

The City Council of the City of Charlotte, NC, convened for a Workshop and Citizens' Forum on Monday, October 3, 2011, at 5:27 p.m. in Room 267 of the Charlotte-Mecklenburg Government Center with Mayor Anthony Foxx presiding. Present were Councilmembers Jason Burgess, Patrick Cannon, Nancy Carter, Warren Cooksey, Andy Dulin, Patsy Kinsey, David Howard, Edwin Peacock III

ABSENT: Councilmembers James Mitchell, Warren Turner

* * * * *

TRANSPORTATION: INTERSTATE 77 NORTH – HIGH OCCUPANCY VEHICLE (HOV) LANES CONVERSION TO HIGH OCCUPANCY TOLL (HOT) LANES

Mayor Foxx said we are delighted tonight to have with us Sec. Gene Conti of the North Carolina Department of Transportation. Sec. Conti is no stranger to us. He has done a whale of a job in North Carolina helping to shepherd some of the innovative financing that is going to help us get I-485 done. He has also agreed to serve on the ULI panel for the Rose Fellowship to help us work on Independence Boulevard. Tonight he is here to talk about HOT lanes, and, Curt, I don't know if there is any more that you want to add to this, but we want to welcome you, Secretary, to our Chamber.

Curt Walton, City Manager, said I think that is the appropriate introduction, Mayor.

Councilmember Barnes arrived at 5:34 p.m.

Secretary Gene Conti, North Carolina Department of Transportation, said thank you for the opportunity to be with you again. We'll just get right into this. This is not a very long presentation, so please feel to interrupt with questions as I go along. It's just really the basics of what we have done so far working with the City. I want to salute the Council and members who supported several years ago the fast lanes study, which kind of got us started looking at these projects as a whole network, but this is the first project that really made sense to get down into the details a little bit. He began a PowerPoint presentation entitled, "North Carolina's I-77 HOV to HOT lane conversion," a copy of which is on file in the City Clerk's Office.

A brief update on where we are, and we appreciate the collaboration with the City staff and the transit partners as well. There is some relationship between this project and the potential Red Line commuter rail project, so we are making sure that people working on each of those are talking to each other so we make sure we are not getting crosswise with ourselves in the process of working with both of those projects.

Councilmember Howard said mine is just additional information. Like the secretary said, Barry Moose came to MUMPO's meeting and actually presented on this, and just to add a few more details that he shared. In addition to the fact that this would bring some relief to the northern part of the county sooner than later – actually all the way to Iredell County, the northern part of the region – I don't know if you noticed when he talked about it going to 36 that means it will go across the lake, which is something that with the current project the state would have stopped it, I think, well before that 28 or so. So that is a big plus if this model works. It almost connects up with all the work the state has done already up on that end.

The other thing that Barry mentioned, Mr. Secretary -- I don't know if you want to go into it – that this is a potential moneymaking process as well. You guys actually heard the range – people that wanted subsidy from the state of \$200 million and then somebody who said they could pay the state \$200 million. I didn't know if you wanted to share any of that or if you could right now?

Sec. Conti said that's the whole purpose of doing the time analysis. We did figure out that this is a good financial model. We believe it is. Doing the more detailed traffic and revenue will enable us to get a more precise feel for that and also be able to generate some competition in the

private sector as to who might want to partner with us on this, so we will be looking for the best deal possible for us and the City. We want this project to be as financially viable as possible going into it, so we are going to do the detail analysis we need to do to make sure we find the right partner to help us make it a reality.

Councilmember Howard said the only thing I'd add, Mayor, is also under Gov. Perdue and Sec. Conti we know we have seen creative models come to help us move 485 – the south part of 485 – the finishing of 485 and now this. I would hope soon we will have something we can come back and talk to you about the red line as well because that is another place where the state is being extremely creative. I have actually asked – I talked to Jim anyway. I was going to say I have asked the Manager's Office. I don't know if you heard I have asked this but for us to actually get an update real soon about what Paul Morris and his office – what the Secretary's office is doing with the red line as well because it's another real creative way of getting the project going.

Mayor Foxx said Mr. Peacock, who is the chair of our Environment Committee.

Councilmember Peacock said my first question is a technical one. What is P3?

Sec. Conti said public/private partnership where we get a private partner to come in and hopefully get some equity in the project and share in the return if there is one, so it's a way of attracting some private capital to transportation projects.

Councilmember Peacock said second question – approximately how much time would we save or we hope to save from Exit 36 to Exit 28?

Sec. Conti said I don't have that number off the top of my head. I'm not sure we have gotten into that level of detail yet with the engineering, but we can certainly provide that.

Councilmember Peacock said the third question is what other cities maybe in the southeast would we compare ourselves to when we look to move from HOV to HOT lanes, and is there any kind of compare and contrast in how they financed it in their P3 model?

Sec. Conti said Atlanta has a very active P3 project on I-75, and they have been moving forward on that pretty aggressively over the last year or so. That's one of our nearby neighbors. Houston has a number of significant HOT lane projects already built and operating and working quite well. Miami has some activity around HOT lanes on 595 in that congested area, so there is activity around the country. I think those are the ones in the southeast or the south that I'm most familiar with.

Councilmember Peacock said so if a citizen were to ask what is the difference between an HOV and an HOT lane I can explain that, but what is the benefit to the citizen?

Sec. Conti said I think you are giving people options. If they want to pay to go into this lane and have a more predictable arrival time if they are trying to pick their kids up at athletic practice or at school or they need to be at work at a certain time, and the traffic congestion is very unpredictable, an HOT lane offers an option. Again, California has done a lot of things in the San Diego area with HOT lanes and I think have been favorably received in that community for that very reason.

Councilmember Peacock said approximately how much does it cost in those cities – Houston and Atlanta – to take an HOT lane? Do you have a price range?

Sec. Conti said it's a variable price so we don't charge as much when the congestion is not as heavy. It can vary from in the neighborhood of five or ten cents a mile to a dollar a mile depending on how long the stretch is and what the corridor can support, but the idea is you are charging variable price so you are trying to keep the traffic moving, and if you go to test what people are willing to pay to have more predictable trip.

Councilmember Peacock said the final question is about technology. Tell us about the technology that helps to track those and how the citizens ultimately go about placing their vehicle and how it's monitored.

Sec. Conti said the technologies have changed a lot in the last ten years as these projects have developed. Most places are now looking at all electronic type of technology, so you have some kind of reader in your car. You set up an account, and it deducts whatever the amount is from your account as you pass the readers. There is really no booth to throw money into or anything. That is the old technology, if you will. One issue that is very critical is the enforcement issue because you want to be able to enforce it so you just don't jam up that lane with single occupancy vehicles of people that aren't paying, so enforcement becomes a critical piece of it. It can be more easily handled if you do what we are doing and studying how to engineer, how to set it up right in the first place so that enforcement becomes part of the project if you will.

Councilmember Cooksey said quick question on a clarification. You mentioned making sure that folks on the I-77 project are communicating with folks on the red line project. Is that because of potential conflicts between the two or opportunities for cooperation or just to make sure they are talking?

