

The City Council of the City of Charlotte, North Carolina reconvened for Council Action Agenda Review on Monday, January 22, 2018 at 12:00 p.m. in the Meeting Chamber of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding. Councilmembers present were Tariq Bokhari, Larken Egleston, Matt Newton, and Braxton Winston II.

**ABSENT UNTIL NOTED:** Councilmember Julie Eiselt

**ABSENT:** Councilmembers Dimple Ajmera, Ed Driggs, Justin Harlow, LaWana Mayfield, James Mitchell, and Greg Phipps.

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City staff provided information as indicated on the agenda.

Councilmembers asked questions. City staff provided clarifications and responded to questions accordingly.

**Councilmember Eiselt arrived at 12:37 p.m.**

The meeting adjourned at 1:33 p.m.

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The City Council of the City of Charlotte, North Carolina convened for a Council Action Review on Monday, January 22, 2018 at 5:01 p.m. Room 267 of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding. Councilmembers present were Larken Egleston, LaWana Mayfield, and Braxton Winston.

**ABSENT UNTIL NOTED:** Councilmembers Dimple Ajmera, Tariq Bokhari, Ed Driggs, Julie Eiselt, Justin Harlow, James Mitchell, Matt Newton, and Greg Phipps.

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#### **ITEM NO. 1: MAYOR AND COUNCIL CONSENT ITEM QUESTIONS**

**Randy Harrington, Chief Financial Officer** said I believe that I have answered all of the questions that were presented today.

**Councilmembers Ajmera and Harlow arrived at 5:01 p.m.**

**Councilmember Bokhari arrived at 5:02 p.m.**

**Councilmember Newton arrived at 5:03 p.m.**

**Councilmember Eiselt arrived at 5:05 p.m.**

**Councilmember Driggs and Mitchell arrived at 5:06 p.m.**

**Councilmember Phipps arrived at 5:17 p.m.**

**Mayor Lyles** said the following items have been deferred or request deferment by the staff: Property Transactions Items 40, 41, 45, and staff is pulling Item No. 47, which has been settled. There is a correction to Item No. 43. It is .73 acres, not .43 acres. Pulled also by the staff is Item No. 19.

**Councilmember Harlow** said I just want to pull Item Number 24 for comment.

Mayor Lyles said we will pull Item Number 24 for comment, but will include it in the overall vote.

**Councilmember Mayfield** said to be in the votes, but I would like to speak to Item Number 28.

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## **ITEM NO. 2: AGENDA OVERVIEW**

**Marcus Jones, City Manager** said we have three items on the agenda tonight, starting off with the broadcasting of the Public Forum. Then as I mentioned two weeks ago, we will have an update on Community Safety, dealing with the Community Power Initiative, and also, we will have the Assistant City Manager, Kim Eagle come up and bring everyone an update with the ETJ Policing.

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## **ITEM NO. 3: BROADCASTING OF PUBLIC FORUM**

**Mayor Lyles** said we have discussed this a number of times, and I would like to have two actions considered for your thoughts and consideration tonight. The last meeting, we said we would address the issue of the Public Forums being done as they were prior to December 2017. You should have gotten a packet of information in your agenda packet that talks about the entire background time period by time period. What I would like to suggest to the Council is that we add the Public Forums to the broadcast of Business Meetings on the Government Channel, streamed on YouTube, as well as on Charlottenc.gov. There doesn't need to be a vote on this, but I would like to ask if there are any objections to doing this, and that would mean we would actually start that action tonight. We would broadcast the Public Forum on the Business Meeting tonight, any objections? We will proceed in that direction from this meeting forward.

The second item that I would like for your consideration is there has been a lot of conversation, and I have to say that I am learning a lot about words and language, particularly in the tech arena, because I learned that I could say YouTubing. I had no idea that was really a word, and Mr. Winston told me it was. I took grammar when they used to hit you on the knuckles with a ruler, so I didn't know you could change a noun to a verb or adjective by adding. What I would like to do is, we have had a lot of discussions about this, and I have said many times that I thought it was pretty simple, until I found out that there is a real difference between broadcast and interactive communications. What I would like to actually suggest is that we ask the City Manager, as well as the City Attorney, to accomplish three things for us to discuss at our Council Retreat on Friday. The first thing is to get us the best practices and social media policy from other communities, other governments. What is done in North Carolina; what is done at the state level in North Carolina and other cities that we work with and for the staff to help us with a common language around this? It took me a very long time to understand the difference between what we were talking about at the meeting we would do prior to December and streaming and all of this. Let us all begin to understand and work from the same language, that City Attorney provides us a background on public record laws, as it applies to social media and that the Manager draft a recommendation for a City Social Media Policy to be added to the policy that we currently have. We would talk about this at the retreat on Friday. Any official actions that we want to take, we may be able to take on that Friday, or we can add to an agenda coming up at our Business Meeting in February.

I would like your consideration of that. If there are questions or comments, other than that, I would say we continue forward with this action.

**Councilmember Mayfield** said clarifying question, currently we already have online where you are able to watch our meetings. We partner with Time Warner Cable. So, what we are asking the Manager to bring back is additional information, specifically around Facebook Live?

Mayor Lyles said I learned that there are multiple Facebook like type platforms. There are a number of ways that you can stream, and there are multiple platforms, so we would look at whatever we do for consistency across all of those platforms.

Ms. Mayfield said adding a potential additional platform to the two platforms that we already use?

Mayor Lyles said we would be adding what I would call an interactive platform.

Ms. Mayfield said to the two platforms that we already use?

Ms. Lyles said that is one of the things about that common language so that we can have that discussion at the Retreat that the staff would get us, so that we would actually know all of that information and what those platforms are, how they act, maybe even some examples of them all.

Ms. Mayfield said an additional question that I would ask after clarifying that is the relationship that we have with Time Warner Cable. It would be helpful to know if adding this additional would cause any challenges there. So, you think about; we have multiple local news outlets, but I do not remember a Council ever having a conversation, so it must have been done many years ago, of when it was identified that now Spectrum, formally Time Warner Cable, was the partner for broadcasting our meetings. I think it would be helpful for us to know if moving to an additional platform would cause any challenges in the contract, because I do not know what the contract looks like. If we have a contract, I want to make sure we are not in breach of the contract, then after the fact trying to figure it out. I prefer to have as much information on the front end as possible. If it is not a problem, that is great, because the more ways to interact with the public the better. I am just going to let all of you all know now, I will not be responding to you while we are sitting at the dais, so don't send a question.

Mayor Lyles said we will talk about what we end up doing. I guess the Time Warner probably started back in the ice age, when cable contracts were approved and adopted by the City, and you could not operate without one. There were some plusses and minuses. I tell you guys, there are good ideas for history and some bad ideas around history.

Ms. Mayfield said it would just be helpful to know what that language is.

**Councilmember Winston** said I do not think Council needs to approve every time staff chooses a different outlet for distributing information. That is a managerial task, and that is not a task for Council. We have given our staff guidance that we want to be more inclusive, connecting the folks that live in our City to the business that occurs here. We did that in the Community Letter that was drafted after the demonstrations in the street, after September 2016. That has been constantly the rhetoric that we put out there. Many of us got elected to these positions today, talking that type of rhetoric. I do not believe that the live stream of the meeting should have ever been pulled off. I think that it is a good idea to figure out ways to do it better and improve our policy and understandings surrounding that, but that can happen concurrently with letting staff do their job and letting them do their job well.

Motion was made by Councilmember Winston and seconded by Councilmember Bokhari to return livestreaming immediately via Facebook, via YouTube and via any other platform that staff choses.
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Mayor Lyles said because this was not on the agenda, it would actually require us to put it on the agenda to take an action like this. One of the things about our procedures are we try not to surprise people with this, but I would like to actually hear from- In support, we talked specifically about this being an action item, an agenda item that we can agree to for broadcasting. We did not have on the agenda the continuation of live streaming. In fact, when we had the conversation last time, I remember saying that we are talking about going back prior to what we had in December 2017 and the plus two would be interactive.

**Councilmember Bokhari** said I like the way you actually said a lot, the difference between broadcast versus interaction. I think that is exactly what we were talking about here. Two points- one, I think that procedurally the fact that on our agenda was the broadcast element here; we have a lot of takeaways to figure out an interaction. I believe, and clarify if I am wrong Mr. Winston, but what his motion is, is about adding the words

other live stream, like as in Facebook, for broadcasting purposes, which is on point with the agenda item there. We got some clarity from the City Attorney today, that this would indeed be within procedure, to be able to bring up as a motion, to simply add it there, not adding to your point the interaction piece, which does warrant a broader conversation. The takeaways around that I think are very relevant. I think a point of order there is this is within the scope, as verified by the City Attorney earlier today for this type of motion.

Mayor Lyles said are you amending the motion that we just approved for the broadcast, to add Government Channel, YouTube, Charlottenc.gov, and others? Could you describe or define others for us.

Mr. Bokhari said I am simply in the conversation of Mr. Winston's first motion that was seconded, saying how I think it is within the scope.

