

The City Council of the City of Charlotte, NC, convened for a Workshop on Monday, June 6, 2011, at 5:19 p.m. in Room 267 of the Charlotte-Mecklenburg Government Center with Mayor Anthony Foxx presiding. Present were Councilmembers Michael Barnes, Jason Burgess, Patrick Cannon, Nancy Carter, Warren Cooksey, Andy Dulin, Patsy Kinsey, David Howard, Edwin Peacock III

ABSENT UNTIL NOTED: Councilmembers James Mitchell, Warren Turner

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ECONOMIC DEVELOPMENT: HISTORIC PRESERVATION IN CHARLESTON

Mayor Foxx said I think it is fitting that we start our conversation tonight with one of the legends among U.S. mayors in our country. We have with us tonight Joe Riley, who is the mayor of Charleston, SC. A few weeks ago you remember we were talking about some of the ordinances we passed recently and the impact on historic preservation, and it led me to think about someone who has done such an amazing job in his city of really insisting on historic preservation and giving us maybe a little food for thought tonight. So, Mayor Riley – you have probably already heard of him – has served as mayor of Charleston for 35 years. He is the longest serving mayor in the entire United States of America, and among mayors he is viewed as the dean, the elder statesman, the visionary, the wise man, you name it. I would like to turn it over to Mayor Riley, and thank you, Mayor Riley, for being here tonight. He came just for the City Council meeting tonight, and so we are appreciative of your time and look forward to your presentation.

Mayor Joe Riley, Charleston, SC, said this is a great honor for me. I admire your city so very much, and my wife's name is Charlotte. Actually her name is Charlotte Douglas. Every time I go through the airport – but I grew up in Charleston, so I've watched Charlotte all of my life and the amazing transformation of this beautiful city, and, of course, the great achievement in having the Democratic Convention come here next year is terrific and it's fitting that this great Southern American city have people from all over the world getting to know it.

I will talk to you tonight. He began a PowerPoint presentation and said I can come to Charlotte and learn. I don't come as a teacher – just as a fellow practitioner in the wonderful business that we are in in city government. I was talking with Anthony about your budget and the budget process, and that is so excruciating and particularly nowadays it's so difficult. The thing about as hard as you work on that it might be that 50 years from now there will be little evidence of that hard work. It's essential that it be addressed completely, thoroughly, and wisely now, but in the matter of City building, decisions about the physical design and development of the city, those decisions will shape people 50 and 75 years from now. It's part of the work we do that has the most lasting impact even though lots of times emotional and physical aspect of what we do from working on the budget and other things you will be doing tonight requires or takes more time.

So I am going to talk tonight about city building in Charlotte, and this is not because we know better. It's just that I'm using my city hopefully to talk about some matters that are in fact universal principles. Charleston is an old American city. It was built before the automobile and the elevator, and a city of great beauty that wise people long before me and who are wiser than me in the early part of the 20th century knew that it needed to be preserved. Charleston is a real live city; it's not a museum. It's a place for opportunity for great successes and failures.

This was a failure. This was a demolition of the Star Charleston Hotel. That was where the 1860 Democratic Convention met, the last one to meet in the south, but that was demolished because the city leaders were convinced back in the '50s to be a great city you needed a drive-in motel. Every great city had a drive-in motel. In the business that we are in, the chief responsibility in city building is to try not to make mistakes.

We started working in the poorer sections of our city with vacant lots. Every city has got vacant lots. We wanted to build affordable housing. This was a long time ago, and that's what houses looked like in these neighborhoods, but in the '50s or '60s, that's what they built – ugly as the

dickens. They put a cyclone fence around it. It wasn't safe, so you didn't want to live there anyway, and I was determined we could build handsome, affordable housing. We had a design competition, picked an architect who designed that, to blend it in. Then we got a grant for new public housing. This was a long time ago, and the Housing Authority was so excited. They said, Mayor, we know just where to put the new projects. I said we are not building anymore projects. They said, Mayor, you are going to be impeached. We have all these poor people on the waiting list, and I said, no, we are not going to do that. We built this with good intentions, but it didn't work. I said we are going to scatter the new public housing on vacant lots in the city. They thought I was nuts, and they said it will be very controversial, and it was.

The average American doesn't get up in the morning and say, honey, wouldn't it be good if we could get us some public housing next door, so we had this kind of neighborhood debates. We picked the sites. This was long before HOPE VI. We hired the architects. They came up with their plans. They were ugly as sin. We fired those architects; got some other architects, and this is what we built. This is public housing heavily subsidized that was nestled into our neighborhoods and won an award from the President of the United States. There were 11 awards for 25 years of federal initiatives for our scatter site housing. Prince Charles came to Charleston because he thought this was the best lesson on how to share with the rest of the world how to build beautiful affordable housing within a city.

When we were opening these, I was at a reception of the president of one of our college's homes one night, and a server came up to me, and she said, Mayor Riley, I want to thank you. I said what's that for, ma'am. She said because Monday, whispering in my ear with the tray right there, Monday I'm moving into 7 Marion Street, and it's so beautiful. I thought back then if it weren't for HOPE VI that with a few syllables maybe the prospective tenant of public housing had never used the word "beautiful" before. The fact of the matter is in city building there is never excuse, no matter what it is, to build or cause anything to be built that doesn't add. Now, this building, two apartments, became a catalyst. One public housing in the neighborhood. This was restored by the private sector. That was built by the private sector, market rate housing next to it, market rate housing around the corner. One building, two apartments, and housing for poor people became a catalyst for the restoration of neighborhoods. We worked hard to keep the bulldozer out. It's very hard. This was a neighborhood that was on the precipice of falling into the deep abyss of being an urban ghetto.

We felt that in saving them we preserved the character of the neighborhood, the memories, the scale, the heritage. The thing about America is we don't want to always be 50 or so years old. We want that texture of heritage that 100 years from now tells stories or gives a reminiscence of what might have been here, so this neighborhood we saved, and did a few hundred of these. These were all affordable housing. This was one of our nonprofits. It was burned out. Took these pictures. I love the sight of a person of modest resources having a third-floor piazza overlooking the 19th century roofscape of our city.

These were cottages. It's what African-Americans built after the Civil War when they could legally own land. It was one story of what we call a Charleston single house. It was in terrible shape. The neighborhood about gone. Hurricane Hugo almost finished them off, but we knew we need to save them because of that building type in the neighborhood. We worked with Habitat on one of the first renovation projects they did in our country. Restored the buildings, saved the neighborhood. We were trying to figure out what to build for transitional housing – people who move out of a shelter, got a few bucks, can't mainstream yet, so the young architect designed that. We won an award from the AIA for this. That's transitional housing.

The in-city building we have to always avoid the "it's just". It's just public housing; it's just transitional housing. If you ever "it's just" because if human beings can see when and you are sitting then they are shaped by it. It should add to the beauty and order and scale and heritage of the area. This was a house, admittedly not in very good shape. There was a corner – corners are very important. You lose a corner, and that virus spreads, so I said you can't tear it down. He said, Mayor, it's shifting, and the utility pole is vertical. I said we'll get somebody to fix it. He said, Mayor, we have been monitoring. It's going to fall on the house and kill the people next door. I said not if we move the people out, so we moved them to the Holiday Inn. They thought that was very cool. It was in bad shape. Worked with the developer. Put affordable housing in there. Saved the corner. Saved the neighborhood.

Another terrible lot we used in the form of stable houses. This was affordable housing complex. These were houses that the university needed to demolish to build a parking garage. So we got them to give them to us, and we had this corner lot. There was a lot stubbed with a cross-town highway was built 40 years ago and cut through the neighborhood and made the connections. This was like a forlorn piece of property on a street we kind of hardly knew how to get to. We got them to give them to us. We put them on a vacant lot, restored them with affordable housing.

This next picture is one I took from the balcony closest to you looking in your direction, and there was this nice tree coming out of the sidewalk and street. It was partially in the street. The highway folks hadn't noticed it because they hadn't been down that street in a while, so the tree was in the street, but it looked so nice with this gosh-awful looking building. I told the people we needed to fix it up, buy it, and the first said, Mayor, you can't. It will fall down. We put money in it, restored it, and when we had the ribbon-cutting on this affordable housing, a resident said, Mayor Riley, I want to thank you. I said what's that for? She said because people used to ask me where I live, and I was embarrassed to tell them because everybody knew how ugly the street was, and she said now I can't wait for people to ask me because everybody knows how nice the street is.

The big challenge in the American city is the downtowns, and we all have it. You have done such a wonderful job here in Charlotte. When I was a child, it was the 100% shopping area. When I was elected mayor in '75, I parked behind one of these buildings on our main street, Cain Street, walked through the building, turned up the street the Saturday before Christmas to do dutifully do my Christmas shopping. There was no one on the street; the street was almost dead. So we worked hard to restore it. We worked hard on our downtown.

So often the political difficulties are people say why are you so interested in downtown? What's the deal? We make the tax-base arguments, the jobs argument, but the deal is it's the public realm. Great cities in the world, large and small, size is not determinant, great cities are those when you come to the heart of the city, the eye contact and the elbow contact is a sense of citizenship that is special, so we did it by the numbers. We showed what it used to look like. We kept buildings from being torn down and put apartments in the second and third floor and shops on the first.

This is the old Schwartz Building. It looked like hell. Put a little money in it, got it fixed up. Hurricane Hugo knocked it down, and I was so mad. We get somebody to put another one in there, resembled the old building, just a little bit bigger. Our big challenge was this large vacant lot in the middle of our downtown, Market and King and Meeting Street. When I was a child, there were two department stores there, and we have to remember that cities are ecosystems, and we have to understand that if we are restoring an ecosystem exactly what we are doing. It's like a very ill patient. The doctor needs to understand the illness, so what we needed there was we needed critical mass. Cities need human beings walking on the sidewalk, and we needed to connect Market Street with King Street. People don't like to walk past vacant lots in an urban setting. They don't like to walk past blank walls in an urban setting.

Market Street was coming back. It was once a pretty bad area. Market Street is a pejorative term, and it was sad that it was one of the few places in America where a long time ago for fifty cents you could get a bowl of chili, a tattoo, or a communicable disease, but it had started coming back. We needed to connect Market Street to King Street, so we needed to move people past this vacant lot and had to put a lot of stuff there. It couldn't be high-rise, good urban design, store fronts, and a mid-rise building put the energy there.

The details in city building are so important. As we know, the fact is any business or endeavor we are in, the details. He described slides related to details. We said you have got to put the windows on the street. We used to know that in city building a long time ago because if you got a chance to build the building on the street you were so proud of it. They agreed. We got the preassembly space on the street. You can see the street. From the street, you see the energy. It's a real place. There is a civic engagement. Probably 75 buildings were restored because we put the right use in the ecosystem.

After this had been open a few years, I was walking on King Street one Sunday after church to buy a New York Times, and I saw a fellow walking down the street, and he was out of place because I knew him. He was retired, married, lived in a suburban, but he was walking by himself down this street on Sunday. It made me nervous like something had happened to him. So I approached him and said how are you doing; he said fine. I said what are you doing down here today, and he looked at me and kind of blushed a little bit like I caught him and he was going to have to reveal an emotion, which we guys don't ever want to do, of course. He said, well, Joe, Doris and I went to early church, and she had some chores to do, and he said I just like to come down here and park my car and walk around because it looks so nice, and I'm so proud of it. That's why the city buildings in our downtown are so important.

So we get this office building built. But before the office building, there was a gas station that was closed and had a billboard above it, and billboard said if you like Charleston you will love Savannah, so that makes you kind of mad. Anything to get rid of that billboard. The guys wanted to build an office building, and they needed to buy some land from the city, which they built – this was after it was built – and I said that's great, but we need some shops along Market Street. They said Madison Avenue is doing so well because there was a storefront. Here is it moving past interesting places in an urban environment, and I don't want draperies on the street. They agreed reluctantly, but we got the little shops.

Then we get Saks Fifth Avenue built on the next corner, and that was fabulous. We did a good job on urban design. Got some storefronts. Across the street was this movie theatre that was bankrupt, and we worked a deal and got a developer to fix it up – wonderful art deco theatre, but it had this blank wall now across from our nice Saks store fronts. I asked the developer can y'all fix me some store fronts. They said they had a narrow sidewalk and the only thing we can do is punch some holes in it like that, and that will work. It is dark and the trash collects and all like that. I said what would it take to put some real store fronts where you have to widen the sidewalk? I sent a note to our folks and said we need to widen the sidewalk from Market Street, and they called and said we can't, and I said why, and they said if you widen the sidewalk, you have to narrow the street. I said I always have been pretty good at math. I actually figured that out before I called you guys. What is wrong with narrowing the street? What have you got now? They said we have got 11-foot lanes, and I said get it two nine-foot lanes. They said it wouldn't work, and I said show me. So they brought me this wonderful diagram that showed that if you had two nine-foot lanes and a beer delivery truck illegally parked in one moving lane of traffic that a Greyhound bus, which didn't come downtown anymore – but let's say it did – it got lost – that the Greyhound bus' rearview mirror would hit the beer delivery truck. I said what if we don't let the beer delivery truck park illegally, so we widened the sidewalk.

The thing in the city so often when we were struggling, we said, Lord have mercy, the inconvenience of a beer delivery truck, and I like beer. So the question is how does a human being feel; how does a mother feel holding a child's hand? Is it nice? Is it for you? Is it in scale? So we have got shops along there now, and it's really pretty. We had a terrible fire on the even more struggling part of our main street. I was there with the firefighters. I thought blocks were gone. They managed to contain it to one building. The official called me at 8:07. Mayor, I'm issuing the demolition permit for Bluestein. I said, no, you are not. That's the name of the building. He said we have examined the mortar, and the bonding capacity is lost, and the building is no longer stable. I said we have got to get it fixed up. He said it's going to fall on the street and kill the people, and I said not if we barricade the street, the sidewalk.

To make a long story short, we blocked the façade, and it was going to be a one-story building. I said build three stories. We'll rent the space. So we got it restored. That one little building in the struggling part of our upper King Street became a symbol of life and hope, and the wonderful path to the past. That was an old, immigrant, Jewish family that built that building, the Bluestein's. It was made with blue brick. All kind of stories there about them immigrating to America and all of that. Now, we rented the space. Now, the private sector is there, but that is one of the hottest streets in America now – upper King Street. It is really going great guns, and that one building being saved really helped do that.

Parking is so important. This is a parking garage that we had to build. I told the architect I wanted a parking garage that didn't look like a parking garage. Now this was a long time ago. He was very nice, a little condescending. He said you do not understand architecture. In

architecture, form follows function, and the building needs to look like what it is. I said you're right about that, but you are not going to do that in this particular location in Charleston. I do not want it to look like a parking lot. The Declaration of Independence was signed 200 feet from there when Charleston ratified, and I said I want it to look like closed shutters, and he didn't want to do that. He was willing to give a little bit of a louver, but you had to see the car. There is no fun designing a parking garage if you couldn't see the car. So I got my police photographer to take pictures of buildings with closed shutters. We got it built. One of the awards in the Endowment for the Arts, I think we showed our country you can build nice looking parking garages. We have banks and law firms on the first floor, sandwich shops.