Sec. Conti said I think both. I don't want there to be conflict between the two. I think both are probably useful and needed, but I just want to make sure we are moving forward on both, the folks that are working on them are communicating and sharing information. So far it's working fine. I just made it a point to talk to everybody and say, hey, we have got two projects in this corridor. They are both important. Let's make sure we communicate among ourselves and stay on the right track.

Mayor Foxx said Andy Dulin, and I appreciate your recognition of Susan G. Komen and Race for the Cure and breast cancer.

Councilmember Dulin said what happened downtown Saturday was a big deal. You might have participated. Welcome, Secretary. My question has to do with the technology of the lane, so I don't know if we need to ask staff or – I don't want to pester you with questions, but I drive that section up to the Mooresville area once, maybe twice a month. Would I have to buy a monthly pass regardless of how many times I use it to have the chip in my car so I can jump on, and then more important than that is the hundreds of thousands of pass-through drivers we have from Ohio. If you live anywhere in Ohio and you go to Myrtle Beach, you come through Charlotte, North Carolina, as you know, because we are working on the blight – we are working on that through Independence and so forth, but how does a minivan from Ohio show up with no chip and pay us to use that lane because I'm afraid we are omitting them.

Sec. Conti said that's a very good question and will be subject of some pretty detailed analysis as we go forward on this project. Our general approach in North Carolina as we finish the first toll road in modern history in our state, which is part of the Raleigh outer loop. We'll open that in about two months. We are going all electronic, and there are two ways you can pay. One is to have the transponder, which I talked about. The other is we are going to take a picture of your license plate and send you a bill.

Now it costs more to do that, so we are going to charge you more for that. We also are leading the country – North Carolina is – on something called the alliance for toll interoperability so that we will have the capacity to charge people from Ohio or New York or California by reading their license plate and sending them a bill and then working to create a network of states that cooperate in terms of enforcement and payment. Now, you may still have some leakage. You may have people that get in there, and we can't track them down, but what you want to do is try to keep the leakage in low single digits like 3% or 4%. We are still financially viable if you have level. If it gets up into the double digits, then you are in financial trouble, so there are two technologies really. There is the transponder and the RFID type technology and then there is the video license plate reader.

Councilmember Dulin said I'm looking forward to the conversations. I can't imagine somebody sending in their cash when they get a bill from the State of North Carolina or Mecklenburg County three weeks later for their two-mile journey on our toll road, sir, but it will be interesting.

Sec. Conti said, as I say, there will be some leakage for people who are one time. I will tell you a story. It may be improbable, but I think it may have some element of truth about one in California where a gentleman got divorced, moved to New York, left his car with his ex-wife in California, and about a year later he got a \$30,000 bill from the State of California because his ex was driving through that HOT lane never paying, and they finally tracked him down and hit him with that kind of a bill. I think that is a very extreme case.

Councilmember Dulin said I would say as an ex-retail guy the best opportunity you have to get paid is when the service is rendered. I just can't imagine. It will be interesting to see this go forward, sir. I'm a pessimist on our ability to make folks that aren't our neighbors have access to it, but that will come. I know you all are studying and working hard, so I appreciate it.

Councilmember Howard said, Mr. Secretary, to respond to Andy, I know enough about this just to be almost dangerous, Andy. In the scenario that he just mentioned, Mr. Secretary, where a minivan with a family, because it's an HOT lane and a HOT lane that family is actually okay. It's the person that is riding by themselves. It's the single occupancy that actually would be charged.

Councilmember Dulin said so the double occupancy plus before you ride.

Councilmember Howard said in some states they actually do more than three for HOV. I think right now we are looking for just two – two or more you are still HOV. In the scenario that you shared, that family could still use it to get them out of the general purpose lanes.

Councilmember Dulin said it turns out that is another problem because that guy is going to be coming through here from Ohio, and we are going to take a picture of his license tag. The camera doesn't know whether he has one or eight people in the van.

Councilmember Howard said, no, the technology will –

Sec. Conti said that's an enforcement issue, but Dave is right. The technology would allow you to generate –

Councilmember Howard said I have seen it in two cities. The technology – they have got it.

Sec. Conti said it's not 100%.

Councilmember Dulin said there's shrink in every business.

Sec. Conti said that's the issue.

Councilmember Dulin said you try to get that shrink down because that is the profit.

Mayor Foxx said, Sec. Conti, we thank you for coming and taking time out of your schedule to be with us today. I think I have seen you doing more presentations to us and to MTC and MUMPO than any Secretary of Transportation I have ever known.

* * * * *

TRANSPORTATION AND ECONOMIC DEVELOPMENT: INDEPENDENCE BOULEVARD/ULI ROSE FELLOWSHIP

Mayor Foxx said we now transition into the ULI Rose Fellowship project, which as you know, we picked Independence Boulevard, and we have actually all four of our Dream Team members here – Debra Campbell, Danny Pleasant, Gene Conti, and Jim Schumacher. I think Debra and Danny are going to present tonight.

Curt Walton, City Manager, said we also have a representative from Congressman Kissell's office here.

bvj

Debra Campbell, Planning, said I am going to take just a few minutes to provide you with an update on the ULI panel recommendations and the work we have been doing as fellows to advance our project as well as Danny will come up and talk about some challenges and opportunities and implementation strategies and then Jim Schumacher, I believe, is going to take us on home with the presentation on the next steps and the path forward. The purpose of our presentation is to give you an update again on the activities that we have been engaged in since being nominated as Rose Fellows. As the Mayor just said, there are, in addition to himself, myself and Danny and Sec. Conti and Jim Schumacher as our alternate and Alecia Osborne as our coordinator, and she has been getting a lot of help from Brian Horton.

Hopefully I don't have to go over a lot of details about what the Rose Fellowship Program is, but I can say that I am so grateful for the opportunity to have been chosen as a fellow because it has been extremely rewarding from a professional perspective. We have had the opportunity to go to many, many communities throughout the country as well as to get a lot of exposure from a lot of other professionals that are in the field. We had a panel of experts that came to our community in January and presented us with some information with regards to the problem that Charlotte selected. A lot of the other communities, which there were three other communities in addition to Charlotte – Houston, Sacramento, and Detroit – that are a part of the 2010/2011 Class of Fellows that brought problems, and the majority of their problems were related to how do we solve a land use issue. For our problem, we wanted to do something related to implementation of the Independence Boulevard Plan.

She began a PowerPoint presentation entitled, "Update on Urban Land Institute – Rose Fellowship Project," a copy of which is on file in the City Clerk's Office. She said when we were doing the Independence plan we looked at this from the perspective of looking at the existing highway design. We did not recommend necessarily any changes to the highway design, but literally recommended land use changes that will adapt to this scenario or one that would be redesigned. She covered the general observations and key ULI recommendations.