Mr. Winston said I would amend it to say other social media platforms. Mr. Bokhari agreed with the amendment.

Mayor Lyles said can you describe the other social media platforms with a definition Mr. Winston?

Mr. Winston said you have Twitter, Periscope; you can broadcast stuff through Instagram. Those are three examples, including Facebook, as well as YouTube. Again, these are practices that we have been using; we have empowered staff to use. They were using up until, apparently we directed them not to two-weeks ago, which I think was a misunderstanding. This falls in the regular purview of work that has been done and should continue to be done I believe.

**Councilmember Eiselt** said I would like to get an understanding, because I am not sure what I would be voting on. Would all of these different social media channels be the account of the City? Is that what we are saying specifically?

Mr. Winston said should the staff choose to do it; like they have chosen to do live streaming via Facebook, which is done through the City of Charlotte's Facebook page.

Ms. Eiselt said so the City of Charlotte Facebook page, the City of Charlotte Instagram account, on and on; therefore, comments that are made are made on the City of Charlotte platforms as well, thereby making them public records. Would that be fair?

Mr. Winston said that would be a question for the Attorney.

**Bob Hagemann, City Attorney** said it would be public record. Comments that are germane to the business of the City would be public record.

Mayor Lyles said I apologize for not knowing how this actually works; so if you put those on all of the other channels, can they be streamed in other ways after they are there? Are they contained on the City site, or do they spread beyond that by clips information? Are there ways to just use City property in a way that is used in other mediums? We would set the policy; the staff would have to implement. Let me just pull back. I do not want to ask that question. I think maybe the real question is, is this something you are prepared to vote on tonight as a Council? I saw Bob come to the table. Did you just come because we are having the discussion or do you have some advice for us?

Mr. Hagemann said I came in anticipation that you might have questions.

**Councilmember Driggs** said we are operating in an environment where state laws apply and past practices and our own pet rules. The only real burden on us in the public meetings law is to allow the public to witness any deliberations and for the public to have advance notice of the things that we intend to discuss, in order to give them the opportunity to sign up, identify themselves, and by that means to contribute to the conversation. So, it is a big step to create an environment where you have this completely disorganized exchange among a whole lot of people, many of whom won't even properly



identify themselves, and we have seen instances where that has resulted in outcomes that are absolutely unbecoming of a city government. I approve and really recommend the procedure that you talked about. I am all in favor of transparency. I am not trying to hide anything from the public, but we run the risk of getting involved in a shouting match in the social media space, in which many of the things that we have said famously are not supported by any kind of fact or truth or whatever. They are not attributable to any individual, and I would just like to know, based on a briefing and some research that the steps we take will not put us in a position where we are being made to answer for things that go up on our stream and reflect very poorly on the City. I am not going to support the motion.

Mr. Bokhari said I agree with many of the sentiments of Mr. Driggs on that front. I think the one point of clarification that might change your mind or others is, we are very much talking about, and I liked the words our Mayor used, broadcast versus integration at this point. A lot of us have deeper desires to explore how can we interact with others in this digital world today, more real time when these things are going on? I do not think that is what we are proposing tonight at all. In fact, I very much support the Mayor's point of we need some analysis and diligence there. Today we broadcast via YouTube in a livestreaming manner. There is no difference between what you can see and do in a YouTube live streaming and the commentary that can be made in a single place, versus that, versus doing the same thing on Facebook Live today. The same people who are going to make comments are going to make them in a different media. The only difference is nobody goes to YouTube, and everybody is on Facebook that is interested in this live streaming right now. If you have a problem with live streaming from a broadcast perspective, not an interaction but a broadcast, then the problem exists in our current practices on YouTube as much as it does on Facebook Live.

**Councilmember Harlow** said what I am understanding around this, I am glad we finally got to a point that we are having the separate conversations of and it sounds like we've already had the conversation around just flipping the switch back on number one, and now we are having the conversation around true live streaming as we know it in this kind of digital age. To Mr. Bokhari's point, I think there may be some concerns about replying back. I think that is where he is going with the interaction component of it. Going back and having back and forth exchanges on these live media platforms. As it relates to just broadcasting them, I am in total support and hope that there is a lot of congruency around understanding that what we have done in the past around YouTube is literally no different than Facebook or Periscope. The commenting back would be different, and my understanding of the motion, and correct me if I am wrong Mr. Winston, is that we are just trying to add the same type of broadcasting platforms that we have already done, because they are identical, but the interaction component is where we need more research.

Mayor Lyles said can I have the staff define what that means or how that would be interpreted or how it would be implemented based upon the request or the motion.

**Marcus Jones, City Manager** said I would like Kenneth Brown to come up front to help us understand some of the common language and what that means to go to the Facebook broadcasting.

**Kenneth Brown, Charlotte Communications and Marketing** said Mr. Bokhari is absolutely right. We use broadcasting to talk about streaming to TV. That is what we say the broadcast. When we say livestream, we talk about online, YouTube, and social media channels. The difference there is with YouTube, no one goes to that page. It is used strictly as a redundancy measure. We can look at our page, and we have maybe 35 views and no comments. Facebook is for commentary. When you stream to that page, you are asking for engagement. The last Council meeting, a few thousand views and several dozen engagements back and forth. I think we do have to one, determine what we want to do with these platforms. Do we want to be a City that is engaging or do we want to just give them the information? That would help us determine the next steps.

Ms. Eiselt said I actually do not have a problem with what platform it is on, in terms of streaming. I do have a lot of questions around the engaging part. Who is engaging and

when? If that is separate from this motion, I am in support of it, because I think that is the way the world works these days, but I do not think we have had a very healthy conversation about who is engaging and when that is taking place. Is it during meetings? I struggle with that, to Ms. Mayfield's point. I hope that is a discussion we can have at the Retreat. I think everybody should be able to share how they feel about that. I can support the motion of going back to the traditional and additional channels of putting the feed out there for people to engage – on the City accounts.

**Councilmember Ajmera** said I am in support of the broadcasting. I think that is the motion Mr. Winston made. Is it specifically just for broadcasting, or is it for interaction as well?

Mr. Winston said correct me if I am wrong, the Mayor separated traditional broadcasting from broadcasting over interactive social media. I am advocating for broadcasting over social media. The whole, who interacts and how the interaction gets done is a different conversation.

Ms. Ajmera said the motion is made for broadcasting, using various platforms, whether it is an interactive model or it is not, but it is just for broadcasting. How we interact and respond to resident's questions and concerns is a different topic which will be discussed later, maybe at the Retreat. I am in support of that. I think this brings us closer to the community and ultimately that is the goal from transparency perspective, is for us to be closer to our residents so that we know what they are thinking and what their concerns are. I am in support of Mr. Winston's motion, and I am looking forward to a conversation at the Retreat about how we respond to those comments that are being made as a result of the broadcast.

**Councilmember Egleston** said I just wanted to clarify with our expert witness, I am not proposing this is necessarily my preference, but to clarify what the options are for people, Facebook Live is a mechanism to just distribute the feed. Does it then have the option, if people's concerns are the comments that are made, therein, and that is a discussion that some members want to have later, is there an option for that to be a medium with which we transpond the meeting, but you would disable the comments or something? Could it be just be a mechanism to deliver as oppose to a mechanism for engagement?

Mr. Brown said we certainly could disable the comments feature on that, but that would get away from our ultimate goal of engagement from the platform, but if you all were to be comfortable with that and to have it just to be a transactional experience, we certainly could do that.

Mr. Egleston said I do not know if that would be something some of the people with some qualms would consider as a compromise towards our discussion on more interactive options.

Mayor Lyles said I actually thought that is what we were saying, that we would broadcast without the interactive, and we would discuss the interactive, but maybe I missed a beat. When we say the other platforms, I thought I heard someone say interactive social media, but I thought we were talking about broadcast, so I was not sure. Help me Mr. Brown. Tell me what we are talking about.

Mr. Brown said what we are going to do for sure tonight is broadcast on the channel, and we are going to stream to the website, and to YouTube. What we are discussing now is streaming to Facebook Live, where there is an increase opportunity for engagement there. We are trying to figure out what do we want to do with Facebook Live? Do we want to stream there? Do we want to disable comments, or do we want to not stream there at all and wait for further discussion?

Mayor Lyles said I thought the motion was to broadcast on those platforms and not have the interactive until the Retreat. I am not really sure. That is what I thought we were doing, because I heard Ms. Ajmera say interactive social media; we would talk about it at the Retreat. That is what I was thinking the premise was.

Ms. Mayfield said to go back a little bit, for me, the challenge is what Council was utilizing prior to November 4, 2017, was our media partner, as well as you having it on YouTube, and you were able to watch online.

Mr. Winston said correct.

Ms. Mayfield said those were the three platforms that Council was using to broadcast out meetings. What we are saying for tonight is utilizing those three platforms that we previously used; that is the piece for tonight's conversation. The challenge that I had is whether it was one, two, three, it was not 11 Councilmembers having a conversation, and a Councilmember decided to have a meeting on Facebook Live. City of Charlotte site was tagged, and it promoted five to seven Councilmembers were tagged in that, opposed to full Council having this conversation that we have been having now for 30 minutes, to all be on the same page. We moved forward, and now we are having a conversation to try to put that cat back in its cage after it has been running around free now for a couple of weeks. That is the challenge that I'm seeing; is that pretty much a correct assessment Mr. Brown?

