr. Fallon, please raise your hand. Six. So he has been appointed. All in favor of Ms. Russell raise your hand, please. Six. She is appointed. Who was the other one? Rory McNicholas, let's just do that vote. Okay, we have the two appointees.

Results of the second ballot were recorded as follows:

1. Timothy Fallon, 6 votes – Councilmembers Barnes, Burgess, Cannon, Howard, Kinsey, Mitchell
2. Rory McNicholas, 2 votes – Councilmembers Carter, Cooksey

3. Nadine Russell, 6 votes – Councilmembers Burgess, Carter, Dulin, Kinsey, Mitchell, Turner

Mr. Fallon and Ms. Russell were appointed.

Citizens Review Board

1. Doris Bowen, nominated by Councilmember Peacock
2. Sharon High, nominated by Councilmember Burgess
3. Paulette Michael, nominated by Councilmembers Barnes, Carter, Howard
4. Leslie Michaels, nominated by Councilmember Dulin

Results of the first ballot were recorded as follows:

1. Doris Bowen, 1 vote - Councilmember Cooksey
2. Sharon High, 2 votes – Councilmembers Burgess, Peacock
3. Paulette Michael, 6 votes – Councilmembers Barnes, Cannon, Carter, Howard, Mitchell, Turner
4. Leslie Michaels, 2 votes – Councilmembers Dulin, Kinsey

Ms. Kelly said one appointment. Paulette Michael received six votes.

Mayor Foxx said that carries. Very well. She will be appointed.

Ms. Michael was appointed.

Community Relations Committee

1. Marc Friedland, nominated by Councilmembers Burgess, Carter, Dulin, Howard, Peacock
2. Kenneth Rance, nominated by Councilmember Barnes
3. Ryan Rich, nominated by Councilmember Kinsey
4. Gaynell Thornton, nominated by Councilmember Carter
5. Beverly Grant-Turner, nominated by Councilmembers Barnes, Burgess, Dulin, Howard, Peacock
6. Jared Watkins, nominated by Councilmember Kinsey

Results of the first ballot were recorded as follows:

1. Marc Friedland, 5 votes – Councilmembers Burgess, Carter, Dulin, Howard, Mitchell
2. Kenneth Rance, 1 votes - Councilmember Barnes
3. Ryan Rich, 5 votes – Councilmembers Cannon, Cooksey, Howard, Kinsey, Peacock
4. Gaynell Thornton, 2 votes – Councilmembers Carter, Turner
5. Beverly Grant-Turner, 8 votes, Councilmembers Barnes, Burgess, Cannon, Cooksey, Dulin, Mitchell, Peacock, Turner
6. Jared Watkins, 1 vote - Councilmember Kinsey

Ms. Grant-Turner was appointed.

Ms. Kelly said on the Community Relations Committee Beverly Grant-Turner received eight votes, and the next highest votes were to Ryan Rich and Marc Friedland, both of which received five votes.

Results of the second ballot were recorded as follows:

1. Marc Friedland, 6 votes – Councilmembers Barnes, Burgess, Carter, Dulin, Howard, Mitchell
2. Ryan Rich

Mr. Friedland was appointed.

Keep Charlotte Beautiful

1. Anthony Ashworth, nominated by Councilmembers Barnes, Dulin, Peacock
2. Cecelia Hendking, nominated by Councilmembers Burgess, Carter
2. Regina Tisdale-Melville, nominated by Councilmembers Howard, Kinsey

Results of the first ballot were recorded as follows:

1. Anthony Ashworth, 4 votes – Councilmembers Barnes, Cooksey, Dulin, Peacock
2. Cecelia Hendking, 5 votes – Councilmembers Burgess, Carter, Howard, Mitchell, Turner
3. Regina Tisdale-Melville, 2 votes – Councilmembers Cannon, Kinsey

Ms. Kelly said a runoff between Anthony Ashworth and Cecelia Hendking.

Mayor Foxx said Mr. Ashworth – please raise your hand. Five. All right, Ms. Hendking – five. Somebody didn't vote.

Councilmember Turner said let me give mine to Ashworth.

Mayor Foxx said Mr. Ashworth has six.