From a graphic illustration of their recommendations was again having nodal development and just for purposes the Independence Area Plan boundaries was generally Briar Creek all the way out to Sardis Road – Independence being here, which would be kind of the BRT express regional transportation node, Monroe Road being the more local type of transportation related to rail, and also having development orient and reorient from the Independence corridor back to Monroe and then also back to Central Avenue.

This is again a graphic depiction of the right-of-way for Independence Boulevard with what we currently have is an exclusive busway and then HOV within these two lanes. What the ULI recommendation was to combine the busway and HOV in the same corridor. That way you can generally reduce the amount of right-of-way needed for Independence corridor and hopefully reclaim some of that land for future redevelopment opportunities.

In terms of what was recommended by the ULI and what we have been able to accomplish as Rose Fellows as well as having a lot of help from the community is Council adopting the area plan, sharing our ideas with a lot of groups, and you can see we have been on the road. We have been to Matthews, a lot of communities within the region, and a lot of other boards and bodies. We have begun conversations in terms of relocating the Farmers' Market. That was one recommendation that you didn't see related to the ULI panel recommendations but that was definitely one of them.

Then I want to turn for a minute to talk about the most recent activity of establishing a taskforce and organization of people within, and I believe we have some of the members that were on the taskforce, and if they could raise their hand or stand, we would greatly appreciate that. This group was tasked with trying to come up with ways from a consensus building perspective advance some of the transportation and infrastructure needs along Independence and also to not forget that the reason we want to do this really is to support land use, economic development, and quality of life goals.

We held three meetings since this past July, and we culminated our meetings in September where we reached consensus. You can see the membership of the taskforce, which was convened by

ULI, both the national chapter as well as the local chapter. We had representation from MTC members. We also had the Mayor that attended actually the last meeting that we held of this taskforce and a number of organizations and staff and departments in City government, NCDOT, as well as most importantly representation from the east side in terms of community and business organizations.

What we did through that taskforce I believe is really reaffirm the goals for the Independence Area Plan, redevelopment, and future development in the Town of Matthews. We just kind of consolidated our vision for how not only from an infrastructure perspective and what Independence's future was but also from a land use, mobility, and economic development perspective. Finally got real consensus from all of the interested parties. Now, I'm going to transfer to Danny and let him go over the "how do we get there".

Danny Pleasant, Charlotte Department of Transportation, said, again, the fellowship has been a remarkable opportunity for those of us on city staff to visit other cities, glean the best ideas from those cities, and really learn a great deal about the things they are doing there. One of the jobs of the fellowship team after starting the ULI panel in January all the way through to this point was really to move their recommendations to the next level, to refine their recommendations, to vet them through the public and the taskforce, and to come up with a kind of more conclusive place. I'm going to take you through in the next few slides some of that thinking that went behind getting there. Debra explained to you how the ultimate vision plan through the area plan came to be, so the next steps are really to take these shapes like this purple shape that indicates an activity node along the corridor and start to refine what that might look like in the future. He continued the PowerPoint presentation with the bottom slide on page 8.

Councilmember Peacock said the Silver Oaks redevelopment that is the rezoning we have approved just across from East Meck; is that correct?

Mr. Pleasant said that's correct. He continued with the PowerPoint presentation with the top slide on page 9. When we look at how to take those next steps to implementing some of these recommendations, a couple of things come to mind. One of them is we really believe we have a window of opportunity. As we are proceeding with this next section of Independence Boulevard between Albemarle Road and Conference Drive that will include Sharon-Amity and Idlewild interchanges, we are taking the opportunity so far to add some additional funds to widen some bridges to get the lanes through for some sort of transit use. We have widened some of the bridges to get sidewalks.

So we have taken some measures to improve the conditions down there with the current one, but the next real opportunity comes with the next six miles between Conference Drive and 485. NCDOT, through this process, has agreed to start some pre-planning activities, pre-construction activities, things like preliminary planning, preliminary design to see what it would take to go ahead and finish Independence Boulevard construction between Conference Drive and 485. NCDOT with their new strategic planning ranking system has ranked Independence Boulevard a couple of times already using various scenarios, and each time Independence Boulevard comes up as number one or two highest priority projects in the state, so we think we have a good opportunity to maybe get into a funding queue that can help us finish the project in the long term, and with the preconstruction work that NCDOT has agreed to start taking now really waiting on a decision here as to how we want to proceed as a community I think we have a good opportunity to start to accelerate that project through.

The challenge that we have is we have a changed financial picture from the transit side from the economic conditions that we are currently experiencing. We have had a decline in revenue, which has caused our transit systems plan to push back Independence beyond the funding horizon, so it's beyond the 25-year timeframe. So our challenge is how do we enhance transit service in this corridor in the near term while keeping that larger vision of a fixed guide way transit alive for the long term?

One of the potential answers to that is to use highway dollars to start building some of the infrastructure, maybe look at our fast lanes project that looks at those high occupancy toll lanes, as Sec. Conti was talking about for I-77 north, and perhaps they could be of some use here, and it begins to make some sense along the corridor for a couple of reasons. To get back to sort of the

urgency of the project, this project we like to jokingly say encompasses about one mile of improvement every ten years. That's just entirely too slow. That has led to some of the uncertainty in the corridor about what is going to happen making it difficult for businesses or others to decide to invest there. So we want to move the project along at a faster clip. This is pretty much the timeline. Since 1990 we started working in the middle and started working outwardly over time. This thing has been under some state of construction, some state of disruption to the businesses and land uses along there.

So it makes sense in a way to look at maybe fast lanes, a toll type of strategy, for bringing funds to the project as well as some conventional transportation funding because you can see here the Monroe Bypass Project, which is 100% toll road project, the turnpike project, will end right here at 485, feed right into Independence Boulevard when it gets completed, so it made sense to us to maybe continue those HOT lanes as a continuation of the toll facility here into the Center City thereby providing a choice for those who want to use it to pay a bit extra toll in order to get a more predictable travel time through there. Also, as Debra pointed out in the cross-section that you saw, you can also operate express bus service in there to get a more reliable time for those express bus trips that come into the corridor.

With all this said, we allowed ourselves to dream a little bit about how this idea may come to pass. We picked a sample site here. He used the slides on pages 12 and 13 to illustrate his comments. With that, I'm going to look to Jim Schumacher to come up.

Mayor Foxx said let me interject here because what you all may not realize is this is actually historic in a way because to have NCDOT, CDOT, our Planning Department, and the City Manager's Office all working together to try to conceive the way Independence Boulevard should look. The conversation, had it happened 25, 30 years ago, we wouldn't be having this conversation right now, so this is a really big deal.

Jim Schumacher, Assistant City Manager, said I would add in this taskforce process we had some key community representatives – citizens and business representatives – involved in the work of our taskforce. In the papers at your seat is a copy of a letter on the ULI Rose Center letterhead. This is the letter that the director of the Rose Center provided to the Mayor last Monday as a wrap-up of the work of the taskforce, and it describes the conclusions that the taskforce came to – conclusions and recommendations – and those are summarized here on this slide. He used top slide on page 15 to illustrate his comments.