Mr. Brown said that is correct; the meeting you are talking about, we streamed one of the Council meetings; I forget which date it was, but we tagged seven Councilmember pages on that stream. I think the decision was to tag the accounts that were not overtly political pages that weren't campaign pages, to avoid getting into political speech.

Ms. Mayfield said I will pause you right there. That is where the challenge came in. A long conversation that we have been having for many years, the City Council set policy that then we share with the City Manager, for the City Manager to then share with staff on how it should be implemented, or the staff then make a decision and move forward and then Council comes along after that decision has been made. Before it got to the point where a page was live streamed on Facebook, full Council should have had a conversation about the what if. That is not what happened. Staff moved forward. Staff members made a decision of how you are going to tag certain pages. We created an environment where you have individuals in social media land. That would be fine, even if it was contained to Charlotte Mecklenburg, because even when you come down to speak, you must sign up, and when you sign up, you provide your address and contact information, oppose to online that can go to my good friend who lives in Australia or my friends that live in another part of this big, beautiful nation that we have. There is a different conversation between having communication and interaction and updating our constituents, residents, those who are impacted within Charlotte government and the decisions we make, opposed to a much broader conversation, as was mentioned by my colleague, someone being able to make a comment or a statement that may or may not be based on any facts or any information and then triggering another level of conversation. For me personally, I am not going to speak for my colleagues, I have a challenge with the fact that staff made a decision to move forward, have a discussion on Facebook that all of Council were not aware of ahead of time, and staff members made a decision to choose certain Councilmembers using whatever determining factor that they chose to use. Manager Jones, that is what I want you to hear from me. I have that particular challenge, because that opened up a different door of conversation, other than a complete transparency conversation around this dais of where we work as a body by having communication with each other and never putting either of us in a position where the other one is not sure what is going on, nor having a complete conversation of at least sharing the idea of what would this look like. That is not in the form of, oh, I shot you an email. That is how we communicate, so if that was lost somewhere in the training, we need to figure that out to get everybody back on the same page of how we govern and what falls under our rules and regulations and how do we make ourselves more accessible and identify, who are we accessible to?

Mayor Lyles said I know that I have on my list another six speakers on this item. We had it scheduled for ten minutes, and I want to say this. This is why an agenda is so important. We have people here to talk about our Community Empowerment Initiative, which is one of our number one areas around community safety. We have a report on Extraterritorial Jurisdiction. If I would have known that we were going to have this discussion, perhaps we could have figured out how to accommodate our schedule. I just want you to know, when we do not have this opportunity to say to each other, this is what I am going to do, then we

get ourselves in a bind. I am going to ask those six people who are signed up to speak following this, to allow us to accomplish the two items that are related to our strategy around community safety on Community Empowerment Initiative and ETJ, to review that and come back to this, instead of having our closed session, we will continue the dialog. If there is no objection to that, I would like to go ahead and proceed with our Community Empowerment Initiative. I would like for Mr. Brown to kind of sketch out for us what it means and how it looks, so that we can all talk from the same place.

Mr. Winston said I would ask, how does the procedure work with the motion? Do we have to complete the motion?

Mr. Bokhari said can I make a substitute motion so we can possibly end this Mayor?

Mayor Lyles said I would like to go ahead and accomplish our agenda. If you would like to have an amendment to your motion, we can get that at the end of these two items.

**Councilmember Newton** said there has been a motion and a second, so there should be a vote.

Mr. Driggs said can I offer a substitute motion Mayor that we continue this conversation subsequently and colleagues I hope you will joint me. One thing that is clear here is that this subject is not as simple as some people in this room would like to have you think. I think it is very appropriate that we not take this to action right away. So, I am offering the motion that we continue the conversation as you suggest, as a substitute motion.

A substitute motion was made by Councilmember Driggs to defer the conversation until later in the meeting.
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Mayor Lyles said I do not know that we need a motion. I would really like for us to get to the business on our Community Safety Agenda tonight and come back to this at the end of those presentations. Without any objection to that, is there an objection to it?

Mr. Winston said I have an objection to it.

Mayor Lyles said we have a motion on the floor. I think I have six people to speak to the motion.

Mr. Newton said I will move the question, which means we then move to vote.

Mr. Driggs said you are calling the question.

Mr. Newton said call the question.

Mayor Lyles said is there anyone who would like to speak on the motion that has been presented that has not spoken?

Mr. Newton said just to clarify what the motion is before us before we call the questions, what we are talking about here is we are talking about a motion that would incorporate broadcast media, so the TV, YouTube and also Facebook Live, but it doesn't exclude us anytime in the future, including our Retreat, from speaking about our policy from interaction. That is the motion as I understand it, and having said that, I would move to call the question.

Mayor Lyles said the question I have is I have heard people say interactive social media. I am just trying to make sure that Mr. Brown understands his job, which is if we take the motion as is, that we will not do commentary on YouTube or any other interactive site. We will only broadcast that, and I just want to make sure I understand that correctly.

Mr. Brown said that means we would disable all comments features on Facebook and YouTube, correct?



Mr. Winston said I just want to make it clear, that is not my motion.

Mayor Lyles said that is not his motion, so that is not the motion being discussed right now.

Mr. Bokhari said if I may clarify Mayor, what many of us who have had this discussion, and it was a no brainer to us beforehand, we're thinking, and perhaps we did not articulate it is the motion is to broadcast through interactive media channels, allow those channels that have the ability for citizens to interact by providing comments, to do so in their normal form, but we as a body will not interact with them until we have had those broader conversations and to enable those who want to be tagged, so their constituency is able to see it through their feeds more effectively, allow that to do so within the parameters they have set up. Those who don't, do not. It is as simple as that where we are not going to interact, but it is no different than what can happen on YouTube today or what someone can watch on Spectrum and send us an email that would also be public record. I do not see any difference in those. Is that a correct clarification?

Mr. Winston said you are absolutely correct Mr. Bokhari.

Mayor Lyles said is that correct from the public records law, that those things that come in, that are comments, are available in public records law, just like in email and would be distributed to the full Council or to the individual Councilmember as their responsibility to retain the records?

Mr. Hagemann said I have been thinking about this under three laws, the public records law, the records retention requirement, and the First Amendment law. The public records law was written before anyone conceived the social media, so it is a challenge, and we do not have clear guidance yet from the courts on how this would work. My tentative conclusion is that both on the City's page, as well as any individual Councilmember's page that picks up the feed, that comments that speak to city business would be public record. The records retention manual requires those to be maintained for a certain period of time. Again, the records retention manual doesn't say anything about comments on Facebook, so we are extrapolating from other categories and trying to figure out how a court would likely treat them. My tentative conclusion is that it would be safest to retain every comment for at least three years. The last issue is even more complicated and that is the First Amendment. Clearly, the City's page does bring with it First Amendment requirements.

There is a recent case out of Virginia, a trial court decision. It is on appeal to the Fourth Circuit, and the court is recognizing that elected officials may have several different versions of their own social media. They may have a government official page. They may have a political campaign page, and they may have a personal interactive page, and it is very unclear as to which of those different pages creates a forum that triggers certain First Amendment protections for people who want to follow posts and comments and whether their comments are protected against censorship removal, if there is an objection. In the case in Virginia, it was a county commissioner, her personal page. The government was not held liable, because she was not acting pursuant to governmental policy. She was held liable for having band a citizen for a brief period of time, and the court found that violated the citizen's First Amendment rights. Again, it is not binding on us, but it is on appeal to the Fourth Circuit; we are part of the Fourth Circuit. President Trump has been sued over banning people on his real Donald Trump Twitter feed, and as I understand the arguments, the President is trying to make an argument that that is not government speech and not a government forum, that the official presidential page is. So, you can see that there is some legal messiness in all of this and uncertainty.

Mayor Lyles said you have before us the City Attorney's opinion on this; you have heard the suggestion that we broadcast, but recognize that almost every one of us has a personal, political, and official page and interactive media that would have particularly some impact in guidance required. We can talk about that at the Retreat. We have not agreed. I thought we had agreed. Did we have a motion on acceptance of the idea that we would talk about these things at the Retreat?

**Emily Kunze, Deputy City Clerk** said when Mr. Driggs made a substitute motion, he just said to delay the conversation, but there was no second to the substitute motion.

Mayor Lyles said do we have a second to the substitute?

Ms. Mayfield seconded the substitute motion.

Ms. Eiselt said I thought your substitute was to delay it to the end of the presentation that was supposed to be taking place right now.

Mr. Driggs said I made the motion, because the technical issue that there was a motion on the table had been brought up, and I wanted to give us a procedural way- We are having the conversation that you should have been having as you proposed at the Retreat, so all I am saying is I think that it is apparent, if the guys who are proposing this thought it was such a minor issue, they wouldn't be pushing so hard. This is bigger than being suggested, and I personally do not appreciate the attempt to minimize the difference between what we are doing now and what is proposed. I would just like us to not to take this current proposed vote without being able to finish the conversation.