This is another thing about big development, Charleston Place. We needed a big parking facility, and we had these beat up old buildings, and they were junky. Once they were mercantile with warehouse space behind them and just became a bunch of junk. We knew we needed to save that piece of fabric. So we agreed to acquire the building, shave off the warehouse portion 50 feet back and build a parking garage. It would have been easier to tear them all down and it would have been cheaper, but we did that. We bought the facades, 50 feet or we bought the whole building, whatever they wanted to do. So, some we bought the whole building. Eventually one of the whole buildings we bought had leased the space to a striptease joint. So a brief period of time the city owned a striptease joint, and I never went in there, but my lawyers insisted they inspect it every night to make sure everything was legal. So we get it, restore it with the parking behind there, and it's where 100 people stand in a line to go in one of the restaurants. See, those two people – they are in charge. It's human scale. That's their space. It's not a harsh feel or a big parking garage. They are in charge. There is a parking garage. We have vines growing up and fountains and all that. We put gardens in our parking garages and trees and flowers in our parking lots. To have a great city, you have to value parking lots, and that blooms the 17th of March every year, a flowering peppermint peach tree.

The city is on water. Every city is different. We have special opportunities in cities to do something that is forever, and for us we had this burned out waterfront, and a guy wanted to build. This was a long time ago. We needed tax base, big tax base, mayor, and I said I think it would be better if we put a park there. He said I own it, and we are going to have the Venice of the southeast. I said I think we are going to have to acquire it through eminent domain, which he didn't appreciate. What I knew was if Charleston was going to be a great city and it had the chance to give the citizens a park on the water that is what a great city would do. So we worked it out and became good friends. We did a land swap. He called me Hitler-like dictator when we first started this and then a couple of years later we did the land swap, and there was a cocktail party, the deed signed, and he told everybody I reminded him of Winston Churchill, which was much nicer than what he said before.

We studied what the city was. We didn't plop things down. We got good designers. Of course, it's always a controversy. Why do we need another park? Weird people go to parks. Property off the tax rolls. Cost money to maintain, all like that. Asked what it would look like the day it was open. There was a park. No one can imagine Charleston without the park. It's there forever. Wonderful fountains, kids play in the fountains, summertime, and when you design a park the most important design decision is what is the park's purpose because every park is different. Every part of a city is different. So we decided to eschew the retail stuff in this park; that the park's purpose was to be a place of quiet beauty for the citizens, and we don't have any events there, none. The National Governors' Conference met, no; the National Trust, no. We have other places. We have lots of parks with music and events and all like that. This is just a place where you go. You own it. You're a citizen; it's yours. You swing in a swing.

Always when we invest in public ground with quality in cities always private money follows. It always has, it always will, so we get the wonderful residential development. They built an art gallery for us. Lots of tax revenue, and then we start the ethic. So the port wants to eventually redevelop the waterfront here. They have agreed to the concept of public access running through water. The tall building was built a long time ago, and we put an aquarium in the other. I couldn't condemn that. They had their docks and all like that. But we waited patiently until their bulkhead started failing, and then we entered into a deal with them where we rebuilt their bulkhead with the access in front, so now we have the nice access. So if you are walking in Charleston from the Battery all the way up the Cooper River with hardly any interruptions, up

beyond the tall building, the Maritime Center, wonderful aquarium and a park. Every chance we got to give people access to the water.

On the other side of town, we built a sidewalk. I had to get the permits. When we built it, people would stop and say, gee, that's so nice. They come from outside the city now just to park and walk or run or ride a bike, and eventually we are going to take it under the bridges to our ballpark we built on the water. It was a really difficult site. It was an old garbage dump, so lots of challenges building, and it became controversial. One of my opponents many years ago said the man ever tell you he spent all that money on the ballpark. He had a chance for free land on the edge of town. I said, no, I didn't tell you because free land is the cheap land. This is the nicest land. It cost a little more to develop it, but you sit there, watch the river, family, fun, memories, and just last Friday with our granddaughter and kids and all we go to buy a hot dog and a beer behind first base and you turn around, and that's what you see. It's like an observation deck at a national park. It's part of the public ground. It's what the citizens own; it belongs to them. Eventually we'll connect around the city.

Quickly, vision is so important – I'm close to being finished. This is a new bridge coming in on one side of our peninsula where there was no bridge before, connecting a large suburban area with the peninsula. On the other end of the street it was coming into – this is the west side – on the east side was the aquarium. The preservation organization said, Mayor, you all have got the bridge coming in – the aquarium one end, the bridge the other. We have got a plan for Calhoun Street. So we got all the neighborhoods together and the civic groups and the colleges and the hospitals and preservation organizations. We got the planners, and we came up with a vision, which is what citizens should have the right to do. In land uses, just in time we had the plan. That's what it looked like on Calhoun Street, and they wanted to put a cheap motel. I said, fellows, you can't build a hotel. The plan said no motels there. They took it to City Council. I won by one vote. Rather than a cheap motel, we bought it. The library needed a new library, so we have a library there. Across the street was a surface parking lot. The school board needed a new building; we got a school board building instead of a surface parking lot. Across from the library instead of a cheap motel simply because the citizens asked for and got the right to do the hard work of envisioning what that part of the city and that street could be, and then we had the hotel.

There's a Charlotte connection here. The hotel was bankrupt. Right on Calhoun and King, the main retail street. Prudential owned it, and I wanted to get a hotel there, so I got the bankers to fuss and everything, and they weren't lending money on hotels. The college wanted to buy it for a dorm, and I told the president he couldn't have it. I didn't own it, but I told him it could not be a dorm, and he said how come you don't like dorms, and I said I like dorms. Everybody knows looking at that building that was once a hotel, so it becomes a dorm, and there is a little invisible light blinking used to be a hotel, must have gone down because the best they could do was a dorm, so this area isn't all that good anymore.

So I called Hugh McColl, I knew, and said, Hugh, we are trying to get the money from the banks. He said I remember. He had some good conventions when I was a young banker at that hotel, so I got seven other banks. We put HUD money in it. People said you are going to lose your shirt. We bought the land next door. We built a parking garage. The hotel got restored. We got all our dough back. It's a huge success, and next door because the right use goes in, this building becomes that. This building across the street really looked like that; it became that. It's one of the hottest restaurants in town – fish restaurant. The whole block was restored because the right building was saved and the right use went into the city.

Then we had this beat up old park that didn't have any relevance, and they plopped a band shell in it in the '40s and put dumpsters around it and parking lots. We knew it could be a great urban square. We got good designers and invested substantial money in it, got rid of the parking and the dumpsters and the band shell that never worked and made it a beautiful public space, made the parking pedestrian street, gave it fountains and now arts and crafts, and the land values of course have skyrocketed, and wonderful investments are going on around it because the citizens who were given the opportunity to transfer a forlorn place into a wonderful urban garden.

Then lastly the peninsula and we always wanted tourists, and we started having a real battle about tourism because it had gone from a seasonal thing this time of year when the flowers are in

bloom to year-around. So we needed a manager, and I recognized that it was our duty to figure out how we wanted visitors to use the city on our terms – rather than just when flowers are blooming – all year around. We acquired the Norfolk Southern Railroad property that was beat up. It was a good location for this purpose in town. Transformed the building to our visitor center. Had to make it beautiful. Couldn't make people go there. Had to want to go there. Had it really nice to have their pictures taken in front of the Visitors Center. We redid this building for the buses to come in and for the tourists to take you right out, lines of columns.

We put a model of the city on the floor because we wanted people to know you could leave your car and walk the city and take our trolleys, so they would do it. Also we saved a lot of marriages by doing this, you know, or getting in a wreck or, honey, you might get us killed going down the wrong way or get a big parking ticket. You park your car and have a blissful second honeymoon or whatever, but you go where we want you to go and shop where we want you to shop and live happily ever after.

So, in conclusion, what about how politically viable is all of this. How did the average citizen feel about this? This is a wholesale liquor deal, which I go to very, very seldom – I want you to know. I don't go there often, but I go there now and then, and I like going there because I like the guys that run it and the guy that owns it I grew up with him, and they used to all have pistols. They had a holster – it's a safe city, but they got permits from the state years ago. So I went in there one day to make a purchase, and the guys converged behind the counter as I was approaching like they wanted to talk to me. The mayor and every member of Council knows that feeling, and it makes you a little nervous like there is something to be upset about.

So one of these guys wearing a pistol wanted to talk to me. They had the street intersection, they had the asphalt. We were running power line, and he said, Joe, when you dig that up, why don't you plant something. So he got him a park. The people came up with that plan. One of those guys wearing a pistol said, Joe, what you did down there at (audible). I said yeah. He said that's the prettiest thing I ever saw. Another fellow said, Joe, you know where I live, don't you? I said I didn't really, but he had the pistol on him, so I said, yeah, I do. He said I drive two miles out of the way going home at night just to go by. Another guy said that was a big oak tree over there, and I said we thought that would be nice. Another guy said I like the way you have the light shining up on it at night. I said thank you. Then they wanted they wanted to get into flower beds, and then they wanted to discuss architecture with me, a new building going in, and they thought it blended very well. These guys in the liquor store wearing pistols wanted to talk to their mayor about things that made the city more beautiful. We sell our citizens short when we think of this as low on their priorities. It's very high because we all win.

The political support is there. What is the public policy imperative in the line of work we are in? We put these slate sidewalks in at our waterfront park, and they built the sidewalks in the 1800s out of this material, and now they haven't done it for 100 years, and we found this really nice slate, and they put it down, but it didn't look right because the slate nowadays is cut so precisely it just looked too new. So we came up with the idea by people of putting the torch around the edges, and it rounds it and so it just looks just right. I show you that not because it's fascinating because it isn't, but this picture. You see what you get there is a city employee on his hands and knees attending to admittedly a tiny detail in the city.

That is how we in America I think have to feel about our cities. Our civilization every minute of every day increasingly depends upon our cities. Americans are moving uninterruptedly from rural to metro, so our responsibility is as was in the Athenian city oath that we make our cities more beautiful than we found them. They are precious heirlooms that we must preserve and enhance. Is there a moral imperative, which helps me as I try to figure out things what really makes you do it, and that is because every citizen's heart should sing.

This is the first part of Washburn Park we did. We were sitting up above the surcharge in the land there, and we built a pier that had fallen in the harbor over time – just disintegrated, and we didn't know exactly how to do it. I thought we needed a rail line. I was worried about kids falling the water, and the mayor said, Mayor, they are not going to fall in the water, and people sitting on wooden benches there. They may need to sit on the ground. Don't worry, and I said all right. So we built it, and one morning about six months after this part of the park was finished I was jogging, and I saw a fellow do exactly what they said some of them would do. He

was sitting there, legs draped over, drinking a cup of coffee. I didn't disturb him. I knew him. He was Clarence Hopkins. He is very poor. He suffered from epilepsy, worked in the downtown area. He got two jobs sweeping up in front of the gas station and shining shoes. He rode a bicycle, had these seizures, people had to help, and I saw him two weeks later, and I said, Clarence, I saw you down at the park the other morning, and he said, yeah. I said do you go there often, and he said, yeah, I go every morning. I said, really, how come you go every morning? He said because it's so beautiful, and I love it when the sun is coming up and those big ships are coming in.

The fact is we have a lot of citizens like that that their only exposure to beauty and order in a built environment is what they will find in their neighborhoods and in their city. They don't take trips. Clarence Hopkins had never been to the Rocky Coast of Maine, he had never been to see the sunset in the Pacific or our purple mountain majesty or amber waves of grain. All he had was the city, and when we opened Washburn Park two years later I hadn't seen him in a while and found out he had a stroke from which he never recovered, but he was getting along in a wheelchair, so I arranged for him to come to the grand opening of the waterfront park. Several thousand people, mid-May, sunset, symphony orchestra playing patriotic music, and I had him on the front row.

The family thought that was kind of odd, and I didn't introduce him or anything, but I had him there because we had worked about 13 years on the park. These things take a long time, and I wanted everybody who had worked on the park – my City Council, the owners who had given money to it, citizens who were involved in it, city staff who worked hard on it – I wanted all of them when they saw Clarence Hopkins to be reminded why we have to do what we do because when he was healthy he could come down on his bicycle to a public space of world class beauty and let that begin peacefully his day. We build great towns and cities and we work hard and keeping the Clarence Hopkins in mind we will make great places for everybody. Thank you very much.

Councilmember Turner arrived at 5:49 p.m.

Mayor Foxx said, Mayor Riley, I want to thank you very much for coming and sharing your story of your city. I don't think anything like the great city of Charleston happens without great leadership, and you clearly have been a great leader in Charleston, and you have taught us some things today about design, namely, that there is on fine decision that we make that doesn't have some impact on the built environment and the perspective of our citizens.

I would like to give you a couple of things. One, our city's pin. We are the Queen City, as I'm sure you know, and we will make you an honorary Charlottean. Appropriately we would like to give you a copy of *Historic Charlotte*, which talks about the history of our community, and we thank you again for being here.

Mayor Riley said thank you, Anthony, and I want to say that your mayor has quickly become a leader among the mayors of our country. Our colleagues look forward to his presence and to his ideas and remark about the wonderful leadership he is giving your city but also the cities of our country, so it's a pleasure to be with him, a friend now, and gratitude on the opportunity to getting me to come and the nice gifts.

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HELP: PLAN FOR FORECLOSURE PREVENTION IN CHARLOTTE-MECKLENBURG

Councilmember Cannon said thank you, again, for that presentation, Mayor. We certainly thank you for your presence, and this will take us to our next item, which is the HELP item. This is the plan for foreclosure preventions in Charlotte-Mecklenburg.

Curt Walton, City Manager, said representatives from HELP spoke at an earlier forum, and Mayor Foxx invited them back tonight to provide more detail – more than they could provide that night at the forum, so I will turn it over to these folks.

Jeff Sinn, said we represent the HELP Coalition, Helping Empower Local People, representing 31 congregations in Mecklenburg County. Thank you for the opportunity to present our analysis of the foreclosure crisis in our city. We ask you to take a serious look at our recommendations. Once again, our time is limited, therefore, we hope to follow up individually with Council members and then bring forward a packet of legislation to Council in the near future.

Terrence Hunter began a PowerPoint presentation and said I was going to touch on a couple of items and right now give you a brief synopsis of what we feel the problem is right now in residential foreclosure. Fourteen percent of the households are under water, 25% of the homeowners have 5% or less equity in their property, and there are 2,000 foreclosures in 2010 across all neighborhoods last year. There was a 5% drop in housing prices in Charlotte in 2010, and it was among the highest housing drops in the USA in 2010 also.