Probably the one point that is in the conclusion category is that part of our problem is that we were looking for Independence Boulevard to do everything – long haul trips, short haul trips, long haul transit, short transit trips, triggering and promoting transit-oriented development, providing access to car-oriented retail. All those things are just not going to work, and that was what led the Rose panel back in January to say use the highway a little bit differently and find another place to put your fixed guideway rail transit in the corridor in the long term.

The second point here is the MTC should rescind the provision that preserves the space in the center of the highway. The systems plan that the MTC adopted five years ago calls for BRT in the corridor but has a special provision that says “preserve the right as the highway is expanded to put that BRT or LRT in the middle of the highway,” and my words would be that is kind of holding that center portion of the highway hostage, and under our current financial environment with CATS we know that is at least 25 years in the future based on the current revenue structure that we have. So the idea of the Rose panel was let's try to do something more in the short term that helps and continue to plan for that long-term vision. So they said instead use the center of the highway for HOT lanes and expand the express bus service using the HOT lanes, and the images that Danny showed you are an illustration of how that could work.

Also develop a new alignment for rail transit in the southeast corridor, and we all know one of the reasons for rail transit that we have incorporated in all of our planning is stimulating and supporting transit-oriented development, and we believe that will happen better when it's not in the middle of Independence Boulevard but is along another alignment. Now what exactly that other alignment is needs to be studied in more detail. The panel back in January suggested that it be streetcar on Monroe Road. That could be the answer. It could be the answer that a train should parallel along one side of Independence Boulevard. It might use the CSX Railroad right-

of-way. Independence Pointe Parkway when you get out into the Matthews area is already part of the alignment.

The final answer is probably some combination of all of the above, and one of the things we have learned during this process and realized during the process is that rail transit the vehicles and the different types of rail transit really are emerging. Danny likes to tell a story that when we were in Toronto we saw they had trains, and when they were in the street, they called it a streetcar. When it was in its own alignment, they called it the light rail, and when it was underground, they called it a subway. But it was all the same train; it was all the same vehicle. Our answer may be an alignment that is partly in the street, partly on its own alignment, partly paralleling the freight railroad tracks. That's what we need to determine in the coming years.

Finally the final recommendation is the area plan that you adopted for the Independence Boulevard corridor in May include some recommendations for strategies to try to rejuvenate the corridor, bring some of the retail back, better organize the retail back from the situation that developed 50 years ago where you have a continuous strip of commercial development from one end to the other. Instead I try to orient the commercial and car-oriented retail at some key nodes along the highway probably where the major cross streets are. Some of those other areas perhaps reuse that land for other land uses – residential land use primarily – and turn it and orient it to the neighborhoods away from Independence Boulevard. Finally, continue the involvement of the community representatives and the east chapter of the Charlotte Chamber who volunteered to host those types of meetings going forward.

We have presented this information to the MTC last week, and the Mayor can correct me, but I think the MTC received this information very positively and was very open to what they were hearing. I might go ahead and point out the schedule. He reviewed the bottom slide on page 15.

Councilmember Carter said I am very grateful for these studies and the conjuncture of recommendations. I do have some points I would like to make. Number one, I'm very appreciative that the light rail or fixed guideway option is maintained in the long term. I think that is excruciatingly important for the east side in its development and its self-image. I'm very grateful that the express bus is included as an option for the east side residents; in other words, Conference Drive and Idlewild as stops. Thank you for hearing us. That's just outstanding.

On to the rest. Nomenclature – if you call an express bus BRT, you will have resistance. If you call it express bus and let it run as an express bus, you'll have support. Given this as the option for transit in the east side is not acceptable, and that has been repeated time and again, and I would like to read you what Susan Lindsay, one of our neighborhood activists has written. "Nancy, the consensus we reached at the September 7th ULI organized meeting contained several points. In its letter to the MTC, one of those points was missing 'no BRT'. The purpose of excluding BRT and keeping express bus program and asking for better bus service to businesses on Independence was proposed for a couple of reasons. One, to focus funding for the future rail projects recommended. Two, if funding for either alternative is at least 20 years away, then recommending a gas-powered system doesn't appear to make sense for the long term." She is speaking, I think environmentally as well as perception wise.

It is important to the east side to be part of the greater Charlotte. Charlotte is a quality city. All residents deserve quality service. The perception of BRT is not quality service, and economic development along BRT has not been substantiated throughout the nation. It is a problem. Noting the streetcar, that to me is an outstanding resolution short term – probably longer than short term, but medium term, shall we say, and I think it is well received in the east side and solves many of our transportation problems in this term.

I did not see the loop included except in a dotted form connecting Central to Monroe there at Sharon-Amity, which has been recommended. It makes much better sense as a loop to me, and I think to the east side residents. That is a connector. It is not unilateral, so I think that is an issue that you will have facing you if it is developed as two separate lines.

I am pleased at the effort to move the east side forward, and I think you will reap benefits untold if this can move forward. I leave it in your hands, and I hope there is guardianship because people have fought and voiced their opinions and been local, local participants in this effort, and

I honestly think it can be very successful and rewarding to Council, to the State, to the Rose Fellowship as a premiere project, and to all of us.

Mayor Foxx said that sounded too much like a valedictory though. We have a few more weeks to go. Don't sign off too early, Nancy, but thank you for those very well thought out comments.

Councilmember Howard said my questions – I'm just going to throw them out, and you guys tell me. I know at least one is for the Secretary. A lot of what Councilmember Carter just talked about hinges on I think the viability of streetcar on Monroe and Central Avenue happening sooner than later, and if we could show the road map to getting that done that would probably go a long way with helping even that perception you talked about with BRT. So, would one of the next steps be brining in Carolyn and her team to really talk about what that could be?

The reason I say that is I would suspect – I never saw the numbers on what putting light rail down Independence would be out to 485, but it would have had to be extremely expensive. Given that, comparing what we know we could get to the fares, what local dollars would be – I mean if you don't have an answer to that, fine, but that has to be one of the next things we look at to try to figure out if any of this makes sense; is that right, or am I wrong?

Mr. Schumacher said, yes, I think we would all agree with that. The leverage point here is for the MTC to lift or rescind that special provision that says to MUMPO and the State to preserve things in the middle of the highway. Once they, assuming they do, remove that special provision that really opens the door to the State to proceed with their planning work and for the MTC to begin the studies of where and when to put rail in the corridor.

Councilmember Howard said that's fair. My second one – Mr. Secretary, it's probably for you. Given what you just shared with us about I-77 any thoughts about 3P working on Independence Boulevard at all?

Sec. Conti said that certainly would be an option that we would want to include. I think what Jim just said about awaiting further study on the transit situation applies on the HOT lanes as well. If we can get the go-ahead, I would commit that we start work shortly on how we extend that toll road, whether that could be done (inaudible – not near a microphone).

Councilmember Howard said the last thing I would contend is that one of you guys said in the presentation the predictability for the landowners out there is what we have been missing for a long, long time, and the sooner we can nail this down and make this happen then all of our lifetimes. I mean at the rate we are going I will be 70 before we get out to 485 or something. That's just not an option, so the predictability of this I hope we move fast to help the people over there get there.