Mayor Lyles said do I have a substitute motion-

A vote was taken on the substitute motion and recorded as follows:

YEAS: Councilmembers Driggs, Eiselt, Mayfield, Mitchell, and Phipps

NAYS: Councilmembers Ajmera, Bokhari, Egleston, Harlow, Newton, and Winston

Mayor Lyles said do we wish to amend our agenda to not hear the Community Empowerment Initiative or the Extraterritorial Jurisdiction presentation?

Mr. Bokhari said we are back to the original motion.

Mayor Lyles said I know but we have discussion and I have six people that asked to speak to that motion.

Mr. Winston said I will defer my speech.

Mr. Driggs said if this were so simple, it would not be so difficult, and I feel we should have the benefit of a more extending conversation. I think there are people who know better in this room, who are trying to act as if there is no difference between the live-fire exchange among a lot of people, a huge audience that we create and the mechanisms that we have now, which are perfectly valid, for the public to communicate with us. I do not like the attempt to minimize that distinction, and I think that we should talk about it further.

Mr. Newton said I think that we are still going to have that discussion on interaction, and we are going to do that at the Retreat. We are just talking about going back to the way things were up until a week and a half or two weeks ago, when the Facebook Live feed and some other things were shut down. We can still get there and will get there. I defer in every other respect.

Mr. Harlow said I just think that, while we have learned about the data, that no one is tuning into YouTube, if people had been tuning into YouTube and commenting, it would already exist. It could have been happening and no one was even talking about it at all. I just feel we have kicked this can a little bit. Before it was we didn't have a meeting on January 2, 2018 and then we tried to bring it up again. To us, Mr. Driggs and I understand your point, and I am appreciating that we are having the conversation right now, and I just believe that the mechanism of streaming has already been done. This is not new by any means. We have already created the audience long before some of us even got to this table. That is my comment, and I support the motion the way it was originally presented. I do not believe that we should be having back and forth interaction. It sounds like there is a

decent consensus around that, but I think that we cannot understate the interaction that community members can have amongst their selves as well.

Ms. Eiselt said let me just mention one thing, and I hear you. We are broadening our audience, but there are a lot of people who do not have access to social media, so let's not forget that there are big parts of our community; we are not going to replace how we should be reaching out to them with this. I struggle with the fact that this is such an urgent request, that we have to do it now versus in 30 minutes or 20 minutes. That part I do not understand why we cannot talk about it in 30 minutes from now and let the agenda move forward as it was originally scheduled.

**Councilmember Phipps** said I have to be honest with you. It wasn't until this past Friday that I even knew that we had been live streaming on Facebook. I did not know that we were doing that. My question is, when you talk about a Facebook feed, would the person necessarily be coming to the City's Facebook page or followers that they are following on their Facebook page?

Mr. Brown said it depends. If you were to transmit a feed to our page and you were to share that feed on your page, it would automatically play on your page. So, if someone were to click on that video and expand it and comment on that expanded view, those comments would be captured through our archive social software. If someone goes to your page and sees the feed and they do not expand the view and they comment solely on your page, that is your record. That is not the City's record. We do not capture that information. So, it depends on really a click of a button for who has to maintain a record.

Mayor Lyles said and maintaining the record means meeting the public records law, and I am not quite sure, but we will get something from the City Attorney about our responsibilities to do that.

The vote was taken on the motion to broadcast on other mediums, in addition to the ones stated in the motion that we just approved and that the interactive requirements of that would apply to the individual Councilmembers but would not be on the City's site, but any feed after that the Councilmembers are responsible for that, is my understanding. Is that the motion?

Mr. Jones said I am not sure what the motion was, but I thought it was just at one point broadcasting and cutting off the comments?

Mayor Lyles said no that was not the motion; Mr. Bokhari clarified it. The comments would be available on a feed, and the comments that come that are political or personal or policy would be the responsibility of the individual Councilmember to maintain. Did I state that correctly Mr. Brown?

Mr. Brown said we would broadcast on the television channel. We will stream to the website. We will stream to YouTube. We will also stream to Facebook, keep the comments on, but Councilmembers agree not to engage in conversation on that platform. Is that correct?

Ms. Kunze said that is what I understood.

Mayor Lyles said the Councilmembers would not engage but the comments that come in from the community and the public, I am asking the City Attorney to tell me where would those records rest, and who is accountable for them?

Mr. Hagemann said depending on whether or not the video is expanded, as Mr. Brown said, if it is expanded, the comments come to the City. We will capture it. We will maintain it, and comply with the public records law. If it is on one of your pages and the commenter does not expand it, you are the custodian of that record, and if it is about City business, it is a public record, and the obligation is on you.

Mayor Lyles said and for a three year- is it only if we share?

Mr. Hagemann said only if you take the City's Facebook and drop it onto your personal page.

Mayor Lyles said if we share to other people or other-

Mr. Egleston said only if you share it on your page do you have any personal responsibility.

Mr. Bokhari said not any more so or less so than when we post a Zoning Meeting, and they comment there.

Ms. Ajmera said like when we retweet.

Mayor Lyles said I get it. I have heard it. Okay, so we will get some guidance from you about how long and when this starts. I am assuming that is something that is a switch or is there a time to do this?

Mr. Brown said it is a switch. We could turn that on tonight.

Mayor Lyles said is that the motion?

A vote was taken on the main motion and was recorded as follows:

YEAS: Councilmembers Ajmera, Bokhari, Egleston, Eiselt, Harlow, Mitchell, Newton, and Winston

NAYS: Councilmembers Driggs, Phipps, and Mayfield

\* \* \* \* \*

#### **ITEM NO. 4: COMMUNITY EMPOWERMENT INITIATIVE**

**Willie Ratchford, Director of Community Relations** said on the behalf of the staff of the City and especially the Chief of Police and the Director of Housing and Neighborhood Service, I want to thank you for this opportunity to talk with you briefly about the Community Empowerment Initiative. This is a really transformational project that the City employees have been involved in for a minute now. We wanted to share with you all some of the things that are actually going on. I am going to give you some frame for what the initiative was about and then we are going to have the Chief of Police come up and talk briefly about how the work of the Police Department is actually being impacted by this initiative, then we are going to have Pam Wideman, the Director for Housing and Neighborhood Services to also come up and talk about some of their work and how it is being impacted and why we think that this particular initiative is so important.

This initiative is a partner-based collaborative approach to using community wide service providers, governmental agencies and community based supports to suppose neighborhoods in their efforts to reduce violent crime. The approach recognizes that addressing and reducing crime in a given neighborhood or community is not just a job of the Charlotte Mecklenburg Police Department but a job of the Police Department, various service providers, and residents of a neighborhood working together. One of the most important components of this work is our idea of what empowerment is really about. Heretofore empowerment has been people like the people sitting in this room tonight, making decisions about poor neighborhoods and what the problems were and who was going to actually fix those problems and when those problems were going to really actually be fixed. In other words, we were going into communities and we would tell them that we are going to empower you, and actually, these folks were never actually empowered because of things that would not work out in terms of our relationship with them in the way that we wanted, then we would take the power back. True empowerment is about us providing opportunities for neighborhoods to work with us to fix their issues and their problems and them taking advantage of those opportunities and sharing with us what the



problems are in our community, how they should be fixed, how they should be involved. In other words, we want to give them an opportunity to have ownership to the work that we might be doing in the communities.

It is also about leveraging resources through partnerships and collaboration. We believe this methodology creates a template which addresses neighborhood service caps in a reduction and crime that could be successfully implemented across other communities across Charlotte's diverse neighborhoods and communities. The initiative itself involves three major pillars. The first is crime fighting, the second is mediation, and the third is prevention.

Crime fighting is about operations and initiatives to identify, arrest, and prosecute chronic offenders and decision makers that blight a particular neighborhood. Mediation is providing non-violent outlets for the resolution of neighborhood disagreements, de-escalation of potential disputes, and increasing the capacity of neighborhood residents to constructively and peacefully resolve interpersonal conflicts. With prevention, the goal here is to create positive opportunities for neighborhood residents and to establish increased opportunities for juvenile job skills, substance abuse attestation, and mental-health support. Over the time that we have actually preformed this work, we have had multiple partners in the community, including the Charlotte-Mecklenburg Police Department, Housing and Neighborhood Services, the District Attorney's Office, and of course the Community Relations Committee, Mecklenburg County, multiple pastors across the community, as well as grassroots organizations, Team Reach, Anuvia, various diversion programs and service providers, Goodwill Industries, which is one of our major partners, the Urban League, Cardinal Healthcare, Charlotte-Mecklenburg Schools, Mecklenburg County Criminal Justice Services, and then the Mecklenburg County Sheriff's Office.