The impact of foreclosure, as you can see, it impacts the families, the households, it leads to substantial loss and foreclosure of homes in the community. Again, it leads to bank properties must be maintained and could become eyesores and leads to criminal activity. Again, it impacts negatively on the property taxes for the City and County, and you have a potential reduction of services and potential job losses in our community. The households that pay rent to the landlords and properties go into foreclosure have little rights.

One of the things that happened back in October 2010 was a committee called Windy Ridge where residents, UNCC faculty, and graduate students from the community planning workshop in 2009, the planning theory of spring 2010, and the summer independent study of 2010 did the study on Windy Ridge, and Windy Ridge is basically a sub-development up near Brookshire the northwest part of town. When the community was new, the property values were about \$105,000. Recently, they have almost lost half of the value. He used slides to illustrate his comments.

Last month, May 14th, we took some action. We said this can't be right. Let's go see it for ourselves, and although we did we visited four zip codes – 28273, down South Tryon; 28216, back in Beatties Ford and Sunset area; 26269, University area; and 28215, Harrisburg and The Plaza. We were able to cover 100 homes in a two-hour period. We found 40% of them needed repair ranging from sagging roofs, broken windows, the siding needed to be pressurized, and also the lawns were seriously overgrown and trash was in the yard. He used slides to illustrate his comments.

The current response from City and County – limited inspections, fines, and incentives to keep up with the foreclosure on properties. Limited support for households who are under water or facing foreclosure. Federal volunteer modification programs are failing people. There is inadequate counseling and legal assistance. Infrastructure for the size of the problem. We are terribly not prepared for this problem, and also the big one is the possible inadequate tax collections on title transfer from the bank. The next presenter, Gerald, will tell you what we propose.

Gerald Taylor said just to add to that last point, recently the Register of Deeds in Guilford County did an analysis of property filings in his county and identified 4,500 forged documents submitted by banks and other institutions in his county. Those include the signatures of people who don't exist, 15 forged signatures for Linda Gray, so there is a significant number of forged documents being filed in and around courts across the state making the whole issue of title suspect at this point in time, so we are also calling for each county to conduct a serious study as Guilford County did for turning in the number of forged signatures, forged documents that are on file.

Then, our state does not require property transfers and assignments to be filed in the county where the property is, so we are losing millions of dollars of income from these taxes not being collected because our state does not allow us to do that. With these banks making constantly continuous sales and securitization of these documents, we estimate that Charlotte could lose anywhere from \$3 to \$5 million in potential income from such collection if the state allowed it to take place.

We are calling for an expansion of a voluntary pool of inspectors to help the City do more inspections of these properties. We found properties that were occupied by people that were supposedly foreclosed upon. We found other properties that make no accounting for why they were in the conditions they were in. So we propose training volunteer auxiliary inspectors similar to what the police would do – the auxiliary police in New York or the citizen patrol here in Charlotte – to help in checking these properties out. Develop legislation to establish serious escalated fines on the owners of the services of these foreclosed properties if they do not take care of these properties. We included a penalty in the fine if they are not paid or collected and the properties are not taken care of.

Strengthen community maintenance standards on these properties. Council support for help for proposal with local maintenance agreements with the banks on hiring local folks to work on keeping the properties up. Increasing the program to training HUD certified counselors. This we think is absolutely important that the City, along with us and others, can develop a plan and an effort to train hundreds more counselors and trainers to work with families who need our support going into foreclosure. A foreclosed property marketplace. We are calling for the banks to allow these properties to be put back on the market and negotiate with community folks who can qualify to buy a house at whatever level of income they can afford to do so, and the bank would then allow them to pick a house and buy it, and then the bank would give them what we call a SAM, a shared appreciate mortgage, therefore, the bank and the owner of the property will gain. We also are proposing that homeless veterans be allowed to have some of these foreclosed properties to be made available to them and their families as part of our commitment to do something for veterans and military families. With that, I'll stop at this point and be glad to answer any questions with the time we have left.

Mayor Foxx said I think it may be helpful for us to have the staff take a look at the proposal and kind of generate a response from the staff and then we can make a decision there as a group of what or when –

Mr. Taylor said we'll be glad to meet with each Council person individually, to sit down and talk, if that would be helpful to Council members if they would be so inclined to do that and with the staff to talk about this in more detail.

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COMMUNITY SAFETY AND ECONOMIC DEVELOPMENT: BRIEFING ON EVENTS OF MAY 28 IN CENTER CITY

Mayor Foxx said before I turn this over to the City Manager I want to say just a couple of things about this. First of all, I want to be very clear that the violence that occurred on the evening of the 28th and the early morning of the 29th is not only tragic but it is unacceptable and will not be tolerated by our city. Further to that point, I will work with the City Council and the Charlotte-Mecklenburg Police Department to ensure that we learn from this tragedy and take all necessary steps to ensure that it never happens again. In addition, we need to work with our prosecutors and folks to make sure the individual in custody is prosecuted to the fullest extent of the law and that just penalty is arrived at. That's the bottom line.

The second point is that the Police deserve immense credit for their tireless work and their professionalism. I don't think this incident can be looked at in isolation from the many other incidents that have been avoided in our Center City and elsewhere and the fact the city is experiencing a 30-year low in its crime rate. I think today's presentation may show that our Police Department handled the situation effectively and that frankly there are some behaviors that can't be controlled before they happen. They can only be controlled once they happen, and that's essentially where we are.

Third point, and I have said it before, and I will say it again that our community, particularly our parents, have to step up. When I was growing up, and I was taking the bus someplace, my family knew where I was, and if they didn't know where I was, I wasn't going. That is a very basic responsibility. We need to hold our parents accountable, and our community really needs to do more to make sure that children are getting the kind of guidance they need to get.

Furthermore, I think we have got some challenges with this situation that are going to require a multi-faceted approach. Clearly enforcement is a part of it, and we have not shortened our discussion about that, but everything we are doing on the prevention end is just as important whether it is our schools or whether it's the after-school programs we are working through or whether it is the youth employment programs. I think it's a much bigger issue than a single incident, and I think our community will be well served by us taking this moment to focus on all facets of that including enforcement but not exclusive to it. I'm going to stop there and maybe say something at the end. Mr. Walton, I turn it over to you.

Curt Walton, City Manager, said you introduced it well, Mr. Mayor, I don't have much to add except to say there are really two components here – the Police component and the CATS component from the Transit Center perspective, and there is only so much that each can do before it does get into behaviors, so we wanted you to hear from both starting with Carolyn representing the CATS' perspective and then we'll hear from CMPD.

Carolyn Flowers, Charlotte Area Transit System (CATS), said I would like to give some context as to what Transit does on a daily basis as well as for special events. The development patterns in uptown Charlotte has made it a destination for entertainment and leisure, and there are numerous sporting, arts venues, restaurants, bars, and street fairs that we serve through transit, and the location of the transit stops and the Transit Center provide access and mobility to those events.

For Speed Street, ridership on the bus side was up about 14% over what our normal Saturday ridership was. The rail ridership was up 200% over what our normal Saturday ridership is. Rail is the workhorse for this event, and for Speed Street, the destinations were disbursed in the uptown area. All of the destination was not just the Transit Center. We had stops basically in all of the uptown area, and I would say that Third Street was probably the most frequently used station for that event.

I wanted to go over what we do on a daily basis as well as what we do for a special event. Our goal is to provide a safe, reliable, and convenient transit system, and to me that goal would deploy transit police and fare checkers daily at our Transit Center, on the rail platforms, and on the light rail vehicles. But we take special efforts for special events. I say that CATS has been proactive in developing and implementing a coordinated and concerted effort to address safety and crowd control concerns at the Transit Center. Specifically we meet with CMPD before all of these events. We coordinate our planning for special events. We have a special contingent of CMPD and transit officers out at all of these scheduled events, and we also have extra staffing observing cameras. I have some still shots from my Transit Center that we had on an hourly basis on the night of the Saturday of Speed Street that showed the Transit Center was basically calm during that entire period, and I can pass those out for you guys to look at.

Crowd control measures, you know, we put up the barricades. We have portable lighting out there. We direct all of our bus movements onto Fourth Street. We station officers around the Trade and Fourth Street corridors, on the platforms at CTC and Third Street, and we also put out a contingent fleet of extra buses so if we do have a crowd we can deploy those buses on the lines that are crowded so we can keep the passengers moving, and we also have buses out there for bus bridge. If it really becomes overcrowded, which it did at some points during Speed Street, we can take those buses, dispatch them, and move people from uptown to I-485 as the passenger demand dictates. We also work with the retail establishments at CTC to close at 9:00 p.m. so we can assure in the late hours that the Transit Center is only used for transit purposes.

So, the lessons learned from this event is that we do have a good plan, but we need to probably work on some other areas. One of those is to look at more coordination with the adjacent property owners at the EpiCentre and at the Time Warner Arena. As you all know, the Transit Center has a dual purpose. It has transit and retail, and we are not responsible outside of the Transit Center, so we are going to be working to seek some legislative authority for jurisdiction for the entire footprint, and we'll have to work with legislators as well as CMPD for that authority specifically only to CATS for CATS' property.

Councilmember Cannon said just so I'm clear greater coordination specifically regarding what?

Ms. Flowers said one of the issues is the EpiCentre is adjacent to the rail station, and a lot of crowds coming downtown on the weekend specifically coming to the EpiCentre next door and the Time Warner Arena across the street and some of the egress off of the rail platform right off onto the Time Warner property, so we need to make sure we coordinate more closely with them when we have large, special events like this because once people leave the platform they are no longer on our property.

Councilmember Cannon said I imagine then you are tying in also to a police presence as well with that to make it whole.

Ms. Flowers said yes. Are already tied to the police presence, but we haven't had probably as much coordination as we need with the adjacent property owners. We are also sending out safety alerts and safety measures to passenger so they know what actions they should take when they are out there on the system, and we are also working with CMPD to step up the anti-loitering enforcement. So those are the actions that CATS are taking and the actions that we will be working with CMPD in the future.

Mayor Foxx said now Chief Monroe.

Chief Rodney Monroe, Charlotte-Mecklenburg Police Department, said we want to try to continue to make sure we put this whole incident in its proper perspective and the information we bring forward is accurate, is timely, and is something is useful as it relates to us going forward. What I would like to do is we have a presentation that Deputy Chief Medlock as well as Captain Estes – these are the two on-ground commanders that were working Saturday night into Sunday morning, and they have very firsthand information and knowledge about how our officers were deployed, what situations we faced throughout the night, as well as how we went about addressing those various aspects.

Deputy Chief Harold Medlock, Charlotte-Mecklenburg Police Department, said I'm the deputy chief for Field Services South, which includes the Central Division. I want to share with you about 2011, but first a little bit about 2010 and the event that occurred at Speed Street then. He began a PowerPoint presentation entitled, "Charlotte-Mecklenburg Police Department, Speed Street 2011 After Action Report," a copy of which is on file in the City Clerk's Office.

Councilmember Barnes said with regard to the 35,000 are you saying that the group of people who circled the block was comprised of 35, or was that 35 inclusive of Speed Street crowd?

Deputy Chief Medlock said that 35,000 was exclusive of the Speed Street. I'm here to tell you that there were probably at that time another 30, 35,000 people in the Speed Street site at that time.

Councilmember Barnes said do you know how with any particular knowledge how those 35,000 people got to uptown?

Deputy Chief Medlock said I think based on what Ms. Flowers said with the information from CATS, the light rail, and the buses, a large majority of them came in during that time by transit. We also experienced with observation that all of the parking lots along Seventh, Eighth, and Ninth, all the way down to Caldwell were completely filled.

Councilmember Barnes said so it was CATS and private vehicles.

Deputy Chief Medlock said, yes, sir.

Mayor Foxx said I want to go back to this ten year old and 11 year old. Were the ten and 11 year olds unaccompanied by a parent?

Deputy Chief Medlock said it was really difficult to tell at times. There were so many people out there that it was very difficult to tell. I will tell you, sir, that there was probably a combination of both. Some were accompanied by older siblings, teenage siblings – 17, 18, 19, 20 years old – but there were some that just appeared to be walking on their own. Groups of seven, eight, nine kids – ten, 11, 12 years old.

Mayor Foxx said how did they get there?

Deputy Chief Medlock said that I can't answer, sir. I can only assume that they came in via transit, via CATS.

Mayor Foxx said do we know who they were? I mean did we take any of them to the station?

Deputy Chief Medlock said, no, sir, at that time, our curfew is not in effect. The curfew on the weekends begins at midnight, and 6:30, 7:00, 7:30 they are not violating any laws. It's not against the law and there is no ordinance to prevent them from walking along the streets.

Councilmember Howard said I want to expound on what you just asked. Later on that night some of the folks that you actually took downtown were those some of the younger folks, and if they were, did you find out how they got downtown?

Deputy Chief Medlock said I believe we took 14 into custody that were considered juveniles. I believe that most of them shared with us that they came via transit, and most of those were arrests that were for a variety of offenses – not the curfew violations. The children are really good at knowing when it's time to go home.

Mayor Foxx said I wish the parents were good at knowing when to keep their kids home under situations where they are unaccompanied by an adult.

Councilmember Cannon said relative to even after the hour of 12:00 midnight, past 12:01, were we able to detect by way of video or any other presence physically to be able to see that there were teens that may have been out beyond that time?

Deputy Chief Medlock said I believe there were those children out there. Unfortunately between the hours of 11:00 p.m. and 1:00 a.m. we were so engaged with some disruptive behavior that we had to deal with the criminal behavior during those particular hours, and some of those children just simply slipped through our fingers.

Councilmember Cannon said that's understood. I just wanted to understand for the record if that was indeed the case, and it sounds like exactly it was.

Councilmember Cooksey said sorry to interrupt the presentation, but I think some good questions about this particular elements of it. At this stage when we are talking about 35,000 people – 15,000 more than last year – in an area not Speed Street, exclusively Speed Street, what, if any, information have you gathered about why such a large crowd was there at the time? How much organization was there to it, or was it simply a random gathering of thousands of people?

Deputy Chief Medlock said from what we learned last year there was some discussion in some of the schools about everybody coming to Speed Street on Saturday night. We learned that last year from that intelligence, and, again, we relied on our school resource officers this year. A lot of those officers are tied into all of the things that the kids use to communicate as well as actually hearing them talk to each other, and there was no information this year that there was any kind of planned event in the Center City as it relates to Speed Street.

Councilmember Cooksey said I appreciate that because one of the things I find interesting about the crowd dynamic here is that as you talked about it the message was going around, yeah, go up to Speed Street, and yet we had this very large gathering of people not attending Speed Street, so it seemed to be an attractor in one way and yet not a destination.