Councilmember Peacock said a couple of comments. First of all, great presentation. This is exciting. Many of us were in east Charlotte last week for a forum that was held at AME Presbyterian, and many of us talked about this transformation that will start with Independence, and I was hoping to get maybe a brief report from Debra, if she has one, on where the Independence Wal-Mart project is in its timeline. I had a couple of people ask me about that, and I want to underscore your headline to that slide, which is catalyzing transformation.

I slightly disagree with Mr. Howard in the sense that I think a lot of the transformation is already underway particularly with Wal-Mart and particularly we have all overlooked this is the Silver Oaks redevelopment. That was one that clearly changes that block. I'm just not hearing a lot of people talk about that in east Charlotte, and maybe Ms. Carter has probably heard a little bit more. You probably have more so than me, but those were a couple of points.

Then Ms. Campbell while we have you, I was looking on this timeline, and maybe I'm reading it incorrectly, but there was a slide that went historically – Danny went through this. Need to accelerate transformation Briar Creek to Waterman and then Waterman to Eastway and then that Coliseum area that we have made the Coliseum an historic landmark. Is there anything that ULI commented around that very historic building and its position in east Charlotte right before that? Two questions. One was about Wal-Mart and the second was about the Coliseum area of Independence.

Ms. Campbell said the Wal-Mart opening date is scheduled for sometime in November, and we are extremely pleased. I hope that you all pay close attention to the design of that facility. It is very different from the usual Wal-Mart, and that is due to you all trusting staff that we were going to do the right thing in making the recommendations to rezone this on a proposed transit corridor.

The second issue with regards to the Coliseum site, certainly the Independence plan as well as the ULI panel recognized the importance of those kinds of civic places and activity centers, which we think the Coliseum area is. I don't know necessarily they acknowledge the historic nature but simply acknowledge the fact that it can generate a lot of activity and interest along the corridor but not necessarily from an historic landmark perspective, if that was the question you were asking.

Councilmember Peacock said I guess maybe I would hope the taskforce would take a closer look at that building, its significance in Charlotte. It's important as you are leaving uptown to connect it with the definition of what I would say is the entryway into east Charlotte. There was a lot of architectural interest that was put into it initially. It was the largest free-standing dome in the world at one time. When I see this picture that you have right here and that wonderful office building there and that completely transforms the whole entire corner on Conference Drive. I would just hope that you all would maybe do some dreaming around that because it really does set the tone. I think the Wal-Mart project, and I'm excited to hear how soon it was going to be finished. I didn't realize it was so quickly.

Ms. Campbell said it is. It's been a long time though.

Councilmember Peacock said I know, but anyhow, appreciate it.

Councilmember Carter said there is another project that is coming before us next Monday. David Krug is coming back with some street realignment on Monroe Road, the redevelopment at Woonsocket, the old factory location. So there is another project that is going to be a major one, and when you look further down at Sardis Road North, Danny Levine has a wonderful development there, and Council argued with him about putting apartments in. Those apartments were so successful he came back with a second proposal about the apartments, so there are nodes all along Monroe Road that are getting great development attention.

Mayor Foxx said I, again, want to thank you all for the work you have done on this. I think on the transit issues I think getting some clarity around that is absolutely critical. I also think providing some modicum of assurance to the community in east Charlotte that rail is not being abandoned on the corridor is very important. To that end, I just had a couple of questions about the southeast corridor alignment. I know at some point in time the options must have been studied, and is that information available in terms of what other alignments were looked at, and can those be scaled to give us some estimate of what it would cost to use a different alignment?

Mr. Schumacher said, yes, those other alignments that use Monroe Road and use the CSX railroad alignment and different ways into Matthews those were studied back about ten years ago when the MIS studies were being done for the southeast corridor, so we do expect to pull that information back out. The cost information of course will be stale. There will need to be some work done on updating those numbers, but I think certainly as the MTC would proceed with studying a new alignment that past work would be where they would begin and build on that.

Mayor Foxx said just so you know it's not like we can just insert another alignment into the 2035 plan or whatever. We actually have to go through the process of figuring out cost and so forth. Any input you all have as we get close to the MTC meeting, please share it with me.

* * * * *

ECONOMIC DEVELOPMENT AND HOUSING & NEIGHBORHOOD DEVELOPMENT: NEIGHBORHOOD & BUSINESS SERVICES (N&BS) AND CHARLOTTE-MECKLENBURG POLICE DEPARTMENT (CMPD) COLLABORATION

Mayor Foxx said another interesting and I think a very exciting collaboration is occurring between N&BS and the Charlotte-Mecklenburg Police Department, and, Mr. City Manager, I would love to have you say more if you would.

Curt Walton, City Manager, said we are moving towards a broader approach to community based problem solving. It started with the formation of N&BS several years ago, and then the subsequent Pat has done since then. Now with integrating CMPD and N&BS more closely together in some pilot areas, so we wanted to give you an update on that work and talk about those areas.

Mayor Foxx said, Pat, before you get started, we have a Boy Scout troop here that I would like to acknowledge. What troop are you with?

Unidentified Speaker said 162 (St. Anne's)

Mayor Foxx said welcome. We are glad to have you here. Stay as long as you like.

Pat Mumford, Neighborhood and Business Services, said I'm extremely excited and frankly very proud not just because of the success of a particular ACC football team over the weekend, but I'm glad to be in front of you tonight to talk about, as the Manager said, not only the transition of N&BS within Old City Hall but also how we are reaching out and integrating our services with other City departments and even outside of the City. It kind of goes back to when I was here a little over two years ago – the conception of the merger.

At the time, we had NB and ED, and it seemed as though this was going to be a merger of just two groups, and I had come out of an environment where I was involved in literally about 150 mergers in the bank environment, thought I knew a little something about that. As we got into this, we realized this was really a merger of about five or six groups because even within those two departments at the time there were different disciplines, and they weren't pulling together as much as we felt they probably could, and that's not because they didn't want to. The times are different now. What's interesting is we are not suggesting that we were doing things wrong in the past. We are looking at the next right answer.

If you take a look at how the private sector works, you have a product to sell. You have to stay out in front of your customer base at a rapid pace today. We really are no different. We should stay in front of that curve as best we can, and that curve is driven by what our constituents in this community want, so we have to do an even better job of understanding the issues in this community and how we can be creative to get out in front of those.

I would suggest to you, too, that all sounds great. We don't have a roadmap. Where I was previously, 150 mergers, we had a roadmap; we had a game plan, but we didn't have one here. So you all see us on a regular basis a couple of times a month – N&BS and CMPD. What you don't see is the change in how we do our job. Tonight is not going to be a bunch of graphs and charts and numbers. I'm going to try to help you better understand how we are approaching our work differently. We feel we must approach our work differently to be successful. We could still be successful without it, but we are all charged up to come to work to do a better job.