As a part of this process and based on some conversations that we have had earlier today, we are hoping to always add to this partnership list, and one thing that I think would be helpful in getting this work done, is that we could see more partnership and collaboration between the Charlotte City Council and the Mecklenburg County Commission, because that is going to be the key to this work actually being done. Having said that, I am going to have the Chief to come up and quickly share some of the things that the Police Department is doing that will tie in with this particular initiative, then we will have Pam Wideman to come up and do a similar presentation around the work that they are doing in her department.

**Chief Kerr Putney, Police** said I'm sure that you guys remember my passionate plea last July, talking about how we need to better collaborate. In essence, what we are trying to do is save lives. It is just that simple. We have a passion in youth. We have created a Youth Engagement Bureau, with a Major, who oversees all that work, but we struggle to commit and work with partners to do what exactly Willie just described, a holistic approach to help people, families, block by block, neighborhood by neighborhood across out jurisdiction, across out City. That is what we are committing to doing. We talk about crime fighting. I know it is a surprise to you, but we ended up down overall in our crime rate versus last year. I know it is shocking, because everyone focused on the lives that were lost, and we should focus on the lives, not the number, the lives. This work is about lives. This work is to break the cycle that leads us to the loss of life. We have a lot of credible partners that we lean on to do the work. Willie, in all his humility, is doing a lot of it with his team in Conflict Resolution, skills that are necessary to save lives. The other piece of it is mediation, having people to resolve minor conflicts without grabbing a gun and taking a life.

Our role, I see it as pretty simple, we are going to work with young people and partners who are passionate about working with young people. We are going to employee them. Last year, and I know you all know this because I have said it before, and you listen to everything I say, we employed 190 young people last year, and that is just a start. We want to employee them, and we want to continue to tutor them, and we want to mentor them. What does success look like? It has been done all over the country. You have heard of the Harlem Project, by Geoffrey Canada. It is resembled after that, a holistic approach to saving people, healing individuals, families, and saving lives. Also, it has been done in

New Orleans. This is nothing new. If you look at the 2005 Homicide Taskforce Recommendations, it is there too. Every non-profit organization people that I talk to, they know the solution, and this is it; it is working collaboratively. It is about collaboration, not competition. I say that again; it is about collaboration and not competition. It is not about who gets the credit. It is who does the work. The work is as simple as designating the resources behind the people doing the work. It is about employing our teachers to tutor in the summer, to continue this work. Our school Superintendent, I think that he takes a beating more than I do, is committed to this work, so is the Department of Social Services. We have a lot of people who are doing the work already. We just want to be geographic as we spread it. We are starting in Hidden Valley and Lakewood initially. That work has already begun. We just want to be able to come back to you and report out on how many families we have being impacted, how many young people are being impacted, because if we can get you reading on grade level by third grade, that is a prison cell we do not have to build. I think that is a success. If we can get you committed to graduating high school, we just lowered your chances of being a homicide victim and definitely somebody who would resort to homicide, significantly. That is the work that we are doing; that is how we are committed from a police agency. We are proud to be a partner in this. That is what we are. We do not own it all, but we own our share. Having said that, we will turn it over to Pam, then we will entertain any questions you might have.

**Pamela Wideman, Director of Housing and Neighborhood Services** said I am going to talk to you a little bit about how Housing and Neighborhood Services fits into this Community Empowerment Initiative. As the Chief said, we are simply a partner. This is not about us just getting credit. We fit into it a number of ways. We recognized long ago that we could build sidewalk and infrastructure, but if we do not focus on empowering and building residents, our work is for naught. So, we focus in several ways. We look at problem solving. We have Community Engagement Specialist throughout the City and specifically in Lakewood and Hidden Valley, where we go in, and work closely with neighborhood leaders and residents to help them problems solve and implement their projects. As I said, staff is assigned in four specific geographies throughout the City. Staff is not just assigned, but they are in there. They collaborate with code, they collaborate with CMPD. They know these areas very intimately. They know the unique opportunities in these areas, and they know the problems that the neighborhoods are facing. Most importantly, they develop meaningful relationships with the neighborhoods.

Once we are in a neighborhood, we help the residents develop neighborhood action plans based on their unique issues. We do this in a number of ways, but one particular way that we do this is through our bi-annual Neighborhood Board Retreats. Let me give a shameless plug and ask for your help at the same time. We have a Neighborhood Board Retreat coming up February 24, 2018 at the Goodwill Opportunity Campus, and I will also take an opportunity to thank you all who have supported these events consistently over the years. During our board retreats, we have an opportunity to work with neighborhoods on an intimate basis to help them develop specific goals around the issues they are facing. As Willie said, it is not up to us to come in and tell them what they need. That is not true empowerment. It is for us to hear from them, to learn and help them develop solutions to the problems that they have identified.

We do not stop there. We also help them with funding through our Neighborhood Matching Grants Program. There are three cycles per year, and residents can apply for up to \$25,000. We have two tiers, and I will not get into the weeds about that. We have a website that outlines all of that, but we want to help with funding. We also recognize that often times, the Chief alluded to this, we focus on adults, but our youth are very important to this community. They are very important to this work. Through our Youth Programs Team, we provide job and career readiness training. We teach them soft skills and hard skills about how to apply for jobs, how to obtain jobs, and be productive citizens through this. This is open to all Charlotte youth. Last year, I would just say to you that we placed over 400 youth in paid summer internships. That was both in the public sector, so I thank my colleagues and the county who employee some of those folks, and I would ask you to do that again this year. We also want to thank the private sector, and through these experiences, youth were exposed to real work experiences. Last year, thanks to the City Council, we also launched a job fair initiative. This was consistent with your Community

Letter, so that outside of the normal summer internship, we could help people obtain jobs. Lastly, we do not often think of Code Enforcement as public safety, but it is very much indeed public safety. The Code Enforcement Team does great work every day, again we want to go in and empower neighborhoods. We do not want to just find people or issue notices and violations. We want to teach them what code issues are. Our goal is to have those self-corrected. With that I will pause and open it up for any questions that you might have.

**Councilmember Phipps** said you mentioned two areas where the Community Empowerment Initiative was being implemented. What has been your experience with working with them so far? Has there been equal embrace of the concept or have you met some resistance?

Ms. Wideman said the two areas are Lakewood and Hidden Valley. We have had some unique challenges with different residents in Hidden Valley. There are some residents who embrace this concept. There are other residents who are a bit skeptical about the concept. What I would say to you is that I think more residents embrace it than they do not. The proof will be in the pudding when they get results. Lakewood has been very embracing of it.

**Mayor Lyles** said someone told me at one time that Hidden Valley was one of the largest subdivisions in the state, so I could understand how not everybody is going to be on board at the same pace. It is a lot of people who live in that community, a lot of investment there.

**Councilmember Winston** said Chief Putney, what type of employment would young people being doing with CMPD?

Chief Putney said it varies. Some of the 190 people that we have employed last year, 47 of them had committed their first felony, and we have partners that, once we put them through the skills training, they are now employed. It runs a gamut. We have Envision Academy, which is privately funded. We have 25 people go through that. We have had 40 with the Mayor's Youth Employment; it just runs the gamut. There was a Turning Point Academy; I have to say that too. Turning Point Academy, first time ever that we actually procured funding. We had two cops who were just doing it on a shoe-string budget, and we paid for four scholarships, \$1,400 a piece for the leaders who are going to come back and take over the leadership and run that program this summer as well. Those are just a few of the examples.

Mayor Lyles said I look forward to the next report that we will get and especially as we start talking about building our budget and resources for this area. How do we define our outcomes? How do we evaluate our successes? Where are we doing well that we should build investments, and who are the new partners that we should see and invest with? It is encouraging to know that we have a number of people in this community that are stepping up to do this work to join us. It is not just the responsibility. We have a large part of the effort, but we have a number of people in this community that want to see it happen, and we are really grateful for the partnerships that you are working to develop. I look forward to the recommendations that you have going forward.

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## **ITEM NO. 5: EXTRATERRITORIAL JURISDICTIONS**

**Kim Eagle, Assistant City Manager** said you are going to have an agreement coming before you in the next month or so to renew our relationship with Mecklenburg County on how we police the Extraterritorial Jurisdiction, so in anticipation of that, I wanted to tonight provide just a very brief overview of what the ETJ structure is, how that works, a little bit of this history associated with the relationship with Mecklenburg County and the towns and then a few next steps leading to the approval. So, very briefly, ETJs are areas that are outside of the City limits, either the City of Charlotte or one of the towns. They are still subject to all of the planning regulations, development regulations, and the property owners in those areas are taxed for rural fire service and police protection. We will talk in a



minute what that tax levy is. The residents in those areas however do not vote in City Council elections.

This is an overview of what the current relationship is; under the existing agreement, that relationship is to come to a close this coming July. The City of Charlotte and the towns of Cornelius, Davidson, Huntersville, and Mint Hill all have ETJs within their respective spheres of influence. Pineville does not have an official ETJ; however, it does have a sphere of influence. Matthews does not have an ETJ. Everything has been annexed. So, you can see they are listed for you on the screen; the jurisdiction for CMPD. Currently, all of the areas listed CMPD provides the policing service. The individual towns provide the policing service within their town limits and then I will point out for you that the Town of Davidson patrols both inside of the Town of Davidson and also their ETJ. They do that in exchange for records management services, and that is provided by CMPD at no additional cost. That is an arrangement that we have worked out.