Deputy Chief Medlock said I can tell you one of the things we observed during the night was a lot of texting and cell phone use, and I'm sure folks saw the party and decided to invite their friends.

Councilmember Barnes said I wanted to go back to that first question I raised regarding bullet point number one, and I'm looking at the data that Ms. Flowers provided us, and there were approximately 32,000 rail passengers that day and about 36,000 bus passengers, and what I

would like to know is if we saw a spike in bus or rail fare purchases at our about 7:00 p.m. that night, and, if so, at which stops – if we can do it by stop.

Chief Monroe said one of the things that came into play, and we talked to Carolyn earlier, there were certain rail stops that became overwhelmed with passengers, and rather than going through the process of trying to get a fare card to get on the train CATS made the decision in some cases just to allow people to board the train so they could clear those platforms and get people off of those platforms versus riling those crowds in mass at those particular stops. In some cases, we just opened the doors and allowed people onto the trains in order to move those crowds off of those platforms that aren't built or designed for mass numbers of people.

Councilmember Barnes said, Chief, that is, in my opinion, obviously a problem. I recognize we are trying to avoid a problem by doing that, but that means that a lot of folks got a free ride that night. But I want to understand whether over half the people rode the trains and buses that day or this crowd of 35,000 – I'm trying to figure out about how many were driving uptown, how many walked from other places, and how many were using transit, and whether we saw a spike in traffic again at any particular time – any particular stops between 7:00 p.m. and 11:00 p.m.

Chief Monroe said we have actually been able to pull some footage that we are going to show that you can kind of see how that crowd started to swell especially around the Transit Center area, and we do believe that between the hours of 7:00 p.m. and midnight is where CATS saw its peak ridership on the bus lines.

Councilmember Barnes said, by the way, Mayor and Council, I imagine that we'll be talking about this on one if not two committees, so we can delve into it further, but that is the sort of thing I would like to talk about.

Councilmember Turner said I'm hearing the questions and I'm trying to put it together with regards to the focus to me – it seems like we are talking about how they got there or how anybody gets there. You can't keep someone, unless they have violated our city policy, and restrict them from getting on the public transportation. If they want to come, they got there. Whether they got there by transit, whether they walked, whether someone dropped them off, it really doesn't matter. To me, the focus should be more how do we get the message out in regards to reinforce our curfew, reinforce the respect of citizens, how they should conduct themselves in public gatherings, and we are going to have other events. You are not going to deteriorate that by simply saying let's talk about how they got there. They are going to come. The question is how do we get the message out.

I listened to you. You talked about the age changing. When we came in with the curfew, these kids were seven years old, so is no one is emphasizing our curfew, and I think as we get closer to the spring and summer months and days because we know we are going to have more activity uptown. People come up there to the EpiCentre. There's a place where they gather. The CATS station is a place where they gather, and more people look for places to go and to meet. So the question becomes are we dealing with the youth thing as a city because I don't want to put this responsibility on any one entity, but I do believe the question should be whether we are doing wrong to get the message out, and if we are not communicating getting the message out of what we expect and what the laws are and what our policies are with regards to curfew and behavior and holding people responsible to me should be the focus. I just don't think you are going to resolve this by coming up with information telling us how they got there. I just don't. If you can tell me how you think that is going to resolve this matter then I'll be a little more enlightened and the questions pertaining to that I think our questions should be focused more around how do we get the message out and whether or not we are doing a good job in doing that.

Councilmember Carter said a question about the off-duty police officers. By any chance were some of those recruited school resource officers because I think there could be a great interplay between the youth and those people they are accustomed to as authority figures and as friends.

Deputy Chief Medlock said during that event several school resource officers were working in a secondary employment capacity. Our problem was they were working the Speed Street event – not the event within the event, and that is something we have identified as being able to put in place in the future is having our SROs downtown on those nights.

Chief Monroe said one or two were put in place last Saturday to try to get an idea of whose coming (inaudible – not near a microphone).

Councilmember Barnes said the reason why I think the how and the why is important is because, in response to Mr. Turner, as we look to expand the Blue Line and we look to build the Red Line and expand bus service, we need to understand some of the logistical issues regarding crowd formation, crowd control, crowd disbursement, and I think because of this very narrowly defined time determine some of the housing whys we could become better informed going forward with the Blue Line, the Red Line, and future CATS growth.

Mayor Foxx said why don't we suspend questions and let the presentation go through, and we'll take the remainder of the questions at the end.

Deputy Chief Medlock continued the PowerPoint presentation with the bottom slide on page 3. I'm going to introduce Captain Estes to talk a little bit about the efforts that he and his people, the secondary employment officers and our CEU platoon, engaged in during the night.

Captain Jeffrey Estes, Charlotte-Mecklenburg Police Department, said if I can paint a picture for you, while we have the groups of kids moving around in the area sporadically we had small fights which would erupt, and this was generally categorized by a little trash talk and a couple of punches and then would be broken up. That happened sporadically throughout the night. He continued the PowerPoint presentation with the bottom slide on page 4.

Mayor Foxx said I want to make sure I understand that point because that wasn't 76 people arrested in one incident related to the homicide. That is all through the –

Captain Estes said all inclusive. Probably 6:30, quarter to seven, 7:30, right in there, all the way to 0300.

Chief Monroe said a lot of this even when you compare it against a normal Saturday night uptown, and some Saturday nights you average upwards of 25, 30 or less for public drunkenness and a host of other things that are associated with the uptown. So this 76 the difference is about 15 based on what we normally would see uptown.

Mayor Foxx said one could argue that it was more enforcement because last year you had 54 arrests.

Chief Monroe said our tolerance was very low. When you have that number of people in a small footprint, you have to have a very low tolerance for people's illegal conduct.

Captain Estes said this is the tactic we have used since about '07 or so to ensure we don't have a large-scale issue. If we interact early with criminal behavior, separate those folks out from people just coming to enjoy themselves then we save ourselves later on in the evening. He continued with the PowerPoint presentation with the top slide on page 5. He said to give you an idea of the crowd size and behaviors and dynamics we try to give a video representation of the evening.

Chief Monroe said we looked at hundreds of cameras in the area and tried to pull the video from those cameras.

Captain Estes discussed the video as it was being played. He played another video of Trade and College Streets.

Chief Monroe said we can look at this a couple of different ways, but to me these are people that don't want to be involved in that negative. They are moving away from that incident more so than trying to come upon that incident.

Captain Estes continued with the video. He said a little after 1:00 a.m. an officer working traffic control reported multiple shots fired over the police radio. CMPD and CFD were on scene in less than a minute and located two gunshot victims. Of course, immediately officers of CFD

rendered medical assistance. The officers cordoned off the area. Because we were so close in proximity they were able to identify some key witnesses, as you know now, ended up in helping to bring charges against the individuals for the shooting that took place and determine a possible motive. That all occurred within a very short timeframe. This occurred on Third Street, which is at the very edge of the periphery where we had seen folks walking. Earlier we hadn't seen a big pedestrian crowd over where these folks were.

Meanwhile officers continued to manage crowds in the uptown that represented the weekend levels. A little while after that 1:00 hour it began to deescalate further, began to be just a busy weekend, bar-type crowd, moving pedestrians and traffic through. Additional arrests we had were consistent, as the Chief said, with normal weekend – busy summer weekend levels. We didn't have any other significant events occur post this. To kind of put it in context because it's a riot, at no time did a riot occur on any level or to any degree. Rioting is characterized by large-scale civil disobedience, mass property damage, or mass violence, mass injuries to both public and police. Just didn't have it. This is the way we take control and keep order is by the course of activities.

A picture is worth 1,000 words. You get the idea we had a lot of folks uptown. Only a few of those opted to engage in disruptive behavior such as fighting and disorderly type conduct. Never did the fighting or disorderly conduct involve more than a few actual participants, involve innocent persons, or large scale civil disobedience. Folks, what you had was kids and young adults walking back and forth, looking at each other. Every now and again you get a couple of folks would square off or throw signs to square off. They threw a few punches. We come in and break it up or make an arrest and then move on. That's what we had. The video we showed you is where we used the most force of the entire night. Control was maintained at all times. Preparations and plans were developed in advance, as the Chief alluded to, with contingencies to deal with the large crowds and associated disruptive behavior. This goes back to earlier in the evening when we saw the larger crowd than last year. That's why we enacted the CFU to come in and help with that crowd control. We will continue to develop operational plans for major events that prepares for a safe and orderly environment to include the capabilities to respond to whatever incidents may occur.

Mayor Foxx said one other thing. Center City is one of the safest places on the planet, and I don't think I'm overstating that. I have heard a lot of conversation over the last week about the Transit Center and so forth, and let me be very clear about my thoughts on that. Downtown or Center City is for law abiding residents in this community, and I don't think those of us who obey the laws need to change our way of life because of one incident. I think what we need to do is to figure out how to continue working to improve the model that we have for public safety in our Center City and I also think that we ought not to rely exclusively on our Police Department to do that.

I think our Police Department is the reactive way we deal with people who exhibit unruly behavior, but there are some larger community issues here that need to be addressed and addressed squarely. I can't say enough about that because we can keep enforcing our way through this, but the problem is bigger than just the Police Department. I think it's a community issue that needs to be dealt with by the community, and, parents, I'm going to say it again. Our parents in this community have got to step up. There's no reason in the world that a ten year old ought to be out unaccompanied by an adult at dark period. I just think that we have got a lot of work to do in this community to get our parents acting like parents.

Councilmember Howard said I actually have a series of questions for you, so can we go back to the map; and, while you are doing that, thank you, guys, so much for the information. There is nothing like getting things clarified. I want to understand the dots – the red and the blue – because the red actually are the ones I think we should be concerned with, and I wanted, if you could, to explain how the blue plays into this. I mean, for instance, if there was a red dot and there was a blue dot that happened before that, right, there was a call for it.

Captain Estes said, no, sir. This is raw data. This is how many instances someone called the police between 11:00 and 0400. So when a call came in – it could have been a disabled vehicle, and that counts, and we put them in here for call events. I just wanted to show you and kind of contrast who called the police and where the arrests were made. The red dots represent the

density is that the darker the red the higher the density of the arrest. Again, this covers the timeframe from 11:00 p.m. to 0440. It doesn't show you a cross-section of when they took place; just that they took place.

Councilmember Howard said there were four or five places where arrests actually happened.

Chief Estes said, yes, sir. One to five you see the pink dots, and higher is the red ones.

Councilmember Howard said but the blue – is there any way to distinguish what the more serious calls were? It's kind of unfair to put calls for abandoned vehicles in this map because it would seem there were more problems than maybe there were. Any human behavior problems you can extract from those blue dots?

Chief Monroe said I think most of those calls were officer generated. They weren't coming from citizens. We capture our own radio traffic, so if an officer calls for a particular problem or identifies the problem, we ask the Captain that. Whether there's a large crowd forming, people failing to disburse, so those are mainly police generated calls for service.

Councilmember Howard said that is important on a map like this when people take that to mean there were problems all over downtown is what I'm trying to get at.

Chief Monroe said the majority of those blue dots is CMPD talking on the radio saying dispatcher this is what I'm dealing with at this particular location.

Councilmember Howard said the CFU, was that dispensed at the time of the shooting incident, or had that been done before?

Captain Estes said, yes, sir, that happened way earlier, about 7:00 p.m., 7:30. The first units were replaced by 7:50, the entire compliment in place by 8:20. That call was made well before any fights or disruptions had occurred at all.

Councilmember Howard said that's another point that is not clear. From what we got from the media, that happened when the incident happened. That's not what happened.

Captain Estes said, no, sir.

Councilmember Howard said that was for crowd control.

Captain Estes said exactly.

Chief Monroe said we called them up strictly based on crowd size. It wasn't based on any particular incident; strictly based on crowd size. They were available to us Thursday night, Friday night, however they stayed in their divisions. They provided additional support in the divisions. They weren't needed uptown. Saturday is the only night we actually called them uptown.

Councilmember Howard said the incident we all heard in the media about the kids overrunning a store; did that happen?

Captain Estes said we received calls for service there, and we went there. We didn't have a report of larceny or a report of any large scale theft or anything or property damage even.

Councilmember Howard said shattered glass or anything?

Captain Estes said not that I'm aware of, sir. We have looked at that – actually even again today. We looked at it last week and looked at it again today.

Councilmember Howard said I just hope the media is getting this. The only thing I didn't hear you say is there anything you are going to do in the future to deal – anything you learned from this that we would do different going forward? Have you had a chance to actually examine tweaks we need to do to get planted to make sure we address that in the future?

Chief Monroe said one of the things that we want to focus on is we talk about the school resource officers, including them, but also how do we gather intelligence about people and their opportunities. I think the Mayor hit on it. I think we have to do a better job communicating to the public-- to parents and to others -- that we are not going to tolerate this behavior anywhere in the city, and the parents have to take a responsibility of just allowing their kids to go somewhere with no real purpose at hand because you see the problem that it can create. I think we have that responsibility to make sure we educate the public.

Someone drew a comparison to CIAA. We had larger crowds during the CIAA with little or no incidents. People ask the question, well, what was the difference? You had a cadre of older citizens that were part of that CIAA footprint that didn't allow kids to get out of hand. Someone else took that responsibility to make sure that our kids acted properly, and that's what we have to look to do in these future events. Fourth of July you will have parents who will just send their kids downtown for the fireworks. I think some responsibility has to go along with it.

Councilmember Cannon said relative to crowd behavior it was stated in bullet #2 that you had some that were showing hand signs and chanting and/or posturing. Some might equate that to be a part of a gang. But indeed were these folks actually part of gangs per se or were they more like copycats, if you will?

Chief Monroe said I think you had a little bit of both. We recently had an assessment of the gangs here in Charlotte by a hired work group.

Councilmember Cannon said, Chief, I'm having a hard time.

Chief Monroe said I'm losing my voice. We believe there were gangs that were present or members of gangs that were present. We believe there were some copycats that four or five or ten kids got together and they decided tonight we are going to be the neighborhood gang or what have you, and that is where a problem can occur because these kids don't realize what they are doing when they start to throw hand signs. I remember in 2008 we had two guys from Bessemer City who came to New Year's Eve celebration and decided to throw hand signs, and before we could get to them, they took a terrible beating at the hands of some of our gang members that were down there for that event. We do believe there were copycats and actual gang members down there that night.

Councilmember Cannon said there was a combination thereof then. I want to speak to a point that the Mayor referenced, and I could not agree more, that it certainly boils down to being a parent. I remember saying when I first ran for office that it all starts at home, and the reality simply is this. While that may be true that it all starts at home, some of our youth just have structures with no foundation meaning they don't have that level of support in house to help guide them along the way to make the right decisions.