He began a PowerPoint presentation entitled, "Neighborhood & Business Services Charlotte-Mecklenburg Police Department Working together to improve Charlotte's Quality of Life", a copy of which is on file in the City Clerk's Office. At the top slide on page 5, he began a video. He said while I did not do the sketching, I really like that piece because it speaks to how bringing ideas together is powerful, so we can't just talk about collaboration. So we decided our structure needed to embody that environment that allowed for these chance collaborations, chance hunches, and we want to be collaborative, we want to work together and do all this to positively impact the quality of life in our city. This isn't about N&BS. It's ultimately about the City of

Charlotte. He continued with the bottom slide on page 5. At this point, I'm going to ask my partner – not in crime – to come up and talk through the police component of this.

Chief Rodney Monroe, Charlotte-Mecklenburg Police Department, said how many times have you heard me say work gets done at the neighborhood level? It's not based on how large of a headquarters you have. It's based on pushing resources out into the neighborhoods where people care, where people want to see action, and where you can effect that action a lot quicker. Our structure is designed so that you can own the territory. You are responsible for that territory 24 hours a day, seven days a week. When something happens within a neighborhood on a street, I know one person I can call that is responsible for that address on that particular street.

Collaboration – it takes more than just one entity to bring about change when you are looking to address problems within our communities. I wish every problem was centered around a crime; it's not. If you look at our calls for service, we average over a million calls for service a year, but when you compare that to actual crime, fortunately we are down from 54,000 to around 35,000 crimes; but, again, 35,000 versus a million, so the majority of the time people are calling it's not necessarily about a crime but it's about something that gives them concern or could enable a crime to occur.

When you talk about N&BS and the Police Department, we both have been around for years, but we look upon them as two very separate and distinct entities. It's about time that we start speaking the same language and start sharing the same goals and responsibilities. You may hear N&BS saying that we want to beautify a community. You hear the Police Department say we want to eliminate that liquor house within that community. Same thing. The beautification is making the neighborhood look better, but the way that you make a neighborhood look is to get rid of that liquor house in that neighborhood. So we want to bring the terminology and the vision and the goals much closer together.

Quality of life issues are sometimes more important to communities than crime itself. You not only have to focus on reducing crime, but you have to focus on reducing the fear of crime. What generates the fear of crime? What generates the fear of crime is the way things look, the way people feel. That's a lot harder to effect than it is an actual crime. If I had two or three break-ins, I would know exactly what I need to do and how to do it and when to do it to prevent further break-ins. But when you start talking about overgrown lots, how do you effect change in one house that is causing concern throughout the neighborhood, we don't necessarily have the tools to do that.

Perfect example, we get a call for a particular address that we believe people are selling drugs. We send an officer around there to do a knock-and-talk. We go in. Elderly couple lives there. The house is infested with fleas. The community sees that. They believe that what is causing that is drug deals. Yes, there are grandchildren involved that come over and visit that hang out. Friends come. That gives the appearance that there may be drugs. There are no drugs being sold at that particular location, but are there things that can bring about a change to eliminate some of the fears? Yes, and that's what we want to try to effect.

Just giving you some examples -- down in the southwest area. Last year coming out of CMPD's retreat we wanted to find ways how we can go to the next level whereby we can start trying to reduce people's fears. So with that, we started looking at how we can work with different communities, different partners. The next few slides talk about how we build those collaborations. We are not talking about one-year projects, two-year projects. We are talking about 90-day projects. How can we go in there and effect change in a neighborhood within 90 days. If you have problem buildings, streets, lighting, or a problem with businesses, we want to bring about a change within 90 days. With that, partnering with N&BS we think we will be able to do just that.

So I'm not going through each one of them. A perfect example, Sugar Creek corridor. You heard about the hotels and the problems they are causing with crime, prostitution, things of that nature.

Mayor Foxx said we have a question from Mr. Peacock.

Councilmember Peacock said on your previous slide you had something that says working with UNCC CHARP program. Can you tell me about that? I never heard of that.

Mr. Mumford said that's a program where they have some masters' level students that go into the neighborhoods to help build capacity. They helped us out up in the northwest part of the city earlier this year. They are now working down in kind of the southwest zone.

Councilmember Peacock said is that an application process, Pat, where neighborhoods can apply for them to have them come do the same in other neighborhoods in Charlotte?

Mr. Mumford said they are working with these particular neighborhoods. We are supporting them financially. They come through us for some funds. They have some funds from elsewhere. How they specifically chose those I don't recall. You know some of the neighborhoods where they have been working.

Councilmember Peacock said what does CHARP stand for?

Mr. Mumford said it's an acronym for Charlotte something, something. It's about neighborhoods. I can never remember it. It's a UNC-Charlotte activity.

Chief Monroe said on the Sugar Creek corridor we now have been able to get a hotel into court. In fact, we actually have a hearing tomorrow where we will be seeking a temporary restraining order to bring about certain requirements of that hotel and hope to eliminate prostitution and drug sales and some of the violence that has been associated with that. But N&BS has been a primary partner for us in trying to accomplish that. Pat, back over to you.

Mr. Mumford said just to conclude. We talked about how N&BS and CMPD are working more closely together than we ever have. This is really a foundation for a model of how we think we should deliver services more holistically in this community, so this is not just limited to our two groups. We are reaching out to other departments within the City of Charlotte; reaching out to the County; to the Schools, and even to the nonprofit world to make sure we can all leverage those resources that are so scarce throughout our whole community. We didn't want to take this on as a full-blown city-wide initiative. We want to work with those partners with whom we have experience like the police, but I want to make you aware that we are reaching out all across this city to make sure we work smartly.

We are committed to be strategic. We are going to measure these things around our focus area plans, quality of life measures, balanced scorecard, and we look forward to coming back to you at a future date to talk about our successes.

Councilmember Cannon said, one, let me commend you for what it is that you are doing in the way of streamlining what has been four lanes down to one in some respects. It reminds me basically of what we did back in 1993, '94, '95, '96, '97, '98, and '99 in midwest and southwest Charlotte in District 3, but only one entity happened to be absent as I see here, which leads me to this question. Solid Waste. When you were having your level of discussion because then during those years, of course, it was CMPD, it would have been Code Enforcement, Neighborhood Development, Solid Waste, and was there one more, Walter? That's about it. I was just wondering did Solid Waste come up in your level of discussions in the way of considering integrating them also into this process.

Mr. Mumford said, yes, absolutely, and they are integrated not only through direct conversation but also through 311, but so is Engineering and so is Department of Transportation and so is Planning. What we were choosing to show you is the direct relationship of our two groups, but all of those others are engaged at some level depending on the need out in the community.

Councilmember Cannon said it showed real promise for that area then, and certainly I know it is going to show great promise for the city at large, so, again, I commend you in terms of what you are doing.

Chief Monroe said that's the same model that we are following now, the model that existed.

Councilmember Cannon said that's good to know.