Back in 1993, CMPD was created. We merged the city and the county policing services. Three years later in 1996, we put into place a Law Enforcement Service District, which gave us a mechanism or a vehicle for creating a funding mechanism for those services in the ETJ. The tax that is levied currently in the ETJ is 21.46 cent per \$100 of assessed value. A quick overview of the current formula, which will change when our new agreement comes to you for approval, but the current formula takes the CMPD total budget, with a few exceptions; we don't include, for example, officers at the Airport. There are a few exceptions like that, but we take the CMPD budget, and we take the ETJ share of population, and we just do a simple calculation. You can see under the current construct, 7% of the CMPD budget is allocated to provide service to the ETJ. That has historically been the case for many years; however, you may be aware that we have had some recent activity on this topic. Back in April, the Board of County Commissioners gave us notice that they wanted to terminate the agreement, so under the current contract, there is a 14-month requirement for notice. They gave the City that notice, but we are not stopping service in July. We are very close to finalizing a new agreement, so we have continued those conversations with the County. There are a few noteworthy changes that I would like to share with you, but as of July 1, 2018, the old agreement will go away when you approve the new one.

What we have done to the revised contract, there was some old antiquated language in the contract, some of it is no longer was pertinent, so we have done some scrubbing with the help of our City Attorney in particular to clean up some of that language. We have removed, and this is an important point based on the desires of a couple of the small towns, we have removed Cornelius, Huntersville, and Pineville ETJs from the agreement. They made a decision that they no longer wanted CMPD to provide that service; they would do that themselves. That service area is coming out of the new agreement, and that will be reflected therein. I want to point out though that the McGuire Nuclear Plant will stay with CMPD for policing services. That is an important note to make, even though that is in the Huntersville area, it will stay with CMPD.

The new agreement will include more reporting from CMPD. The requirement is that the Chief report twice a year to the Board of County Commissioners on the status of the policing service. We will have that worked in as well.

**Councilmember Phipps** said when you say that the increase emphasis on CMPD data reporting to the Board of County Commissioners will there be a reciprocal agreement for the other police jurisdictions to report to CMPD?

Ms. Eagle said absolutely, that is a great question Mr. Phipps. We have had lots of great dialog with the Town Managers and the folks in the other jurisdictions. We will of course bring that information to you all as well in anticipation of sharing that externally.

I mentioned earlier that we have the service level adjustment because of the towns pulling out; Huntersville, Cornelius and Pineville. That does cause an adjustment to what the revenue will be coming to the City from the County for this service. It will go down from \$18 million in the current year to about \$14 million in FY2019. The annual increases that will



then follow in the out years will correspond with the property value growth in the remaining portion of the contract. The property tax rate in the ETJ will be maintained at the level it is currently by the county. We are working to finalize the term. It is an initial 5-year term with a 23 month required notice for termination by either party. We felt it was important because of the CMPD operation and how adjustments would need to be made if something dramatic changed, that we had a longer notice period, so we have been working through that as well with the County.

**Councilmember Egleston** said I just wondered if this change would result in any jobs being eliminated within CMPD.

Ms. Eagle said I believe I can effectively say, no sir. CMPD is working through an evaluation currently as a part of their budget request to determine how they will modify internal services, what their additional needs are to serve the remaining service area and reconfigure. I believe I am correct; the Chief is nodding, no elimination, reconfiguration.

**Councilmember Winston** said while there might not be any jobs lost, we know they have a shortage of police, does this elimination of area lessen that gap of needed officers versus where we are at in terms of staffing numbers?

Ms. Eagle said I think that the short answer, and the Chief is smiling, is no, because of the vacancy rate that we are trying to manage and all of the steps that the Police Department is taking to address that. I think the answer is no.

Mr. Phipps said the other services that CMPD might employee within the City limits maybe helicopters and things, will that equipment be available to the other areas on an as-needed pay bases or how would that work?

Ms. Eagle said I think that it depends on the individual service. I know under the mutual-aid agreement there are certain items that we are not allowed to charge for. I will say it depends and then I will defer to Chief Putney.

Chief Putney said the short answer is, we will still assist on an as-needed basis. There will be no proactive work along those lines though. Generally, we do proactive work all over the jurisdiction. Now, we will only go when called when they have that specific need, be it a helicopter or SWAT Team or whatever. It will no longer be proactive; it will only be reactive. That is really the only major difference. It would be irresponsible for me to say I am not going to come help you when you need it based on the assets that we have; however, we are not going to do it as proactively, because it is no longer going to be our jurisdiction to be in proactively like we have been in the past. It would just be reactionary.

**Councilmember Mayfield** said we are thinking about that reactionary and this is a combination question for both you and the City Manager. Will we be tracking so that we can insure, since we are looking at reducing the payment that is going to CMPD to cover these cost? Are we going to be tracking to insure we are not giving the same level of service in the future that we are giving currently but at a reduced income generating level. Mr. Putney said yes, we will track every time we react to a call for service outside of our jurisdiction.

**Marcus Jones, City Manager** said the first part of your question - I want to make sure I address that. We are not coming in and suggesting that we are going to reduce the Police Department's budget by an amount of money. That is not how we are starting this off.

Ms. Mayfield said no, I am looking at the fact that what is stated in this presentation is what the County pays, that that is being reduced. I want to make sure that the reality is the City is growing. The County has grown, but there is a desire on the County's end to reduce the service fee to CMPD. That comes with a reduction in your accessibility to CMPD. I want us to insure that we are tracking so that we are not giving the same level or greater level of service that we are currently giving, on a reduced funding level from Mecklenburg County.

Ms. Eagle said in terms of next steps, we will be back with you upon finalization of the agreement with the County. We have another meeting scheduled tomorrow afternoon, so we are very close. You will see that as a request for action on your business agenda very soon.

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**ITEM NO. 6: ANSWERS TO MAYOR AND COUNCIL CONSENT ITEM QUESTIONS**

There were no Consent item questions.

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**ITEM NO. 7: CLOSED SESSION**

Mr. Jones said Mayor I would recommend to you and the Council because the Public Forum starts at 6:30 that the closed session items be at the end of the meeting.

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The Dinner Briefing was recessed at 6:24 p.m. to move to the Meeting Chambers for the recessed Zoning meeting and the regularly scheduled Business meeting.

\* \* \* \* \*

The City Council of the City of Charlotte, North Carolina reconvened for a Business and Zoning Meeting on Monday, January 22, 2018 at 6:30 p.m. in the Meeting Chamber of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding. Councilmembers present were Tariq Bokhari, Edmund Driggs, Larken Egleston, Julie Eiselt, Justin Harlow, LaWana Mayfield, James Mitchell, Matt Newton, Greg Phipps, and Braxton Winston.

**Absent until Noted:** Councilmember Dimple Ajmera

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**Mayor Lyles** said one of the first things that I would like to note is that we are now beginning a change that we have now added the Public Forums that we are holding to be broadcast at our Business Meetings on the Government Channel, streamed on YouTube, and charlottenc.gov, as well as other platforms. Hopefully there will be an opportunity for many of you to see us in different ways, beginning this evening.

**Councilmember Ajmera arrived at 6:34 p.m.**

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**INVOCATION AND PLEDGE**

**Mayor Lyles** explained the protocol for the invocation.

**Councilmember Driggs** gave the Invocation followed by the Pledge of Allegiance to the Flag.

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**PUBLIC FORUM**

**Carport on His Property**

**Allen Lunn, 1948 Dietrich Lane** said on August 25, 2017 I received a notice from the City of Charlotte, the Zoning Code Enforcement telling me I had to take down a carport that I had erected on my property. As a property owner, which property ownership is a right, not a privilege; I feel I do not have to ask permission to erect the carport on my property. If I rented or belonged to a homeowners association, I could see that, but I didn't. My carport was not a safety hazard. There was no liability or potential to, cause any kind of damage to

property or persons. The carport was professionally constructed and installed; 14 gauge steel metal was bolted onto my driveway and has not budge an inch in the year that I've had it. It was purchased not out of spite but just to protect my truck, which is a major purchase. I lost \$800 just because the City of Charlotte feels that it was an eyesore. Like I said, about property ownership, not being a privilege, it's a right. To me, that means I don't have to ask. I spent \$800 on this thing and then had to take it down for no other reason other than Charlotte City said I had to. The Supreme Court case of *Lochner vs. New York* required the state to ask is it fair, reasonable, appropriate? Is it appropriate exercise of police power or state, or is it unreasonable, unnecessary and arbitrary interference? In my case, it is an arbitrary interference. I had no justified reason from the City to take it down. No matter what process has provided, the government cannot infringe on the fundamental liberty interests, to any degree, unless the infringement is narrowly tailored to serve a compelling interest to the state, which my carport did not. Constitution is not up for interpretation; it's crystal clear and in black and white. I have the right to property and the right to do with my property as I wish, unless I'm infringing on the rights and safety or livelihood of others, which again in this case was not the situation. As I'm sure you've noticed, I have not merely express my opinion on the matter, but I have backed it up with arguments and facts from the constitution and the Supreme Court. Judges in every state shall be honor bound by anything in the constitution. No state gets to deny any law abiding citizen their constitutional rights for no just reason, which is exactly what Charlotte City has done in this situation. Those in position of authority must take care of that that the constitution must be faithfully executed. The enforcement of personal opinions is illegal. The Bill of Rights or the Constitution is not a prosecutorial tool used to extort people. I was told that if I paid a \$700 permit fee that I could have it. What's the difference? Either I can have it or I can't. It's not fair to say I can have it if I pay \$700.