When you saw on the video maybe what was apparent, which really was a child strolling another child, there is a problem with that. So when you start talking about trying charge parents with being parents, we have to be prepared for an undertaking to engage those parents that are teen parents – 15 year olds, babies having babies – so it might be engaging DSS and having some level of discussion about communicating that message and how you pierce the hearts and the minds of those who need to hear the message accordingly.

Beyond that, I think there should be an idea to promote the health, the safety, and the welfare of both juveniles, teens, and adults by creating an environment offering better protection and security for all concerned. It is with that said that I would hope we would have some level of discussion and exploration on raising the age limit from where it is now at 15 to 16 to 17 year olds relative to a curfew. That can be centered around some of the things defining what a teenager is, which would mean any person not above the age of 18 that the State of North Carolina regards as an adult, so, of course, those that are 17 and under. Things of that nature, and also coming back on issues that are not just gone-gone, if you will, like penalties, and what do we do to get our arms around that if there is a violation of any penalty regarding this. I hope, Mayor and Council, and in talking to, by the way, members of this body and also our mayor, there seems to be some buy-in, I believe, to the idea of at least an exploration and discussion

relative to this matter. Mr. Mayor, if it's okay, I would like to ask that we refer this matter to the Community Safety Committee for further exploration and discussion on whether or not we should proceed forward in raising the curfew age.

[Motion was made by Councilmember Cannon and seconded by Councilmember Peacock to]
[refer this item to the Community Safety Committee to explore and discuss whether or not to]
[raise the curfew age.]

Mayor Foxx said there's a motion and a second from Mr. Peacock, and as I understand it it would involve an assessment of the current curfew and exploration of ways to strengthen it.

Councilmember Cannon said ways to strengthen it and to determine if indeed we need to raise that limit from where it is at 15 to 16 to 17 year olds.

Councilmember Barnes said I would make a friendly amendment, if I might, to add a parental accountability element to that analysis as well.

Councilmember Cannon said I would accept that as a friendly amendment.

Mayor Foxx said so you all are exploring that?

Councilmember Cannon said, yes, sir.

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

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

NAYS: Councilmember Turner

Mayor Foxx said we'll make that referral to the Public Safety Committee.

Councilmember Cooksey said appreciate the presentation. Just a couple of questions that folks asked me that I want to make sure I get covered. When is extra police coverage for an event such as Speed Street and the like? How far after the end of the event is that coverage maintained? I mean we have talked some about in this particular case the crowd swelled to 60,000, so clearly the forces we had in play were still there, but is there a typical amount of time that they stay on watch, or how does that work after an event is over?

Deputy Chief Medlock said we typically will hold over secondary employment officers to deal with large crowds – not necessarily unruly crowds but large crowds, and that really can range. It depends on the night. It depends on the weather, but we are very versed as the night moves on to work with our command for the secondary employment making that call and then bringing those officers in. We have pre-determined posts for them and jobs for them to do, and we just move them right into the footprint of where we need them to provide security and make sure that everything is safe until the event is over.

For CIAA, we have gone as late as 4:00 a.m. on Sunday mornings to make sure that everyone got home safely, to deal with the large crowds, but again, it's really just to make sure a lot of folks who don't know the Center City of Charlotte get to where they need to be, and we do that for Fourth of July, New Year's Eve, Speed Street, virtually every year.

Councilmember Cooksey said is the video from the cameras like the examples we saw, is that public record and can be accessed if we requested? I see Councilmember Howard has a copy.

Chief Monroe said after tonight we are going to post all the video on the City's Web site, so anyone who wants to gain access to the video that we have shown tonight will have access to that.

Councilmember Cooksey said not just the clips we saw tonight but any other?

Chief Monroe said we are still processing all of that video for evidentiary value, and once that final determination is made, we'll release.

Councilmember Cooksey said I'm just making sure I get the answer to the questions that were asked of me. Then, finally, I think I gathered the answer to this, but I want to make sure I understand it. In some place we received, there are issues about order and the use of the term "control". For example, in the arrest video we saw, the phrase gets used "order was restored", and yet for the entire evening, "control is maintained for the entire evening". Could you talk about the difference between order and control from a police perspective because for a layman it may sound like the same thing?

Captain Estes said if you take order and put it into context of a small incident, so, for example, the fight you saw on here, for the time that the two individuals or three individuals are fighting, of course, you can't argue that order is maintained. So we restore order for the incident, however, we maintain control over the entire event. So at no time did we lose the streets or the sidewalks or whatever to anybody for any significant period of time or if at all. So we use the term order with a specific incident. We use control over the entire event.

Chief Monroe said actually we can have disorder where you have traffic, you have hurt people, you have a lot of different things, and we try to quickly restore order even to whatever incident we may be addressing. When we use order, we are talking about a single incident.

Councilmember Cooksey said I will take that a bit further because then if you don't have control you can't restore order. If you restore order, it demonstrates that you have control. This is the final one. The officers are present in addition to the 80 division. Who covered the off-duty costs for the 200?

Captain Estes said the event holder takes care of that. Any time we hold them over past the event time, we cover that cost.

Chief Monroe said we assume about 160 of those officers for about a two or three hour period after the event.

Councilmember Cooksey said just wanted to make sure for the constituent who asked me about that.

Councilmember Carter said, Mr. Mayor, you made an important societal statement about the engagement of our population, and I would like to extrapolate on that. Who is served, and who creates the immense majority in our city? It's the law-abiding, responsible people at events and at places. If our law-abiding population abandon events, abandon times, abandon places, we all lose, and those who are fear-mongering, those who want to insinuate an attitude in our community I think are wrong, and I take exception to the letters and emails that just a tiny – one, two, three, four, five occurrences I received about this – where in some of them you have been taken to task for your positive presentation on who we are and what we do and how we do it.

We collectively, we Charlotteans, have to take claim on these events, times, and places. If we don't, we have a place where we can say we lost, and I saw that with a broken heart because it's Eastland – we abandoned it. When we abandon, we let other elements walk in. It's up to all of us, and I hope I'm in Charlotte so I can go to the Fourth of July celebration because I want to be uptown. I want to be participating where Charlotteans who are responsible belong. I want to thank our police for what they do in a very open, calm, efficient, and effective manner, and I'm truly grateful to you all.

Councilmember Howard said I was just asking the Mayor if I even should try to articulate this, and I'll try to make it quick. It is kind of hard to say we are going to have a community event and then get bothered when the community comes because it was a public event. It wasn't a ticketed event; it was a public event, and I share everybody's thoughts around this table that says we should be about enforcement, we shouldn't allow bad behaviors. I agree with the parenting thing. I agree with everything you said, but I'm from Charlotte, and actually Councilmember Turner and I while we were looking at some of the video, you know, you look back 20 years ago that was me and my friends walking downtown – that's what that was because we went

downtown. We wanted to be at Freedom Park. We wanted to be wherever that was where people were.

I think this says a lot, Chief, to your hard work since you have arrived to try to deal with prevention efforts, to try to teach kids what they are not getting and how to act through your PALS program, or, Mayor, you and Councilmember Mitchell are making a real push with the youth programs that we do. But I still have this concern that we haven't dealt with how we engage kids. What I heard you also say is the majority of them listen. What they wanted was somewhere to go. Now, should they have been out that late, we can get into all of that. I agree the conversation the Mayor Pro Tem wants to have about with the proper age and all that, but, you know, we still have to deal with the fact that we have a community.

I think that is what you were trying to say, Ms. Carter. We need to care about our full community, not just the ones that wanted to come to Speed Street. We have some deficits when it comes to activities. We need to deal with that in this community. I don't know what the answer is, and that's why I told him I didn't know how far to go into it, but I know it's something we have been talking about for a very long time that I would hope is a part of one of these conversations we have as well.

Councilmember Barnes said briefly I wanted to add the CATS information either to the referral we made to Public Safety or to Transportation and Planning Committee because I think some of that analysis is helpful, Mr. Chair, with respect to the Blue Line Extension and the Red Line, and Ms. Flowers actually has the data I was asking about regarding the stops and when people got on. I'm happy to have that as a private matter between myself and CATS or if we want to talk about it as a committee that will be fine as well.

Councilmember Howard said a clarifying question. You are talking about the part when you referred to about planning ahead for crowds and disbursement of crowds.

Councilmember Barnes said, yes, sir.

Councilmember Howard said I agree. That would be a good conversation.

Councilmember Barnes said to T&P or Public Safety?

Councilmember Howard said T&P.

Councilmember Barnes said I make the motion to refer to Transportation and Planning Committee an analysis of the utilization of transit that night, and, again, where people got on the trains and buses and when they got off the trains and buses consistent with what I said earlier tonight.

[Motion was made by Councilmember Barnes, seconded by Councilmember Cannon, and]
[carried unanimously to refer to the Transportation and Planning Committee an analysis of]
[the utilization of transit and to find out where people got on and off trains and buses.]

Councilmember Barnes said also, Mr. Mayor, I have a clarifying question for the Chief regarding the motion we made to Public Safety and the curfews. I read our local ordinance, and I wanted to get your opinion as to whether we are on the right track with folks under 18 because the media has been saying 18 and under, and, of course, in North Carolina, at 18 you are an adult. So our focus is under 18. I assume you are on that same page.

Chief Monroe said North Carolina you are an adult at 16. Many other states it's 18, and I think it's just in line with what any other state would look at as it relates to 16 and 17 year olds.

DeWitt McCarley, City Attorney, said we have done some initial research, and it looks like under certain circumstances and with appropriate exception, (inaudible – not near a microphone). It is not a simple yes or no answer.

Councilmember Barnes said would it make sense to restrict the geography uptown?

Mayor Foxx said thank you. I think the public needed to hear this kind of detail, and I appreciate the Police Department for making it available. You all were working really hard last week to try to find the suspect, and your hard work paid off because he turned himself in.

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Curt Walton, City Manager, said, Mayor, to make it a little shorter, the Post-Construction Item we can move to next Monday, if that's agreeable.

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CITIZENS' FORUM

AIRPORT TAXI CABS

Nasif Majeed, 5401 Rupert Ln., said he wanted to address the issue of independent taxi cab owners and operators association and the relationship between the owners and drivers. He represents that organization and urges Council to direct City staff to examine Airport taxi service as it relates to economics. We concur with the recommendation of the Passenger for Vehicle Hire Board dated March 16, 2011. This was given to Mr. Campbell and the Public Safety Committee. The current system is oppressive and gouges the independent operator with excessive and unjust fees. The system currently used at the Airport burdens the taxpayer operators with costly bureaucracy and benefits no one but the taxi cab companies. The individual ownership model is best. At the Airport, the system we are currently utilizing reflects that model. The question to the City Council is why do the taxi cab operators have to be burdened with such oppressive taxes supporting a middle man who doesn't even provide on-site Airport dispatch services? It's time to overhaul this dysfunctional system. If the alternative solutions are not presented to you, we will be locked into this very difficult problem with no foreseeable change. I know many of you wish this problem would go away, but it will linger until we have the courage to address it in a justifiable manner, and we need a few of you to commission this study for the needed changes that will make our taxi system function in a balanced manner. Secondly, the Council needs to commission a study to formulate a plan to commit to the idea of a citywide (inaudible) permits. Taken into consideration the high investment costs associated with operating a taxi cab in today's environment, a limit on the number of permitted taxicabs will value the costly investment of these small business owners. Furthermore, it will quantify our needs as it relates to the citywide supply and demand of this valuable community service, and the independent owners seek your assistance also, thirdly, to have three positions on the PVH board, and we are under-represented in this industry in which we play such a viable role.

Solomon Bekele, 8051 Shore Woods Dr., said I have talked to several of the City Council members. They have all given us hope before. We asked Mr. Jerry Orr if we could be part of the RFP and were denied. We were told we couldn't. We consulted our lawyer, who says we were unjustly denied and we have legal ground. We are willing to pay the City \$1.1 million. We have put forth to meet and exceed whatever Mr. Jerry Orr has asked for. We are willing to add more on that. None of the companies have offered free Wi-Fi. None of the companies have offered citizen discount. None of the companies have offered voice activated GPS. We need to upgrade all that. All the other companies that they offer, we paid for, and you should understand the fact that you are not allowed to talk to us because of the lawsuits is ridiculous. If some students from UNC sue the city, you can't talk to all the students? It's just unbelievably ridiculous. We want you to look at our proposal. We want to be part of it. We don't want to litigate with the City. We want what we have worked for. In the last eight years, I have paid \$80,000 for the companies. What do I get? I just get kicked out. No unemployment benefit; nothing of any sort – just thrown out on the street. That's unfair. We are willing to upgrade on any level, anything that you want. Why would the Airport bring different drivers? We have been pushed off the land for no reason. We have worked there. The companies have never paid any fees that they were supposed to. They have forfeited their right because of that. We are supposed to pay Airport fee every month. Besides some of us pay up to \$28,000 a year. Mr.

Jerry Orr said he was reducing the number because we are not making money. Please look at our proposal.

INVITATION TO COUNCIL FOR FUNDRAISING EVENT

Sheila Neisler, 2429 Selwyn Ave., said 20 years in business – that's success. Twenty percent of their sales donated to a local charity, well, that's significant. I want to share with you a cause marketing event, which is in your district, Councilmember Dulin. It supports Councilmember Mitchell's district and Councilmember Howard, Peacock, Burgess, Mayor Pro Tem Cannon, and Mayor Foxx, too. In fact, it impacts all districts. It's hunger, homelessness, and lack of role models. Since 1991, Doug Bell is the owner of a small business called the Roasting Company. He has 18 employees working hard to provide healthy, locally vended food at his location on Montford Drive. In honor of his 20 years, he is taking the week of June 19-25 and donating 20% of all of the sales to the Harvest Center. It's a faith-based, not-for-profit, which relies solely on the generosity of individuals, foundations, and corporations. It receives no government funds yet provides hot, cooked meals, groceries, medical support, education, alcohol and drug counseling, role models, and most of all respect for the neighbors who live in the most fragile of our communities. Last year the Harvest Center served 112,000 hot meals. It distributed 29,000 boxes of food. It is the largest distribution point for the Second Harvest Food Bank. Margaret Reid said, "Never doubt that a small, thoughtful group of committed citizens can change the world. In fact, it is the only thing that ever has." The private sector needs to step to the plate to help our neighbors who are struggling, we have a moral obligation to help the need, if it's a problem in one district it's a problem in every district. I hope in June you will consider participating in helping Doug and his team do well by doing good and giving back to our community. June 19-25th, 20% dinner sales at the Roasting Company on Montford to feed Charlotte's hungry. Let's put our fork where our mouth is, and, Councilmember Cooksey and Dulin, I think including me that's 131 characters.

Mayor Foxx said so to help all you have to do is go to the Roasting Company and eat.

Ms. Neisler said and he will write a check for 20% of all the sales.