Councilmember Carter said I propose another partner for you – the Charlotte International Cabinet. Looking at small businesses, looking at our international population, looking at acculturation, housing patterns, etc., and I think they could be a real mover and shaker particularly in the economic development realm and looking at public safety within our neighborhoods. I think that capacity can be – I don't want to say exploited – but I think utilized beneficially all around the compass.

Councilmember Peacock said, Pat, can you get back to your leadership structure slide where you have your name at the top? What is happening differently here particularly the boxes down below and the other slide with CMPD? I'm curious what the interaction is between CMPD and N&BS after this new paradigm, and what are we going to see going forward between the two departments.

Chief Monroe said one of the things I think you will see different is collocation. That's where we want to eventually move to where those resources are combined – not in separate buildings but together in those areas that most need those resources. So we start looking at building new divisions that they are built with the capacity to house others.

Councilmember Peacock said is that what you mean when you say Mr. Abernethy is going to be in charge from an operations standpoint of doing that collocation – a little bit more than the actual –

Mr. Mumford said some of the physical, yes. We have asked Walter to take a look at how can we fit into certain buildings or long-range planning. But I would add now we have certain defined geographies, so there is a team from N&BS, a multidisciplinary team. There is a team from the Police Department. They are working together on work plans for that geography, so we have a much better understanding of where they want to go; they know where we want to go, and collectively we are putting our resources to where we can have the most benefit. So that's the difference. You see blue boxes here and blue boxes on the police slide, and those are where they work together very directly now whereas before it was not that direct.

Councilmember Howard said the point that the chief just made was one that I wanted to make and that is the collocation, and I wasn't sure if it came up how much you wanted to share about that, but to me that is a game changer with what you are talking about structure wise, but neighborhood wise that is something we need to get the word out to the community about. I think a model of this happened over at LaSalle Street when they went with that neighborhood service building. The whole idea of putting, decentralizing and putting services closer to people, and I think it was embraced then. This is a new model that I would hope we get the word out across the city because it's closer to you now. It's not downtown. You don't have to worry about coming downtown, parking in the deck, and walking across the street. I mean it's closer to you. I hope there is a real PR campaign to get that word out.

Chief Monroe said even with people located in the same building there can be a great amount of separation. You go in one door to one group and go in another door for another group. You have to eliminate those doors and make it one door that focuses on the same. N&BS is focusing on a particular corridor to bring about change. The Police have to focus on that same corridor. We can't be over somewhere else, and if you don't combine those resources to address the same problem, you are swimming upstream.

Councilmember Peacock said earlier I asked the question about UNC-C, which brings up the thought of education, and my question would be is there an org chart for CMS like this. I know we have a lot of org charts going here and that could be a stretch, but that is a huge part of how neighborhoods are developed is around the school system.

Mr. Mumford said there is not an org chart to mirror this, but we have the School System at the table with all these conversations, so we are taking into account where they are headed strategically because what we argue is success can't just happen in the school house. A lot of that happens outside the school house where we have responsibility.

Councilmember Peacock said we obviously went through our budget debates about the school resource officers and the crossing guards and that was just one element of what Chief Monroe is doing in interacting with our schools. I know he carries a lot of intelligence about what is going to happen in the City of Charlotte from what happens in the schools, and we saw that this past weekend with the Harding High news. I encourage you all to keep that up.

Mayor Foxx said I know there is a lot of work that has gone into this, and, Chief, and, Pat, thank you very much. I don't know that there is a department other than the Police Department that gets as much demand right now for our attention as N&BS, so you guys are handling it well, and keep up the good work.

Councilmember Cannon said correction for the record. That would have been starting in '95, not '93 for that taskforce back then.

* * * * *

PASSENGER VEHICLE FOR HIRE ORDINANCE

Councilmember Cannon said Mayor and Council will recall that referred to the Community Safety Committee happened to be the issues of the Passenger Vehicle for Hire Ordinance, and when that referral came, we had staff to go out, of course, as we normally do on major issues and meet with stakeholders in the community who had some concern about the issue that we were dealing with. It seemed when we got to the issue of the age limit requirements, which Council will know as ten years – well it was ten years – that at that ten-year mark you ought to rotate your vehicle out for another vehicle.

The committee decided and the Council agreed that we would have a six-year age limit requirement. In doing that, one of the things that did not make its way to our committee regarding small and mid-size companies happened to be what they would be faced with. This issue would have come by way of staff not being engaged in that process between the City Attorney's Office and the Manager's Office, and with that being the case, it did not make its way to the Community Safety Committee, which, by the way, members of that committee happen to be Andy Dulin, Ed Peacock, Patsy Kinsey, and Michael Barnes.

Well, I'm certain that I can say that the Mayor nor the Council is in the business of looking to take any small business out of business but yet to try to do all that we can to encourage opportunities business wise. It's with that said that it got down to be a hardship situation that we really didn't hear about until maybe a week before the vote when I received a phone call on that Tuesday asking about really a specialty vehicle and that we consider taking the number up from six years to seven years, giving the person or persons time to ramp up, which still in my mind was like still not going to cut the mustard for somebody who purchased a vehicle for \$85,000 to be able to receive a return on their investment back.

The vote went forward, and today we find that there are several companies that are affected. When I say several companies, there are 286 currently that are permitted with 147 not being able to be renewed in 2012. That's about a 51.3% in a reduction in operations. As you talk about how many can be affected, we're talking about 61 companies out of 113 companies, which would represent 53%. And the companies I'm speaking about specifically would be those, the Blackhawks. That would be SUVs and town cars and any specialty vehicle types. Given, in my opinion, them not being represented before the committee and before the Mayor and Council, I am asking that we re-refer at least this age limit piece back to the Community Safety Committee to have further discussions about increasing this limit up from the six years that they are now falling under. There has been some level of concern about others in another segment of the industry that may have some level of concern about that. Let me speak to that for just a half second, Mayor.

Mayor said time is up.

Mayor Pro Tem Cannon said I did say half a second -- half a second times three thousand. There is a difference between obviously the black car industry and another industry and that being cabs.

Now, understand that when this issue came before the committee we didn't know as a committee that some companies that are much larger in scope and or scale are actually rotating their cars out after four years or at 150,000 miles. Well that's good if you are a much larger company, but when you are a smaller company, mid-size, what have you, you're probably forcing them out of the marketplace and you are cornering the market, in my opinion. So I'm asking that we re-refer this back to committee to allow the Community Safety Committee to have an opportunity to discuss it further and bring back another recommendation to the Council for small and/or midsized vehicles, Mayor.

[Motion was made by Councilmember Howard and seconded by Councilmember Carter to]
[re-refer to the Community Safety Committee the issue of age limits in the Passenger Vehicle]
[for Hire Ordinance.]

Mayor Foxx said there is a motion made and seconded. I see Mr. Dulin and then Mr. Howard.

Councilmember Dulin said thank you, Mayor. Mayor Pro Tem and I discussed this this afternoon as well. I want to make sure that we go over a couple of other -- if you want to open it up again, and I agree with opening it up a little bit to make sure we didn't overcook that thing a little bit. Does your motion, Mayor Pro Tem, limit it to going back and looking at the time, the ownership time of a car?