**Mayor Lyles** said I believe that this is something that resolves in our zoning and code violations, and there are options that are available to you for variance, and I am not sure if you have completed the variance process. We can have that follow up with someone on the staff to make sure that is possible.

### **Aging Tree Canopy**

**Pamela May, 2547 Portland Avenue** said I am president of the Myers Park Homeowner's Association and tree advocate. I come tonight to talk about the trees and on their behalf. Myers Park trees have been deemed to be the most at risk and the City of Charlotte. It's been 100 years ago now that legendary landscape architect John Nolan planned for the very particular cathedral like tree canopy with layers of oaks that we all see, for instance, along Queen's Road West. That tree cathedral is in part what Charlotte is known for; it graces the pages of the City's website, some of the individual Council Member pages, and it's beloved by our citizens. Those trees are eighty to a hundred years old, unlike forest trees that can live to be quite old; these trees are under stressors, such as heavy landscape equipment that butts up against the base of the trees, that skims the surface, nearly skimming the tops of the roots of the trees and that compacts the soil, such that the nutrients can't get in. That can be mitigated by planting some ground cover around the base of the tree so they did not need to be mown over. That's just a small example. These trees have not received ideal care, and now it's become an imperative. What these trees now need is more than TLC; they need scientific efforts proven to extend the longevity of these kind of aging giants, and there are many ways that those can be done if you've not talked with the arborist offices, it is a very intriguing conversation for a lay person to learn of all the ways that these can be helped. They need to be also need to be replanted, one for one in like pattern, so they need to be preserved, and they need to be replanted, one for one in the like pattern, or it will not be the same because the pattern is a large part of their beauty. The City of Charlotte Arborist's Office can do this work. They'll need funding from you and staffing, and we need funds, specifically allocated for Myers Park trees given again that they have been deemed to be the most at risk in the City, and they are a Citywide treasure. I am therefore asking you to fund our tree canopy to the maximum extent and to do this not only for this generation but for future generations of Charlotteans. I thank you for your public service.

Mayor Lyles said I think that what we'll have to do is refer this to the City Manager for preparation for the budget cycle upcoming. The tree canopy is one of the things that when I remember flying over Charlotte and sitting next to someone and he said, look at that City, look at the trees down there. It was one of our most distinguished values characteristics when we talk about place-making. I often think about neighborhoods and requiring trees. So, let us get an estimate and let's see what we can do to continue this, not just in where we have to replace but where we need to put more.

### **City Partnering with Black Business Owners**

**Cathay Dawkins, 14239 Williams Glen Road** said I am with Black Business Owners of Charlotte, and Black Business Owners of Charlotte is a fairly new organization. We started in 2014, and our mission is to provide business development, advertising, and marketing for black business owners. We host networking events, festivals, and different community projects. We clean up the community. We get our members involved in cleaning up the community. That is one of our most important goals, and we are here today to just introduce our organization to you all and to show that there are a lot of black business owners here in Charlotte, who are the heartbeat of Charlotte. We are involved in a lot of things from the churches to getting out into the community and we just want to show you who we are. So, we have a lot of members who came today. We have over 3,000 registered members, and we have over 12,000 unofficial members. We have an advisory board, and executive team. So, we just wanted to come today to show you who we are and introduce ourselves. We do not have any demands or anything like that. We just want to show you, we want this to be the first of many conversations that we have and to show you that we are out in the community, and we do want your support. One of our Board Members would also like to speak with you.

Mayor Lyles said I hate to say this but you have to sign up separately so if you could sign up or come back and be at the end of our speaker's list that would be very helpful then you will have three minutes to speak as well.

Mr. Dawkins said we wanted to come today to introduce ourselves and tell you a little bit about what we have done. One of the notable events that we've done here in Charlotte is Charlotte Black Restaurant Week, and that was back in October. Charlotte Black Restaurant week garnered almost \$800,000 for the economy here in Charlotte; and we had 24 restaurants that signed up, and all of those restaurants will be back, and we may double that this year. I don't know; I don't want to set it to go too high, but we are very involved in the community. We do host a lot of events and festivals. We're hosting an event in the spring that's an inclusive event. It's called Savor Charlotte, and it's going to show the diversity here in Charlotte. So, we wanted to show you what we do, and we thank you for your time.

Mayor Lyles said we are especially proud of your organization. Networking and communication support is absolutely essential, and what you are doing is truly valuable, not just to your membership but to every part of our creating diversity in the community for economic opportunity. What I meant to say is if you would like to sign up we can add you to our speaker's list tonight.

### **Changing Name of Jefferson Davis Street**

**Greg Garrison, 5638-A Via Romano Drive** said I've lived in Charlotte since 1997 when I graduated from Davidson College. Charlotte has changed a lot, and we've all seen that, right? I was at Camp North End recently and I noticed little side road called Jefferson Davis Street near Statesville Avenue. Jefferson Davis was the so called President of the Confederacy, and I think we should make clear, there's no room in our City to honor white supremacist. Here's what Davis had to say about slavery. It is but form of civil government for those who by their nature are not fit to govern themselves. We recognize the fact of the inferiority stamped upon that race of men by the Creator and from the cradle to the grave our government, as a civil institution, marks that inferiority. I propose that the City changed the name of Jefferson Davis Street to honor black Charlottean, who made significant contributions to the arts, humanities, sciences, or civil rights. I've submitted a list of names



for consideration, along with the description of each individual's achievements. Stonewall Street and the associated CATS station should also be renamed. According to the Observer, the street is named after Stonewall Jackson, a slaveholding confederate commander, and the Civil War. I propose renaming Stonewall Street and the station after someone on the submitted list as well, given if it's traffic and prominence, another option that could be simpler is renaming it Stonewall Inn Street to honor members of the LGBTQ community. Events at the Stonewall Inn in New York led to the first pride march and kicked off the gay rights movement today. This may be a divisive issue, but it should not be. I will not be surprised if crazy comes to town to protest, but this is our City. It belongs to all of us and this is our time. It is time to chart a better way and a name may only be a symbol, but symbols matter. It is time to reflect Charlotte's diversity. It is time to reject bigotry and white supremacy in ways that are public and unequivocal. To be clear, there are not two morally equal sides to the story. It is time to do the right thing. Thank you for your attention to consideration.

Mayor Lyles said there is a process by which we do change street names. Jefferson Davis Street, it's interesting. It's in the Druid Hills Neighborhood. There's a petition process that would allow that to happen, and I think if you would talk to Mr. Egleston about that is his constituency on that street.

#### **In Favor of Preserving the Tree Budget**

**Kevin Murray, 962 Queens Road** said I am a Charlotte resident, as well as a member of the Myers Park Homeowner's Association and also in a tree advocate for the City of Charlotte. I come tonight to speak on behalf of Charlotte's treescape. These are the silent pillars of our community. The City of Charlotte is rapidly developing to keep pace with growth, but this effort must also be balanced with a focus on sustainability and maintaining Charlotte's trees. I know that the Council shares that view, because one of its stated objectives on its website as one of its primary environmental focus areas is to protect the trees of Charlotte, and I share that view as well, but if this is indeed a stated objective, and that objective must also be funded and this Council must do its part to adequately provide that funding toward that goal. The trees in Myers Park, as it's been previously stated, have been identified as the most at risk in the City of Charlotte, and they provide a stunning tree canopy to that area, but these trees are aging out. They are 80 to 100-years old, and we're losing some of them rapidly. It will require significant work to identify and maintain these trees but also to replace them as they begin to age out due to the environmental stress is caused by urbanization. The City of Charlotte Arborist's Office can do this work, but they will need funding. What we ask is that a portion of that funding be allocated to those most severely damaged trees and most at risk trees, which are in the Myers Park area. I implore you to sustain the funding for Charles Trees, canopies to the maximum extent possible for the current and future generations of Charlotteans. I thank you for your time this evening, and I know this is an important topic to you Mayor Lyles, as you've previously stated, and I hope it is to the rest of the City Council Members.