SPEED HUMPS IN THE GLENHAVEN NEIGHBORHOOD

Rev. Shon Hagwood, 1518 Galesburg St., said this is Frank Hood. He is the president of the Glenhaven Homeowners Association. I am the treasurer, and we are representing the Glenhaven Homeowners Association today with regards to speed bumps in our neighborhood. I just want to greet you from that perspective. I speak today on behalf of the association and the 250-plus homeowners who live in our community in northwest Charlotte. The matter is about the installation of speed bumps on both Galesburg Street and Wandering Creek Drive which is very important for safety in our neighborhood. Before these traffic control measures were put into place, most of the traffic was aggressive and hostile posing a risk and danger to houses and other traffic on these streets and nearby intersections as well as to children in the community who walked or ride their bicycles on the adjacent sidewalks. We, as a homeowners association, received many complaints regarding the noncompliance of drivers to the speed limits on these streets. We began to work with our HOA management company, Pinnacle Management, in order to find ways to relieve this issue within our community. After much discussion with the City of Charlotte, Pinnacle Management came back to our HOA stating we were approved to have a three-way stop at the intersection of Wandering Creek Drive and Galesburg Street as well as speed bumps on Galesburg Street and Wandering Creek Drive. Again, this is what was communicated to us by Pinnacle Management, and this is the information utilized to begin the implementation process of the speed bumps. Pinnacle has referred an asphalt company to us to install the speed bumps, and we began the implementation process of the speed bump on Galesburg Street and Wandering Creek Drive with the notion from Pinnacle that it had already been approved by the City of Charlotte. The Glenhaven HOA voted to use resources from its reserve account to implement the speed bump control measures, which were installed at the beginning of the month of May. Since the installation, residents on both Galesburg Street and Wandering Creek Drive have seen a substantial improvement on the speed of the traffic on the street, and many of the residents have allowed their children to play and frolic along the

sidewalks in the neighborhood. Approximately two and a half weeks ago we were informed by the City of Charlotte that the speed bumps were not approved and they would have to be removed at the expense of the Glenhaven HOA. On behalf of the Glenhaven HOA, I would first like to apologize to the City of Charlotte and the Charlotte City Council and the taxpayers of this city (inaudible) could have easily been avoided if the communication given to our community would have been much more clear and concise with the management company that manages our neighborhood. It is to this effect that we do not feel we are liable for the actions that were executed based on the information we received. I hope you take these matters into consideration and you look at that.

Councilmember Mitchell said, Doreen, do we have any knowledge of what the pastor shared with us? Has the Pinnacle Group reached out to us?

Doreen Szymanski, Charlotte Department of Transportation, said Pinnacle did not.

Councilmember Mitchell said, Reverend, we can talk off-line and the president of the HOA. Let's talk off-line.

Mayor Foxx said would it be helpful to get some kind of report from the staff on this or do you want to talk about it off-line?

Councilmember Mitchell said I can talk off-line especially since Doreen said there has been no contact.

AIRPORT TAXI CABS

Bereket Hagos, 5204 Holbert Cir., said my story is one of American saddest story. I came to this country in 1997. I educated myself in this country. I cannot find a job. I went to the Airport Sunday, and after three to four hours, the company, Royal Cab, dispatched by King did not call me. What can I do now? I want to improve my life, get my degree. I was fired by the Airport. I want to retain my spot. What can I do?

Councilmember Howard said I'm not sure I'm understanding what you said happened from the company? What happened?

Mr. Hagos said what happened is I came back Sunday. I went to work as usual. Check in. They tell me (inaudible). After four hours waiting, this car (inaudible) came to check it. I look out my window and the dispatcher 2480 was replaced by 2410.

Councilmember Howard said I don't know what that means.

Mr. Hagos said (inaudible)

Councilmember Howard said what you are saying is the company you worked for fired you.

Mr. Hagos said the company I worked for – Royal Cab and King Cab – fired me (inaudible) without any reason.

Mayor Foxx said as I understand it you have been hired by City Cab.

Mr. Hagos said what I'm asking today is if Royal Cab (inaudible) if I'm good driver (inaudible). I want to retain my spot.

Mayor Foxx said, sir, we can't do that. That's a private decision, although what I would suggest is if there is a staff person who can speak with this gentleman about the Airport situation. I think that might be helpful, but in terms of your employment, the City does not – we don't hire cab companies ourselves. That's not our business, so I'm sorry we can't help you with that, but there may be some other areas where we can, so I ask the City Manager if there is someone he can speak with off-line. They will direct you to somebody to speak with, but I don't think I can help solve the problem you are asking us to solve.

Mr. Hagos said can I ask one question?

Mayor Foxx said I will be happy to talk to you off-line, but we have to keep the meeting going.

Amanuel Hagos, 4120 Providence Rd. Apt. B, said I am here addressing my concern. They don't have a forum like this to discuss with elected officials to discuss heart-to-heart in north Africa. In America we have a city forum to address our City Council members. My Council member is Andy Dulin and from the Mayor and from the City Council members. This paper is about the City – I didn't sue the City legally. I removed my name. First I was part of it, but when I called the court (inaudible). We can address to the City Council, so there is no need to go to the City and sue. So I removed my name. I am not a part of the suit because I can address our City officials. Bereket is my brother, who works hard to improve ourself, so he went to college. Me, too, I went to college, UNCC, and I am certified to teach in high school chemistry and physics. (inaudible) The company just to punish my family (inaudible). The letter was written to the airport, and we were removed. We work hard like any American to improve our life. What happened to me now? I went to the DSS, Mecklenburg Health Service. I am taking food stamp. I am educated, but I am out of a job for no reason. (inaudible)

Mayor Foxx said our Airport director is going to speak with both of you after these presentations on the taxi cab issue because I think there are a couple of other speakers, but he will address you directly off line, okay?

Councilmember Howard said I have a question for the City Attorney. The City has nothing to do with this. This is a civil matter because they are independent contractors. There is not an employment law, so it would be a lawsuit if they wanted to deal with this, right?

Bob Hagemann, Senior Deputy City Attorney, said that's right, Mr. Howard.

Councilmember Howard said I wanted to make sure I'm clear. There is nothing we have to do with it at all. It's a civil matter between you and the company you contracted with.

Mayor Foxx said we can't make a company hire somebody. We just don't have the ability to do that.

Councilmember Dulin said I enjoyed our conversation today. You and I are having coffee on Wednesday. We'll talk more about it then. You will be talking with our Airport Director tonight.

Mayor Foxx said I know that is not the answer you want to hear, but that's what we have got.

AIR TRAFFIC NOISE

Sharon Dye, 8020 Lauren Kay Ct., said I have been emailing everyone for the last several weeks since the last City Council meeting regarding the air traffic noise. Now, I need to say this upfront today that the Airport noise – you know, they climb pretty good. It's not like it was when I came to the last meeting, however, I'm here about how the process was handled. I emailed for several weeks prior to coming to this meeting tonight to everyone that was on my list to email and c/c. I never got one response from the City Manager nor my representative in my neighborhood regarding my complaint and my concerns about how the process is done. My complaint was closed without my knowledge in April before the study even got off the ground. I didn't know that until this past Thursday when I called to follow up since no one was responding to my emails. The communication that I talked about in the email between the City, the Airport, and people like me in the community never took place even after I suggested it in some of my emails. Because of the lack of communication it disturbs me that this could be allowed to go on. I have continued to try to talk to our representative from Mr. Mitchell – still nothing. Now, I feel that I'm here today to voice my opinion about not being updated, a copy from my understanding of the study that was completed from my address from May 20th through May 27th. No response, no follow-up call, no anything was sent to me regarding the study. However, an hour before I came to this meeting, it was emailed to me by someone other than anyone from the City Council.

How is that possible? So my reason for being here tonight is to say why can't you communicate?

Mayor Foxx said I'm sorry, ma'am. That's the three minutes. I apologize to all speakers that we really have to be strict about this because we could be here ad infinitum, and that's the way the rules work, but your point is that you deserve and wanted an answer and you don't feel like you got one, and I hear you. What we will do is have our staff – I think I have seen an email from our City Manager, and something came out in the Council Action Memo, and we will have that resubmitted to you. If it didn't happen as quickly as it should have or that we might have wanted it to, I apologize to you.

Ms. Dye said my question to you in the future –

Mayor Foxx said I'm sorry, ma'am.

Ms. Dye said I have a question.

Mayor Foxx said I understand, ma'am. I'm sorry, the three minutes –

Councilmember Howard said if you had another second what would your question be?

Ms. Dye said thank you. My question is how do you guys respond to ordinary people like me? How do you do that?

Councilmember Cooksey said, Ms. Dye, what is your email address? I'm trying to search my email for an email from you, and I'm not coming up with anything.

Ms. Dye said I guess I haven't sent an email to you because everybody else know. It's ladydye4567@gmail.com.

Councilmember Cooksey said, I'm sorry, ma'am, I haven't received anything. I'm Warren at warrencooksey.com. Please go ahead and forward to me what you have got.

Ms. Dye said I'll come over and get your email.

Councilmember Turner said, Ms. Dye, I responded to you and tried to help, in all due respect to our colleague, Mr. Mitchell. Can you tell us who responded to you since you said you received a response to the study that they did over the course of the week? Can you tell us who responded to you before you came to this meeting?

Ms. Dye said his name is Paul.

Councilmember Turner said who is he with?

Ms. Dye said I do know who he is with. He approached me after the last City Council meeting, and I was a little bit leery about someone that I didn't know to come up to me. So he came in there with me and my husband about two weeks after the City Council meeting last month.

Councilmember Turner said was he representing the City or was he representing –

Ms. Dye said he is someone who had been complaining about the same thing I had been. He emailed me the – well, actually the Airport's response to Mr. Walton, and Mr. Walton – he emailed me Friday after me contacting Ms. Kimberly Pearson about the lack of response.

Councilmember Turner said I don't mean to cut you off, but we can't extend your time too long. City Manager, who was working on this because I recall that we told her – we tried to explain to her that it was the responsibility of the Federal Aviation in regards to where it determines the flight paths. Are we working with them, or have we talked to anyone yet that has responded back to us?

City Manager Walton said we are continuing dialogue with the FAA over the flight patterns and some changes that they have made that essentially go to saving fuel, so it's really the west and the southern part of the city that is having that impact.

Councilmember Barnes said so they are responding to our concerns.

City Manager Walton said they haven't changed anything yet, but they are at least engaged in the conversation. They are beginning to understand the impact.

Councilmember Barnes said I think what I'm hearing from Ms. Dye you want us to email to support you.

Ms. Dye said this silent treatment is not right. I'm communicating.

Councilmember Barnes said I'm going to ask the City Manager and Bob in this process to try to keep you involved by sending you what we can send you, okay? I think that's the best we can do because I have had that conversation with USAir, and what the City Manager just stated is, in fact, what they are doing. It's very complicated, but we are working on it.

Mayor Foxx said I don't want to browbeat Council because I know people want to engage in these conversations, but we have another probably seven or eight speakers and then we have other agenda items after this, so I'm just trying to tell you to be mindful of your time. As a Council member, I never liked being told to shut up, so I'm not going to tell you to shut up, but I'm going to invite you to be very efficient.

Councilmember Cannon said, Ms. Dye, I'm just going to ask you to do what you normally would do with me and that is to pick the phone up and call me and you get a call right back.

Ms. Dye said you have been wonderful, and I want to thank you.

Councilmember Cannon said you're welcome, but if the emails didn't work, just try to pick the phone up and call one of the members of Council along with the Mayor.

HICKORY GROVE 4TH OF JULY PARADE AND CELEBRATION

Susan Lindsay, 6205 Rosecroft Dr., said I want to invite you to the annual, over 40 years in the making, July 4th parade and celebration in the east side in the Hickory Grove community. Many of you have participated in the past, and we are inviting you to participate this year. July 4th – it's on a Monday. I haven't heard from you Anthony, and I'm using your first name like a grandmother or mother would. I have brought you information. This is a time for everyone to celebrate why we are able to be here, communicating with each other, having our issues, having them out in public. It's because of something called the Declaration of Independence, July 4, 1776, and I was going to read it to you, but I think that your evening has been lengthening as everyone speaks. The parade starts at 10:30. It goes down Hickory Grove Road to Harris Boulevard. Everyone is welcome. This is an old fashioned Americana pie-eating contest, water melon eating contest, all kinds of good fun, and it's with a stage and a DJ, and you are all invited to participate. We have kids decorate their bikes, and all they win is a little trophy, but that is what America is about is just for the fun of it and the celebration. Ring the bells.

PLAZA CENTRAL PEDSCAPE

Leslie Dwyer, 2528 Laburnum Ave., said I would like to combine my time.

Mayor Foxx said can you do it in six minutes?

Ms. Dwyer said uh-huh.

Mayor Foxx said perfect.

Ms. Dwyer said happy belated birthday. I'm here about and we are here about the Plaza/Central Business District. It's a vibrant, diverse part of Charlotte, and as you all know, it has its challenges when it comes to parking. My friends that I'm going to introduce you to are the first people I met when I got to Charlotte in '97, and they are the only consistent healthcare I have in my family. They are my veterinarians. In 2002, they decided to move from Independence, and they looked and looked and decided they wanted to be part of that community, so they bought the property, they bought the building, and it came complete with parking. They poured money into making a good facility really great, and since then the practice, both the patients and the number of employees, has doubled. They even had growth in the downturn. They share their parking with their neighbors Petra's. They have never had problems with that, and they don't have to rent from anyone else. Now, new businesses are having issues with permitting. They don't have their own parking. There are all sorts of rental arrangements all over that whole neighborhood, and some people don't have it at all. The idea of taking private parking from the owners that their patients need in order to create public parking is not a good precedent to set. In fact, Dr. Watkins and Dr. Schacht.

Dr. Clayton Watkins, 2528 Laburnum Ave., said we have been in business on Commonwealth for about nine years now. I guess we can understand there are sacrifices that need to be made to further transportation and safe parking and increased parking, and we in meeting with Patsy, it was very clear to us that parking – there was a public outcry in the early 2000's for parking, so the pedscape plan has devised a method of reverse angle parking, which is sort of experimental. We don't know how well that is going to work. It will be public, so we will have no say-so as to who gets to park there. The major problem in our view is that it hasn't increased the parking in the pedscape plan. We are counting about 22 spaces along Commonwealth as private now, and we are estimating about 20 public afterwards, and we are talking about a lot of zeros that is going to go into this plan, and if it's not going to increase parking, we don't see how that is going to help the City of Charlotte, Plaza-Midwood, and definitely not us. Some other problems are they are going to narrow the road. We have been promised – the Plaza-Midwood homeowners have been promised a bike lane. We are not quite sure how that works. I haven't seen up-to-date plats. There has not been enough clarity on these plans, and they haven't been updated frequently enough. This is not going to just hurt the Commonwealth Animal Hospital but the Diamond, the Penguin, Petra's, the Common Market. We are some of the most vibrant businesses in this area, and if our business is going to be compromised, we are going to have something to say about it especially when the goal is not being accomplished that it was set out to accomplish. Back to the narrowing of the street, it is also going to make things difficult for rescue vehicles. The Plaza-Midwood Fire Department comes down in front of our place on a daily basis to get to Chantilly, to get to Elizabeth. That is going to be choked down. There is no place for cars to scatter at 5:00 or 6:00 in the afternoon. I guess the other thing is we don't want to deprive Plaza-Midwood of anything, but is it an all or nothing plan. That's a big question because we don't see it helping our area and actually see it causing a lot of problems.