Results of the second ballot were recorded as follows:

1. Anthony Ashworth, 6 votes – Councilmembers Barnes, Cannon, Cooksey, Dulin, Peacock, Turner

Mr. Ashworth was appointed.

Neighborhood Matching Grants Fund Review Team

1. Richard Alexander, Jr., nominated by Councilmembers Kinsey, Peacock
2. Jenifer Daniels, nominated by Councilmembers Burgess, Dulin, Howard
3. Phillip Davis, nominated by Councilmember Howard
4. Benjamin Heatley, nominated by Councilmembers Barnes, Dulin
5. Chaunta Jones-Hunter, nominated by Councilmember Barnes
6. David Molinaro, nominated by Councilmembers Burgess, Carter, Kinsey

Results of the first ballot were recorded as follows:

1. Richard Alexander, Jr., 4 votes – Councilmembers Cannon, Cooksey, Kinsey, Peacock
2. Jenifer Daniels, 6 votes – Councilmembers Burgess, Cooksey, Dulin, Howard, Mitchell, Turner
3. Phillip Davis, 3 votes - Councilmembers Cannon, Howard, Turner
4. Benjamin Heatley, 2 votes – Councilmembers Barnes, Peacock
5. Chaunta Jones-Hunter, 2 votes – Councilmembers Barnes, Mitchell
6. David Molinaro, 3 votes – Councilmembers Burgess, Carter, Kinsey
7. Carol Scally, 1 vote - Councilmember Carter

Ms. Kelly said Jenifer Daniels received six votes, and Richard Alexander, Jr. received four, and Phillip Davis received three votes, and so did David Molinaro.

Mayor Foxx said we'll call those three names. I think Jenifer carries. She had six votes. We have one more appointment.

Ms. Daniels was appointed.

Councilmember Burgess said I had a call today from a man named Bodie Alexander. Is this him?

Councilmember Peacock said same individual.

Mayor Foxx said Mr. Alexander we have five. Mr. Davis – five. Mr. Molinaro – one. So let's take it down to Mr. Alexander and Mr. Davis. Let's do another vote for Mr. Alexander – four. Mr. Davis – seven.

Results of the second ballot were recorded as follows:

1. Richard Alexander, Jr., 4 votes – Councilmembers Burgess, Cooksey, Kinsey, Peacock
2. Phillip Davis, 7 votes – Councilmembers Barnes, Cannon, Carter, Dulin, Howard, Mitchell, Turner

Mr. Davis was appointed.

Zoning Board of Adjustment

1. Matthew Ewers, nominated by Councilmember Kinsey
2. David Hoffman, nominated by Councilmembers Carter, Dulin, Howard
3. Joseph Lesch, nominated by Councilmember Carter
4. Mark Loflin, nominated by Councilmembers Barnes, Burgess
5. Dazzell Matthews, Sr., nominated by Councilmember Barnes
6. Steven Meckler, nominated by Councilmember Peacock
7. Nicole Storey, nominated by Councilmember Burgess

Results of the first ballot were recorded as follows:

1. Matthew Ewers, 1 vote - Councilmember Kinsey
2. David Hoffman, 6 votes – Councilmembers Burgess, Cannon, Cooksey, Dulin, Howard, Mitchell
3. Joseph Lesch, 1 vote - Councilmember Carter
4. Mark Loflin, 1 vote - Councilmember Barnes
5. Steven Meckler, 1 vote - Councilmember Peacock
6. None of the above, 1 vote - Councilmember Turner

Ms. Kelly said David Hoffman received six votes.

Mayor Foxx said that takes care of that.

Mr. Hoffman was appointed.

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MAYOR AND COUNCIL TOPICS

Councilmember Burgess said Airport Director Orr mentioned to us that he needs two things at the Airport. One is assistance with the FTA in getting a new control tower so the third parallel runway can have really good vision, and the other was help with NCDOT in building a road from 485 into the Airport. Neither of these are on our legislative agenda, but we will be in Washington, and I'm wondering if there is a way that we can advocate and support our Airport with a control tower – if the staff has vetted that request, and if there is anything that we can do to help our Airport.