Mayor Pro Tem Cannon said be more specific.

Councilmember Dulin said does your motion limit us to going back and only looking at that part, and, if so, I would like to make a friendly amendment to your motion.

Mayor Pro Tem Cannon said it does. I spoke specifically to age limit, so, yes, sir.

Councilmember Dulin said I'd like to add a friendly amendment to your motion for us to also look at the drug testing deadlines for applicants. It turns out, Mayor, as we've learned since we voted on this thing and particularly with the business we've got coming up in September of 2012. These companies are ramping up for that. There's been some hardship on not only the companies that are doing the hiring but the potential employees as well around the time it takes to go to get a drug test, get the drug test back, to get permitted etc., etc. It's up to 30 days to 60 days of somebody being unemployed, which is prohibitive in many cases. So I'd like to add the drug testing deadline timing to our look back, please, and I'd like to add --

Mayor Pro Tem Cannon said is there a recommendation that you have in mind or some idea about that?

Councilmember Dulin said, yes, but we can talk about that in committee. I just didn't want to limit us in committee.

Mayor Pro Tem Cannon said I understand.

Councilmember Dulin said I would also like to add a conversation about where would the process of getting fingerprinted -- each and every driver in Charlotte has to get fingerprinted; limo, taxi, everybody. They have to get fingerprinted. They have to get background checked, and then they have to take a test, and the book is this big for the test. And the sequencing of that is slowing up the hiring process of these guys, too. It might be that we leave that piece alone, but if we're going to talk about it, I'd like to talk about those three things: the drug testing deadlines for applicants and the sequencing of that, the probationary permits that go along with the background check and the fingerprinting and the sequencing of that, and then the age limit. And maybe, really what I'm hearing from the industry, Pro Tem, as you probably have, too, is not necessarily changing the six years but Council taking a hard look at a grandfather year for those companies. Give them a grandfathered year either on the front side or the back side, and I think we can look at that. I mean it's hard work, and we did good work to get it to where it is, but maybe we'll find out if we leave it alone. But maybe we've overcooked it a little bit and we can back off. I don't know. That, by the way, is my friendly amendment.

Mayor Foxx said is that acceptable?

bvj

Mayor Pro Tem Cannon said if I might, Mr. Mayor? Two things, I don't know if the grandfather piece works, and we'll talk about that further in committee. I don't think it works for that particular industry. We can talk about that further in committee. I would like to, just for background so the folks know around this table what we're talking about and even some that are here. Mr. Campbell, Assistant City Manager Campbell, the issue of drug testing and the deadline timing of this and also the process that has been spoken about relative to what's slowing up the process in terms of hiring people, the committee did address this. Do you want to talk a little? Can you expound on that a little bit please for the sake of those here that are represented?

Assistant City Manager Eric Campbell said, yes, Mayor Pro Tem, the timeframe of the drug testing and background check were recommendations that were submitted to the staff and the Community Safety Committee by CMPD. One of their concerns was making sure that proper background checks had been performed before people were given access to actually driving cars. That was the impetus behind that recommendation. The other issue with the 14 days prior to renewal for drug testing was to make sure that there was a narrow enough window so that older tests could not be presented for renewals. So it went from 30 days to I believe down to 14-day renewals to limit the timeframe for the turnaround. Those were recommendations from CMPD that the committee accepted at that time.

Mayor Pro Tem Cannon said thank you very much. Mr. Mayor, I would accept the friendly amendment, and we'll just take it up in committee and see where we go from there.

Councilmember Dulin said thank you very much.

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

Mayor Foxx said very well. All in favor say aye. Opposed. Okay, so that will go back.

Mayor Pro Tem Cannon said our next Public Safety Committee Meeting is October 19th. We have at least two items on the agenda or three? We have bow hunting, and we have youth protection ordinance. This will be the third, if we want to add it. Let's mark time and try to get it in if we can. And, Mr. Mayor, largely in part because we got, as you made mention of day before yesterday at an event, we got a small little convention coming up, and I'm sure folks want to know what time it is in the way of where they stand and the sooner we can get this resolved I think the better they'll be able to move the agenda and know exactly where they stand.

Mayor Foxx said great. Okay, so that's been moved. I apologize for those who have come to speak tonight, but business sometimes comes up in the middle of getting to the Speakers' List. Let's start with James Robinson.

CITIZENS' FORUM

NEIGHBOR'S DOG

Jewel Drinkard, 405 Belmorrow Dr., said we live in Coulwood Hills. We have had a problem, and I tried to get in touch with our Council man, Mr. Mitchell, about five or six times, but I never got a return call. Our neighbor next door – they have been there about three years – they have two large boxers, and we don't mind the boxers, but they are bringing two other dogs in a lot, so there are four tremendous dogs at our bedroom window. When they bring the two in, they are just barking all the time. It's about 7,500 square feet for four dogs, and I have read the ordinances. I'm just wondering if there is an ordinance in place for that many dogs in that small area. I have a letter here that I would like to leave with someone that could help me. My husband has Parkinson's. The fence is right at our bedroom window, so we have got to keep a fan going so we can sleep, and we tried to work with him, but I think he is collecting money for keeping those dogs. I'm not sure, but it's more like a kennel. Then there is another dog on the other side of the fence, so we have five dogs barking at one time. I have tried to get some help

from the police, and we tried to make an arrangement with them, but they won't stick to it. They are a young couple, and what scares me is he has his baby out there, and he is throwing his baby up in the air. The dogs are all around him. He pushes the baby's face into the dogs. I'm just horrified. We have been there 45 years. It's a residential neighborhood, nice neighborhood. I think everyone knows about Coulwood. It's Charlotte's little secret. It's out and away from everything. So if I could leave a letter with someone if they could help me with that ordinance because I have read all the ordinance, and I don't see anything about square footage, but when you have got that many dogs together in a small place it's really not sanitary and the barking is the main thing, too. At Easter my family came over, and we walked down to our natural area. All the dogs came barreling to the fence. One tried to jump the fence, and my whole family and grandchildren were horrified, so I hope I can get some help.

Mayor Foxx said, ma'am, first of all, I want to thank you for coming down. I know it sounds like you have had a pretty harrowing time with this.

Ms. Drinkard said, yes, it has been going on for probably over a year.

Mayor Foxx said I understand, and I'm sorry that you are having to deal with it, but I want to turn it over to our city attorney.

Ms. Drinkard said can I leave this letter?

Mayor Foxx said, yes, ma'am. Our city attorney may have something to share with you.

Dewitt McCarley, City Attorney, said it sounds like a combination of Animal Control, some zoning issues, some noise issues. We'll be glad to coordinate it.

* * * * *

ADJOURNMENT

[Motion was made by Councilmember Howard, seconded by Councilmember Peacock, and]
[carried unanimously to adjourn.]

The meeting was adjourned at 7:25 p.m.

Ashleigh Martin, Deputy City Clerk

Length of Meeting: 1 Hour, 58 Minutes
Minutes Completed: November 3, 2011