Dr. James Schacht, 2528 Laburnum Ave., said I'll be very brief and won't belabor too many of the points. One of our biggest concerns is that in that area it's a lot of restaurants and bars, and we are kind of unique in the fact we are a veterinary clinic, and I would imagine a lot of you folks have animals. If you take your dog or cat to the vet, you really want to be able to drive up and get out close to where you're going because it's difficult with a big dog or a big cat carrier to get out, and you don't want to walk a block or two to get to where you want to go especially if the weather is bad or it's hot or whatever. So in that sense, we really need access for our clients. There are a lot of other options in the area, and for most people it's convenience. We feel we have some loyal people obviously that will still come, but we will lose a large percentage of our client base I think if they don't have good access to get to us. So in that respect, we don't want to see ten years of our work go down the drain in the sense of having to relocate or possibly go out of business. We love being in that neighborhood, we love serving that neighborhood and being a part of it, and we would like to stay there. We really need a common sense solution for a problem that should be able to be resolved, and you folks have the power to do that, and I would appreciate any thoughts and any input you would have on that matter because we really think it's a matter of life or death for our particular business.

Mayor Foxx said thank you for the feedback, and that is in the process, so the feedback is timely.

AIRPORT RFP

William Dobbins, 7910 Waterford Ridge Dr., said today I'm going to bring just a couple of issues to you. The first one is the relationship between the RFP that is coming up next week, and there is a decision that we are asking you to make to stop the RFP. If that is not true, we would like to give you one other option. My colleagues may not be familiar with that, but as president of the association that handles the drivers there I took it under myself to do a little thinking about this process. My suggestion is you would make an amendment to the present RFP. The amendment would include things like including my association, which is the drivers at the Airport that have been there for ten to 15 years and ask that you give them 30-minute spots as opposed to not having any at all. Also the area, which is referred to in the RFP as standby – standby is part-time drivers. Those people I would ask you would take the drivers that are presently at the Airport, put those gentlemen in those particular positions. Now, this would be a win-win situation for everyone that is involved because at that point there wouldn't really be objections from anyone other than maybe a few of the companies that were included in the process. Unfortunately we can't satisfy everyone in this process, but I do believe this would answer the majority of the problems you have had in the last two years with this process. We believe the public would be beneficial in this process because the public would then have the best product that the Airport, drivers, and the association at the Airport could provide for them. The only other suggestion I would ask is that you please consider this very seriously because you have a proposal that is in front of you now. We are just asking that you make an amendment to that proposal to include those 39 spaces that I'm referring to, and I think the remainder of the numbers would work out accurately. I'm asking for your consideration and diligence on this. We know that the 13th will be a date that you will finalize this process, and we hope that you will include everyone in that process.

Kiflom Beremeskel, 1925 Baxter St., Apt. #4, said I am a taxi driver and work for City Cab, LLC. The company is owned by 29 people. All members are clean of felonies or misdemeanors. Policy issues are decided by 2/3 vote. We are a stable and dynamic taxi cab company. We are committed to the community. We have been selected to serve the Airport and are waiting for the Council members to vote. The members and drivers are hard working. We are financially capable to satisfy all of the Airport requirements. We are organized and trained; organized to go green.

Councilmember Cannon said thank you for coming down. Really appreciate it, and if we haven't paid attention to their current inspection process, it is very, very stringent. It is much more stringent than the one the City has in place. Would encourage you to continue to perform as you have been performing as you do an extraordinary job as relates to the inspection side of it all and making sure the background checks you all conduct are more than thorough. So continue to do good work, and we appreciate it.

Harold Gubnitsky, 1921 Summey Ave., Apt #1, said I am a private contractor taxi driver with City Cab. I have been working with City Cab for about seven months, and this is my third taxi company I have worked for here in Charlotte. City Cab is definitely my favorite. When I came to City Cab, it was like joining a new family. I now have 35 new friends who have all joined together to work as a team to better our company and our service to the public. City Cab is impartial to all of our drivers. Everybody is treated equally and fairly. An example of City Cab's fairness is a couple of months ago my own taxi was totaled by an uninsured motorist. Times were tough for me, and the management of City Cab came to me and gave me a free week of no lease payments, which equal about \$200. By the way, a rental taxi for \$200 a week is unheard of here in Charlotte. Some companies rent a taxi for up to \$430 a week. City Cab is the only cab company in Charlotte owned and run by the original shareholder and cab drivers. Every six months new elections are held, a new set of officers are elected. This system keeps any one individual from dominating and overpowering the other owners. Everyone, including I, a non-shareholder, has some input into the company's policies and directions. We are running a first-class taxi operation. Our drivers are well trained and supervised to ensure the highest quality service to the public. City Cab does their own self-inspections to make sure all cabs are clean and running well. City Cab goes one step beyond all PVH requirements in order to provide the highest quality service to the public. City Cab deserves to provide service at our Airport. Our service will be of the highest standard, and we will comply with all the new requirements set down by Mr. Orr. City Cab drivers will be paying the smallest franchise fee by far. Our Airport

franchise fee will be about \$75 to \$100 a week as compared to other companies that charge as high as \$335 a week. Yet City Cab has ample funds to provide service at the Airport. Our many shareholders pool their funds together as a team, and together we grow stronger and stronger. Finally, I am a full-time cab driver on the streets of Charlotte, and I make enough money to pay all my bills, save a percentage, and also enjoy spending my extra income. Any driver leaving the Airport and joining me on the streets will also be making ample money, too.

Councilmember Dulin said we vote on June 13th. This is for the Manager. The three companies that get those contracts over there, and I know that City Cab is one of the three now, and I'm not going to go into that. But City Cab, how many cabs have they promised to have in service to exercise the Airport and when do they have to have those cabs?

City Manager Walton said I don't remember the details, Mr. Dulin.

Councilmember Dulin said I need to kick back then to Mr. Orr.

Jerry Orr, Aviation, said about 90 days from the time the contracts are awarded. (Inaudible – not near a microphone)

Councilmember Dulin said 90 days, 15 permits. They have 35 drivers now. Would those 15 permits come from those 35?

Mr. Orr said that's correct.

Abdi Duale, 6816 Chieftain Dr., said I am a member of the Passenger Vehicle for Hire, and I have a hard job. I can give you the facts; you make the decisions. I have a handout. One point – what can we do for these drivers? Remove affiliation requirements. The companies own the drivers. They enslave them. I wrote a legal communication, RFP page 5 points out the highlighted questions to the Airport manager. All association members have been providing service to the Airport. When they wanted to submit an RFP, they were turned down. Allow the association members to submit a proposal. Page 5 of the handout, the information is already there proposing the amendment. My point is that the drivers be grandfathered in.

Councilmember Cannon said I just want to ask staff to submit a report back to Council. We sort of had this conversation relative to eligibility and things of that nature at one point. Could Mr. Campbell or Mr. Orr or someone could submit that information to Council relative to the points that have been brought out especially with regard to eligibility and where we are in the process. This will be coming up on June 13th, as has been stated. Don't know that we have a lot of time between now and then to answer what is on the table.

Mayor Foxx said there is a request to share information that Community Safety has had on the topics that have been raised tonight.

Councilmember Cannon said specifically to bring something back in Wednesday's packet with regard to the piece about the eligibility in here that was pointed out by Mr. Duale.

MOBILE FOOD VENDORS LOOKING TO CHANGE ORDINANCE

Pedro Pozos (through an interpreter) said I am here to give testimony to let you know how I have been affected by the ordinance on mobile food vendors that was adopted in the fall. Before this, I was working and providing for my family. After the ordinance was adopted, I have been tremendously affected on income for my family. Today I'm here with a lot of faith asking that the Council to see if there is a way to modify the ordinance in order to continue being able to work. In this way, many of us who have this type of business can return back to work. The only thing we ask for is the opportunity to be able to work. In general, that is what we are asking for today – an opportunity to work. We are grateful to you if you would take this into consideration. Thank you.

Manuel Garcin said I am here representing the Mobile Food Vendors Association, a chapter of Action NC. Just to let you know how it has affected me economically I had to move my

business to another state. Unfortunately we weren't able to do much work over there either, so we had to return back to Charlotte in order to find a way to work. To let you know how this affected us economically, we have been falling behind on our house payment and our car payments. Like my fellow here, Pedro, has said we are here to speak with you in order to hopefully get the support of the City Council members in order to be able to return back to work. We have also heard the City Council over the City of Charlotte does support small businesses like ours. We hope you will help us on this issue.

Hector Vaca said I am here representing the Mobile Food Vendors Association, which is a chapter of Action NC. We are here to talk about specific parts of the ordinance, for example, the 9:00 p.m. part. It has hurt many small business owners that own mobile food units because it has actually kept them from being able to actually serve some of their customers. The majority of their business was between 9:00 p.m. and midnight. More money was made in those three hours than the whole day combined. In terms of the distance, having to be 400 feet from a residential area has kept mobile food vendors away from where their clientele is, so that has kept them from going to their clientele. In terms of having to move every 90 days, this has hurt them in that they had to grow their business for three months and then have to move and start from scratch all over again, so that is a loss of clientele. In those three days, a lot of mobile food vendors have actually lost a lot of their business. The thing is critics have said that mobile food vendors attract crime into the community and noise. To give you an example of how that could be wrong, I live in NoDa. I live like five, six blocks away from the intersection of North Davidson and 36th. Those bars – they keep me up at night, so why should bars keep me up at night while these gentlemen, who don't serve alcohol, don't even have any noise. If you actually visit one, you will see how many customers. They get the food and they leave. In terms of the crime, to give you an example of the difference, you see alcohol violations in Elizabeth and NoDa. There have been reported incidents according to the Charlotte-Mecklenburg Police Department's own Web site. Not one incident has been reported in terms of the mobile food vendors in the last six months. In terms of assaults by gun, there have been reports on 36th Street in NoDa and in Plaza-Midwood. There have been no reports of assault by gun where mobile food vendors are. In terms of residential burglaries, there have been three in Elizabeth, one in NoDa, and one in Plaza-Midwood; none where the mobile food vendors are. In terms of larceny, there are three times more incidences reported, three times as many reported in Elizabeth, twice in NoDa, and three times in Plaza-Midwood. Vandalism, four times in NoDa, eight times in Plaza-Midwood, None where the mobile food vendor is on North Tryon. Possession of things like opium and cocaine dealers, three times in Plaza-Midwood and then the gentleman that is over there on North Tryon. According to the UCLA report, a study that came out, mobile food vendors actually keep crime down because that's more eyes on the street. To give you an example, the mobile food vendors in New York actually stopped a bombing because they actually saw something suspicious, and they stopped the bombing. So we just ask for your help.

Councilmember Cooksey said I just want to check. I understand the two points about the residential distance and the like and the concerns there. The 9:00 p.m. stop time predated the '08 adoption, right? That's been the law since 2005.

Mr. Vaca said we are just asking if we can somehow – I guess I misspoke on that. We are asking for a way to change that.

Councilmember Carter said there are four points here that are worthy of discussion about small businesses – bringing them back, and I would like to request that this be referred to the Economic Development Committee.

[Motion was made by Councilmember Carter and seconded by Councilmember Cannon to]
[refer this matter to the Economic Development Committee.]

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

AYES: Councilmembers Barnes, Burgess, Cannon, Carter, Howard, Mitchell

NAYS: Councilmembers Cooksey, Dulin, Howard, Kinsey, Peacock

Mayor Foxx said that will be referred to ED.

bvj

Councilmember Cannon said, Mr. Mayor, I wasn't here during the timeframe when I guess a lot of that debate and discussion was taking place about this subject matter. I would be interested in trying at least from a public safety perspective to get information from CMPD on specifically what crime or crimes that businesses were causing, if any, because I'm told that they were shut down in the name of that, but yet there was no level of a foundation for it, and I just want to make sure that is not just hearsay but rather fact.

Mayor Foxx said the vote was to refer it, so we don't necessarily need to debate the merits.

Councilmember Peacock said I just wanted to speak to the maker of the motion, Ms. Carter, not in objection at all to the subject of small business, but in 2008 the Public Safety Committee, then by Chairman Turner did an exhaustive job of looking at all sides of this issue of this ordinance. Very thoughtful dialogue – Willie Ratchford was involved, I believe Katrina. We just had a lot of interaction about this subject, about being sensitive to the communities but also being sensitive of course to the neighbors who were being affected and the public safety element to that.

I thought this Council made a really smart decision in how we went about it. The process was fair, the vote, I think, reflected the fact that we wanted to put public safety exactly where it was on this subject because there was a serious problem that was occurring, and we responded to it thoughtfully, I believe. I don't think that opening this up from a small business standpoint should lead to, if it is going to lead to, and I don't know if it is, something changing in the ordinance because I think we did a very good job on that work. Maybe Chairman Turner can speak to it.

Mr. Mayor, I don't want to extend the debate anymore, but the final point I want to make to the group, and I spoke to the speaker about this earlier. He has been sending us emails for almost a month and a half to people in a blind form email, and I beg you, sir, to not choose that path. We do not respond well to just blanket emails about a subject where you clearly have not read things as important as what Mr. Cooksey has just mentioned about the very basic facts of what we are debating. That's why I'm not in support, Mr. Mayor, if it is going to the Economic Development Committee because it just simply opens up the door for this to now come to Public Safety. I'm just not in support of that. I have not seen anything fundamentally we have done in error here. I have seen only a positive response from our staff and from our Council as it relates to this issue.

Councilmember Howard said the only thing I would ask of the committee as it takes this issue on is to remember that we did have a taskforce that was involved with the situation, and I would like to make sure that – because all we are talking about is reviewing. We got information from the City Manager, and I think from time to time, but I would like to make sure if there are any changes that some kind of way we re-engage the people that were involved in that taskforce because citizens did put a lot of time into it.

Councilmember Turner said thank you, Mr. Peacock and Mr. Howard. There were a lot of issues, and for anyone to make an assumption it was to put them out of business – that's incorrect. What we did was establish a policy that we felt was effective to preserve the quality of life in those communities where it was clearly being abused and also to protect them and help them. We, in fact, asked for reports where robberies were taking place. We asked for reports where alcohol was being consumed. We had reports where also drugs were being sold, but that was not the basis of the total decision. It was much bigger than that, and I would ask that you please look at the totality of that policy and understand there was a lot of time and very sensitive – this whole issue is very sensitive to our community, and a lot of people came to the table.