Curt Walton, City Manager, said we have talked a lot about both. I have a lot higher hopes for the tower than I do for the road because the road has been on the list for about 35 years. I think the answer is, yes, Mayor Pro Tem Burgess, but let us think about what the best thing to do would be. I don't think the tower is necessarily important to our visit – well, yes, I think we could still talk about it with our delegation, so we'll try to have something for you that we'll send to the full Council this week that we'll have for our dinner with Holland and Knight so we can discuss how to bring that up. NCDOT, the road, I think we just persevere with all of the roads that we have issue with. That one is one that I think a better strategy may be for them to let us do it if they would get out of the way.

Councilmember Burgess said I believe that has been the change in his proposal that the Airport would pay for the construction of the road.

City Manager Walton said unless something has changed recently they still want to design the road and the alignment of the road, and it's not necessarily Airport friendly. It's an issue that I think we can hopefully get through, but I don't know what the answer is now. We'll send you something on both later in the week.

Councilmember Burgess said one other piece of good news. Today I learned that *Slate Magazine* has a long article about the confusing roads in London, and they mentioned an example of a fine way-finding system as Charlotte, North Carolina. That was a real feather in our cap, and I don't know how word gets out about our work with way-finding, but nonetheless, somebody recognized us and put us on the map. It's an international publication, and it was good to be mentioned.

Councilmember Turner said this is really for the City Manager and this Council. I think we are probably looking at both districts with Patsy and Nancy's district and even in my district. I notice that there has been a lot more graffiti going up on buildings that are facing and fronting the major interstate, and particularly on Independence Boulevard I noticed that some gang graffiti went up. We verified that it was gang, and the owners of the building, actually a beautiful brick building, went back on the back side of it and blocked it out with white paint, so to me one is just as bad as the other when you see it from the highway. I was wondering, Mr. Manager, whether or not graffiti removal abatement program would it assist or can we start trying to collaborate with these other agencies, and I also talked to Bud with the Governor's Office with regard to the overpass. There is a lot of graffiti showing up on our overpass apparently where we are getting these groups that come through and like to leave their tag, and they have yet to be addressed or removed, and I know a lot of this is facing a state road, but it makes our city look bad, so I was wondering what is our policy in regards to assisting or helping get some of that removed and really giving them some good advice how to do it versus just blocking it out with another color paint.

City Manager Walton said our policy, Mr. Turner, on graffiti on our own property or along our rights-of-way is within 24 hours, so I think we are doing well with that. You are right. It's a state issue with the bridges particularly, so we'll be glad to communicate with them and make sure they understand we are available as a resource to them if they want to use us.

Councilmember Dulin said, Mayor, we have had guests this week as well as last week. We followed up the fantastic CIAA tournament last week with the Southern Conference Tournament this week, and an unusual twist of scheduling with the Bobcats home Friday and Saturday they used the Bojangles Coliseum Friday and Saturday and then moved to the Arena last night. Tonight is the Southern Conference Championship of which my Appalachian State Mountaineers will go after the fierce Terriers of Wofford College, and hopefully they will be victorious and punch their ticket to the big dance. But the interesting thing there is we won't ever be able to get this as big and exciting as the CIAA, but these are new visitors to the City of Charlotte that had not ever been here before. New university presidents have been here that have never been here before. New ADs that have never been here before, and they have not only gotten a look at the Bojangles Coliseum, which handled that crowd very well, but they now have gotten a really good look at the Bobcats Arena, the Time Warner Arena, and what we have worked hard to do here. So they are going to be somewhere else next year, and then there is a three-year contract up for grabs, and I think we have a good shot with that. I'm not involved in it at all, but our City has shown itself well now two weeks in a row, and I just wanted to let everybody know that.

Mayor Foxx said I'm sorry you won't have the pleasure of playing Davidson this year.

Councilmember Carter said thank you, Mr. Mayor, for the information about the North Carolina Metropolitan Mayors Coalition. The list of the agenda is absolutely impressive with looking into finances for the transportation and partnerships and ways to build it, reducing gang violence; and the effort to focus on jobs within the biotech industry is what caught my eye, and I'm curious that we did not also focus on the environmental/energy sector, and I would like to recommend that to the group for some exploration.