There were representatives across throughout that taskforce, and we listened to their advice, and we listened to the information that was presented to us. We also listened to the stakeholders that came and the citizens that felt like they were being affected from both sides, and we came up with a positive that I feel has been effective. We can hear one side and then make a decision based on two or three individuals' opinion, but when you look at the bigger picture here that the majority of the people felt they were being affected and impacted in a negative way in the quality of their life in their communities, and that's why we took this on in the first place.

Mayor Foxx said that was the last word on this one. There is going to be a lot of debate and a lot of opportunity for review, so why don't we – we could talk about this all night.

Councilmember Cannon said just a simple question though, if you don't mind. After it went to the process, was it supposed to come back after a year for a review to see how things were going? I see heads shaking yes, and I'm seeing some left to right, Mr. Mayor. Do you recall?

Mayor Foxx said I believe that it was.

Councilmember Cannon said sounds like it has not taken place.

Mayor Foxx said I think the request is going to come at the full Council level for review because I remember Ms. Carter making that point a few weeks ago. I think this is a request that review occur at the committee level and perhaps more discussion at the Council level; is that correct, Ms. Carter?

Councilmember Carter said, yes, sir.

Mayor Foxx said we are talking about something we have already voted to refer, so I think we ought to go ahead and let it go through the process.

* * * * *

ECONOMIC DEVELOPMENT: BALLANTYNE AREA PUBLIC/PRIVATE PARTNERSHIP

Mayor Foxx said we have some people waiting patiently including some folks involved with this Ballantyne area public/private partnership. I know a lot of good work has gone into it.

Ned Curran, Bissell Companies, began a PowerPoint presentation and said the topics are jobs, tax base expansion, and synthetic tax increment financing (TIF) proposal for road improvements. This is Ballantyne in 1994. It is probably pertinent that Mayor Riley spoke today and talked about City building because if you think about this picture and you think about Ballantyne turning into this some 16 years later, it's an example of City building and a significant example of the creation of a relatively large tax base.

Each of these different lines reflects the tax parcels that are a part of the 2,000 acres that are a part of the original Ballantyne zoning proposal, and that is the most recent valuation – a little less than \$2 billion in tax value for just the 2,000 acres that Ballantyne represents. The corporate park alone represents about three-quarters of a billion dollars in the tax base, so when you reflect back on the 1994 slide and you think that all this tax base has been created, it is something that I am going to ask you all to help us continue to keep this momentum going so we can have an engine that is creating tax revenue for uses for the City.

You have seen significant office leasing demand. You had some challenging stories this evening as they relate to the economy. This is one that is a feel good story. In 2009 when theoretically the United States emerged from the recession, we leased over half a million square feet, and that represented almost 2,300, 2,400 jobs. In 2010 in the corporate park, we leased almost another half million square feet representing another 2,200 jobs or so. We are currently working with prospects to top one million square feet. We won't get them all, but that represents some 4,000 jobs. Ballantyne is working.

In the last three or four months, I have had the head of real estate lending for the two largest banks in the United States in our offices, and they sit there and say you simply don't understand; this is not happening anywhere else in the United States in their portfolios, so it's something we can all be very proud of.

This shows the southern portion of Mecklenburg County and the City. The highlighted area is the 2,000 acres that are Ballantyne proper, but all of us would think that anything south of 51 really is Ballantyne sphere of influence, and this is just to show that there is a pretty good road

network in this part of the city and the county. We have got options, and yet within the corporate park itself, we have congestion. In the interest of time, I'm not going to stand here and point out those areas of congestion. I'm just going to say that the synthetic tax increment financing proposal that the Bissell organization is proposing is to invest \$11 million of our money in these road improvements, the most notable of which is the making of a thoroughfare from North Community House Road and the building of the bridge to connect North Community House Road over the interstate highway, and that this will help alleviate traffic in the area and help us continue to deliver office product and continue to bring jobs to Charlotte. This is a separate and yet coupled proposal along with a rezoning proposal which you will be hearing later this year.

The terms that we are proposing related to this synthetic TIF proposal are that we would invest \$11 million and something that I think you all might appreciate is that we would do all of this subject to working with CDOT and NCDOT. We would have all these roads completed by the end of 2014. In fact, a critical element of this and something that is essential to the timing is working with the NCDOT because they will actually include the North Community House Road bridge as part of a design build program for the widening of 485 so that project happens simultaneous with the widening of 485. We hope to recoup our investment over 15 years and would be entitled to recover 45% of the taxes generated, and the source of the repayment would be from assets that Bissell controls in the corporate park and increases in value that might come from that. Just one more reminder that in our proposal 55% of the tax revenues would stay with the City and the County, and Bissell would seek reimbursement of 45 cents on the dollar.

We have tried to do things that would make all of you very proud of Ballantyne. We have on this just distinctions that we have received in 2010 alone. It's nice to see things like the word "international" in terms of International Office Park of the year. When you look at the Tiffany award for the Ballantyne Hotel, that says it is one of the finest hotels literally in the world as ranked by its customers. I know that Ms. Carter, Mr. Peacock, and everyone else who is particularly sensitive to environmental matters will appreciate the Tree Advisory recognition that says we are good stewards of trees, that we are Audubon certified at our golf course, and that we have delivered over a million square feet, and stay tuned. You may hear an announcement soon that we are going to deliver more square feet of LEED certified building, in fact, the largest concentration of spec office LEED in the United States. I do want to recognize (inaudible), who has been here, stayed with me, stamina (inaudible) Mayor of Ballantyne. He is going to host the Ballantyne Breakfast Club this Saturday for public discussion of both the rezoning and the synthetic TIF proposal.

Councilmember Carter said, Mr. Barnes, as he was leaving, asked me to ask if this were not funded by the City or not a TIF proposal would it happen?

Mr. Bissell said it's not certain. I can't say that it wouldn't happen, but I would tell you that this would make it a sure thing, and the timing that relates to the NCDOT using it, I don't think we could make a decision with that degree of speed if we had to fund this privately. We are already taking such chances in the delivery of product because virtually everything we do is spec. That means we have no customers when we start office buildings other than two buildings in the history of Ballantyne, so the answer is not sure, not certain.

Councilmember Turner said if I recall correctly we have been down this road sort of, kind of already in regards to – I remember when we were having a discussion with a particular company relocating here. A lot of this was based on building the road across and building the bridge; is that accurate?

City Manager Walton said that's accurate. That deal did not happen.

Councilmember Turner said that deal did not happen, and we didn't build it, and you are now asking us for a synthetic TIF to invest \$11 million -- \$8 million of ours. I'm going to stand on that just as well with this happening or without it. I think that's a question I hope my colleagues will be asking. Would this happen without? If you believe that doing this is going to create a greater impact and opportunity, I would hope you would share more than what you just did with us. I think what you did tonight is wonderful. It highlights the successes we have had in that area, but there are a lot of needs in our city. I would hope that you could provide us with more

information that would support why we should invest in that other than what we have already accomplished. A lot of that happened because of our (inaudible)

Mr. Curran said, Councilmember Turner, your question is totally appropriate from a public perspective to ask that question of us. The candid answer is there are no guarantees. There is no certainty. What there is certainty is that if this proposal or close to its terms can be achieved we will make the commitment and we will have those roads drivable by the end of 2014. Absent that, I cannot offer that assurance and would tell you that it's not likely that all these projects would be done. Let me add that when we talked to our traffic engineers and they look at North Community House Road, they estimate that some 80% of the traffic on that road will not be our traffic. Some of the improvements that are inside the park same kind of statistics, so these are public roads and betterments for the broader community and not simply related to the chemistry of our park, if you will.

Councilmember Turner said I thank you for that because I spent a lot of time in that area. And, you are right. I think you know the area. I live out there. But I guess my heartfelt issue is that I would not name another business park, but there is a particular business park that I know would love to have that same opportunity, and I know some of their projects have stalled during this tough economic time. That is what we, as a body, has to do is make those tough decisions when we invest that. I know they would love if we do this. I'm just wondering how big a door will we open for someone else to come and seek the same benefit.

Mr. Curran said, if I may, a totally legitimate consideration on your part. I would say that what distinguishes it are some of these elements and also the chart that shows the activity for 2009, 2010, and the activity that we have, and that is not happening, and I say that with all due respect to my competitors in the city. That is not happening in the other parts of the city. In fact, if you listen to the senior real estate lending execs, the top real estate lending execs of the two largest banks, it's not happening hardly anywhere else.

In fact, we are looking at announcing two speculative office buildings, and we are having trouble finding any speculative office building under construction in the United States. So when we are looking to take those types of risks to bring product to keep this momentum going and then we are saying, okay, we'll also make these investments in the road improvements, what we are seeking to say to you all let us keep this engine going. This is an engine that is working flawless. If not, we are just one family's capital. We are not publicly traded or anything like that. We don't have enough resources to do it all.

Councilmember Turner said, again, thank you for that report and thank you for those comments because you are absolutely correct. It is a big stake in the game that I think you are willing to invest, and that tells me a lot, and I thank you for your time.

Mayor Foxx said I want to reinforce what Mr. Curran is saying. I mean you have all seen what is happening in the commercial real estate markets, and to have a bullish commercial real estate developer in our backyard willing to front \$11 million to get road improvements done with the promise they will be able to recoup a portion of the property tax revenues spun off of that over time is just an extraordinary thing to have happen in the middle of a recession that has been affecting the commercial real estate markets as much as this one has. At this point, I'm pretty bullish on this concept.

Councilmember Peacock said, Mr. Mayor, I share your sentiments. Mr. Curran, this is a good to great scenario, and I think we are supporting something that has a lot of head wind to it and is very positive for the community. You talked about Mayor Riley and how community is being built and how it's being built thoughtfully. You all are clearly with this decision on your presentation on North Community House Road. As you mentioned earlier, there are a lot of other people in Ballantyne who are benefitting from this. This is not exclusively for the Ballantyne Corporate Park. It's a large community decision there.

My other questions beyond the point, Mr. Mayor, was to I guess first ask the Manager when did we come up with our synthetic TIP policy that we came up with? Can you remind us or give us a brief lesson about that policy and how the Bissell Company is complying with that in this aspect of what we have currently on policy?

City Manager Walton said it's been a number of years – six or seven years – and I think you will have to go through the specifics to demonstrate how it meets the policy, but I think it certainly does if it's a project that you agree that applies.

Councilmember Peacock said that's really my point. I guess the Council asking the question is this meets a policy that you all have seen and you are acting towards. You recognize this is a vehicle in which you could capitalize on, is that correct, from Bissell's perspective?

City Manager Walton said, yes, sir.

Councilmember Howard said I tend to agree with the Mayor and Mr. Peacock, and not only are you talking about \$11 million in public investment in roads, but what would be your total investment in those spec buildings that you are talking about doing that would actually generate what in private investment?

Mr. Curran said in the illustrations that we have done along those terms that I have presented we assumed I think something like \$167 million of new tax value created by the building and the construction activity we have underway and that we are probably going to announce here, and then we grew it by another \$25 million every other year. Under that scenario, Bissell does not get his money back in the 15-year period, and yet we like the challenge of saying, okay, compel us to enhance the tax base even more there in order to get our investment back. So, it's not a slam dunk that we will get our money back here.

Councilmember Howard said that is kind of my point. In order to get the 45% to a point where you can get your money back, that is a significant investment.

Mr. Curran said substantial increase in tax base.

Councilmember Howard said the other thing is the public good that usually goes along with a TIF has something to do with something that we otherwise would do for the public. I'm just wondering where on the list of capital projects the Community House bridge, and maybe the district rep can help me out.

Councilmember Cooksey said I'm looking for it.

Councilmember Howard said where that falls in our ranking of capital projects, capital needs, and especially dealing with congestion that you already have in that area because that would be important for me to know. Does that make sense?

City Manager Walton said yes.

Mayor Foxx said we'll find out.

Councilmember Cooksey said that's actually what I was looking for because it was a point I wanted to bring to Council's attention and to be thinking of twofold. One, at some point, tax funds are going to build, we hope, the North Community House bridge. It is on the PIP. I think it's in the unfunded category right now, and as much as I am a priority-centric individual, I think we have got both precedent and reality that in the absence of future transportation infrastructure funding which we have talked around this table constantly with no provision right now for an infrastructure bond in 2012 the opportunity here is to build a project that has been on the books for a long time and get it done in such a way that it has investment going along with it. I would ask Council to keep that in mind when evaluating the project. This is, one way or the other, this bridge is supposed to get built with public dollars. Do we build it with public dollars sooner or later, and we all know how much more it costs later.

Councilmember Cannon said listening to Mr. Cooksey and yourself along with Peacock and Howard reminds of the old adage of what we used to say many years ago, and it's coming back into fruition again today, and that is what has made Charlotte great on private ventures, and here's an opportunity to look to consider investing in the future because we are just not talking about the present; we are talking about the future. I think your bullish comments were right on

point along with others in terms of keeping an open mind when this comes before us in the future, so, Ned, thank you for your presentation. Staff, thank you for what you are going to do to continue to keep us involved, Mr. Manager, as this unfolds.

Mayor Foxx said have we developed a path for this? Is it going to committee or is it going –

City Manager Walton said tradition would have it going to ED.

Mayor Foxx said that's what I think we should do.

[Motion was made by Councilmember Cannon, seconded by Councilmember Howard, and]
[carried unanimously to refer this item to the Economic Development Committee.]

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Mayor Foxx said we decided to delay the Post-Construction Controls Ordinance.

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RCA: REZONING PETITION NO. 2011-020

[Motion was made by Councilmember Mitchell, seconded by Councilmember Cannon,]
[and carried unanimously to approve Rezoning Petition No. 2011-020 by Percival McGuire]
[Commercial Real Estate Development for a change from R-3, single family residential to]
[NS neighborhood service district for approximately 23.96 acres located on the south side]
[of West W.T. Harris Boulevard between Interstate 485 and Reames Road.]

The ordinance is recorded in Ordinance Book 57 at Pages 319-320.

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CLOSED SESSION

[Motion was made by Councilmember Cannon, seconded by Councilmember Cooksey, and]
[carried unanimously to go into Closed Session pursuant to GS 143-318.11(a)(6) to consider]
[the qualifications, competence, performance, character, fitness, conditions of initial employ-]
[ment of an individual public officer or employee or prospective public officer or employee.]

The meeting was recessed at 9:15 p.m. for Council to go into Closed Session.

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ADJOURNMENT

The meeting was reconvened and then adjourned at 9:27 p.m.

Stephanie C. Kelly, CMC, City Clerk

Length of Meeting: 4 Hours, 8 Minutes
Minutes Completed: August 8, 2011