Mayor Foxx said sure.

Councilmember Peacock said, Mr. Mayor, the topic about street naming in relation to Mr. Hendrick, I wanted to get a status report from you on that, and then I have some comments and some possible suggestions. Is there any news?

Mayor Foxx said I sent an email out to the Council and said I had a follow-up conversation with Mr. Hendrick since the meeting we discussed it in, and he is no longer really – he wants us to dial it back.

Councilmember Peacock said, Mr. Manager, do we have a policy – I learned a lot when we went through the sponsorship policy that we just developed in the Restructuring Government Committee. Do we have one similar for street naming or for facilities? Is there anything we have had –

City Manager Walton said the transportation director has the authority for street naming, and I have the authority for buildings.

Councilmember Peacock said the reason I asked is I talked with several former elected officials, and they said it is very difficult over the years when anyone approaches you on that subject to turn anyone down, and I didn't know if there was a policy that the elected body had. Do we have a sponsorship policy as it relates to street naming, and would that be something that the Restructuring Government might be able to look at and be interested? I'm really floating this idea to the full Council right now.

Mayor Foxx said a naming policy or a sponsorship?

Councilmember Peacock said a naming, a sponsorship policy to name a street, some type of policy like we have done for sponsorship that is tied in a line to certain principle of how we go about doing it.

Councilmember Barnes said, if I might, I'm very confident that Mr. Pleasant will bring to the Manager and to us any street naming issues, and I'm very confident that the Manager will also bring to us any facilities' naming issues, so I don't know that needs to go to committee just because I'm not aware that there has been a problem with it, and even with Mr. Hendrick, I think that resolved to his satisfaction, so we are all satisfied, too, or at least I am.

Councilmember Burgess said I'm glad you brought up the Rick Hendrick naming question because I think Mr. Hendrick is being modest, and I think it would be appropriate for the City to recognize him some way, his contributions to NASCAR, and I don't know what it is. I think naming a street might be somewhat confusing, but maybe there is something we can do with the NASCAR Hall of Fame, the plaza, or something there, and I would hope that we don't lose that suggestion altogether and explore other options. As far as naming streets and what we might do to re-examine our policy, it's always concerned me when we rename streets for businesses that are located on that street because businesses come and go, and then we are stuck with a name of a street. It's almost like advertising. It's almost like selling a naming opportunity, and if we do re-examine our street naming policy, I think that is something we could consider.

Councilmember Peacock said I would entertain that as a part of it. I had absolutely nothing in this suggestion about either Mr. Hendrick or anyone because Mr. Dulin in that dialogue as well had mentioned another well-known boxer here in Charlotte as well, too. So, Andy brought up some very good points that a street should be named after him as well. I think once you begin the process of naming streets, and there will be a small flurry after that of people that would be interested and thinking we should recognize someone as well, and I just wanted the Council to be prepared if we don't have a policy to have one. We can take it as it is now, and if something comes up –

Mayor Foxx said I do have a couple of things I need to say. I did want to circle back. Thank you, Nancy Carter, for mentioning the Metropolitan Mayors' memo. In the way of trying to communicate with you all about what else was going on, I was approached a couple of weeks ago by County Commission Chair Jennifer Roberts about doing a joint State of the County/State

of the City report, and that is scheduled to happen next Wednesday. I wanted to know that was happening. Also wanted you to know that as follow-up to the three Town Hall meetings we did and the Jobs Creation Summit there will be a delegation to Charlotte going to the White House this Friday to meet with some of the economic advisors there to talk about job creation, and I wanted you to know that because you will probably be seeing and hearing about that, so I wanted you to hear it from me first. You can feel free to contact me if you have any questions about it.

Councilmember Peacock said are you not inviting us.

Mayor Foxx said I'm inviting you to be involved in the process. Thank you very much, and with that the meeting is adjourned.

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ADJOURNMENT

The meeting was adjourned at 8:13 p.m.

Stephanie C. Kelly, CMC, City Clerk

Length of Meeting: 2 Hours, 55 Minutes
Minutes Completed: April 15, 2010