#### **Community Unity Center**

**Rodney McGill, 1727 West Boulevard** said you said before the election when you were asked what's wrong with Charlotte. What happened? You said that that the problem was that Charlotte didn't focus enough on race and poverty. I made it very clear what we're doing here is we're building a community center, so we can address the issues in our communities throughout the City so that we can know how to deal with the new politicians, the old politicians, so that we can provide mentorship. That night when you had your hand up Braxton to the police, we was in here when everybody was screaming and hollering and telling them that this is where we need to do to bring the village back. So, what ended up happening is nothing. So, we go this way. Then in 2020 Charlotte has a Center City Vision that doesn't help people to look like me and you and Justin nowhere in it. It's replicated off in 1966 Odell Plan that destroyed our communities. Now, we already know that we'll see ya'll in 2019 on the campaign trail and out shaking that the church and doing that. We just making a record that right now, we letting you know that when 2019 comes, those findings from the Economic Development Task force that all ya'll have, we're going to look and see what type of progress has been made on it. That's all that matter is. It is nothing personal.

People who are in office to come and do some work or people who are in office to do an image is what we're looking at now. We don't have \$800,000 making all those dollars and doing that, but we had to make sure that we had to speak for our community when they want to know, how can you fund animals shelters more than our community organizations? How can you fund lines in the road going up West Boulevard instead of something for the children getting hit and running across the street? Now, our community understands what we're saying. They don't understand the politics, so when we look at ya'll some are falling asleep and doing whatever you're doing, we already know how to go. We're not upset. Like I said, we've been mad since Rodney King. We are here to make affective. We glad is five newer ones out here. I'm glad we saw you in the community the day Councilmember Bokhari, Julie. Good to see you, Justin, Mayor Lyles, this is only the first month that you've been Mayor. We know nothing happens in a microwave. We just want to make sure that we came in here tonight that you know that we're serious about this community center on whether we get it with you or without you. We're not going to turn down any heat in any angle that we can under the constitution.

Mayor Lyles said I know that you've requested the community center, and we will have to figure out or get additional information so that we will have the details.

### **Tree Funding**

**Charlie Welch, 1801 Queens Road** said I'm here also to speak on behalf of the tree fund, and I don't have any prepared remarks, so I'll be brief. My friends and colleagues have already made some good points, but I will tell you I moved to Charlotte 35-years ago, which makes me older than I feel. I had the good fortune of working for a man named Hugh McColl for a number of years, and the reason I say that is even though I left the bank a number of years ago, I stayed in Charlotte just like a lot of people have, and it's because it's a great place to live and raise a family. One of the reasons is this tree landscape in the City within the forest that we have. I feel strongly like my friends do and other neighbors that the tree landscape throughout the City but also in Myers Park needs to be maintained. Thank you.

### **Recycling in Charlotte Housing Authority Communities**

**E.D. Naylor, 401-A Mattoon Street** said my name is Erica Dawson Naylor. I live in the Biddleville Community here in Charlotte. I am a longtime resident, and I live in a very cozy community called West Downs Apartments. We call ourselves in the cut, because we are not really on the main road, which allows us to have privacy and a nice quality of life, because we do not get a lot of through traffic. We have a playground in front of our unit, and I am here today to ask about Charlotte Housing Authority residences having recycling bins. I have asked for years to get recycling bins for myself. My children and I recycle religiously and for our neighbors, so the ones who do, like our household, can have a place to deposit our recyclables. If families do not know how to recycle, this is a learning opportunity, so I have asked for the last two years, since I have been living there, and they are asking me to sign a lease to stay, because they like me and I like them. I do not like the fact that I have to stow away my recyclables in my trunk and sneak somewhere else to deposit those things, which should be right there for myself and all of my wonderful neighbors. I have asked on several occasions to the community manager. The first time was about two years ago and she said, well we tried but the residents really didn't understand how to do it. That was the moment right there to say we can all learn how to do this; we are going to lead this campaign. I asked could we do this again; is there a possibility that we could send some literature around or maybe have a community meeting. It was not met with anything but, well, we will look into it. Fast forward to 2017; I asked two times last year if the possibility exist that the residents and I could receive two big carts. That is all we are asking for weekly, and again we will look into it, and I have called the City, that kind of thing. I called today and said I need to get an answer. I have asked you twice last year, and I have extended my telephone number, work phone, home phone, and I have never really received a call although, you have been receiving my rent checks regularly, so I need to know this evening, is there a possibility that we can get at West Downs Apartments recycling bins like the rest of the folks in Charlotte-Mecklenburg?

Mayor Lyles said we will have a follow-up between our staff and the Charlotte Housing Authority about the complex.

### **Community Unity Center**

**Gemini Boyd, 12611 Frank Wiley Lane** said I didn't actually come up here to speak, until I saw that there were some vacancies. So, I had a few issues that I like to address because of when I was sitting upstairs and ya'll was having a discussion about Facebook Live it kind of blew me in a sense that we can have a discussion about Facebook Live, whether it could be viewed for the viewers or not, and there's a whole bunch of other things that we can discuss. That should've been okay, yeah let's take that. Let's keep moving. The way the generation is and the way society is set up right now, we're moving forward in a generation where everyone uses technology, so I say that to say this. We have an affordable housing issue concern in Charlotte, North Carolina. Some people come in here, and they like animals. They like making money. Some people like the trees in their community. Me, myself personally, I value lives, and right now in Charlotte, North Carolina lives are being lost daily because of certain issues in the black community, meaning affordable housing, meaning to be able to help individuals when they come home from prison, such as myself. Some of ya'll who may know me know that I did 20 years in federal prison, and there was nothing for me when I came home, so I asked the City Council, is there any way possible that we can orchestrate something to help our crying and suffering communities? Let's not sit here today, because you are with voted in for the people, so therefore I'm not a person that was in the streets anymore. I pay taxes now. I actually worked for the City of Charlotte. So, now you are working for me also. So, I ask humbly, and I may sound a little passionate because I am, because I love my people that are dying daily, that are suffering out there from being in left in the cold. When there was a blizzard on a stone, we couldn't even get nowhere for these people to go. You have people such as myself and other grass root individuals that were out there handing out coats, socks, and things of that nature. We don't get funded for anything, and I don't ask to be funded for anything, but I ask the City Manager and others to create something that individuals can come work for you and we can all come together and lift our City up. Let's not worry about the trees in Myers Park. Let's worry about the people that's over here on West Boulevard, Beatties Ford, Lakewood, that are dying daily, that are hungry. Let's create more jobs for these individuals. If you do save them trees, make it as a job that someone can go get that has no job. If you're going to fund that situation, don't just fund it for individual who already has a plethora of money. Fund it for someone who has no money. That's all I asked. I asked for us together. Everyone in this room right now tonight to help save our communities that are dying. Let's get back to the human side of life in here, and let's not think about the numbers, because that's what we do. We think about numbers.

### **City Partnering with Black Business Owners**

**George Dortche, 6236-5 Countryside Drive** said I'll just come to expand on what Mr. Dawkins said earlier. My name is George Giovanni Dortche, and I'm currently the Chairman of the Community Relations Sub-Committee for the Black Business Owners with Charlotte. The Black Business Owners to Charlotte received the call from an elderly lady who had received several citations from the City for the upkeep of her yard. Black Business Owners sprang into action with a day of service, and we gathered 20 to 25 volunteers to help her with her problem with the City citation. She did not have the means to pay for cleanup, as she is on a limited income, I'm going to have a small ask that when the City issue citations that we also offer ways and means for her to or other people to rid her citations, for those who can't afford them.

Mayor Lyles said thank you very much for that kind of community service; it truly makes a difference in people's lives.

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### **CONSENT AGENDA**

**Mayor Lyles** said the following items have been pulled by Staff, Item No. 19, and we don't know when that will be back on the agenda. The following items have pulled and deferred



to the February 12, 2018 Business Agenda: Item No. 40, 41, and 45. We've also pulled Item No. 47, which has been resolved. In addition to those, we had two items that a Councilmember would like to make comments before we have a motion for approval or adoption of our Consent Agenda. The first is Item No. 24 and the other is Item No. 28.

**Councilmember Harlow** said Item 24 is approving two separate contracts, for comprehensive neighborhood improvement projects. I just want to highlight the communities around the West Trade Street and Rozzells Ferry area that is one of our comprehensive neighborhood improvements CNIP project focus areas. We have five active projects going on right now, one that is currently in construction, and the others are through the Planning phase and moving into the design phase. The West Trade Underpass Enhancement Project, which will also accompany enhancements coming along with the City LYNX Gold Line Street car project, and the artwork that has been support it through Arts and Science Council, but the Seversville Community, the Five-Points Community collaborative, the Historical West End partners, Wesley Heights, Biddleville, and Smallwood, these communities have been working for the past couple of years through various public engagement sessions and charrettes. So, this contract that we hope to approve tonight for AECOM Technical Services for the West Trade underpass, as well as the Five Points Plaza Improvement Project at the Five-Points intersection in front of the gates of Johnson C. Smith has been a longtime coming as we get some infrastructure improvements and connectivity improvements there. That is, you're a bond approved tax dollars at work.

**Councilmember Mayfield** said my question was in regard to Item No. 28, which is our Sewer Point Repair and Replacement Contract. The question that I asked, for those that manage to view our agenda this evening, is out of a million dollar contract getting more clarification on why it's acceptable for a bidder to be able to split the CBI between eight different companies, and when you look at that total out of a million dollar contract, that's about \$80,000 that's been split between the multiple companies, so I wanted to share the response but also put a charge to not only the City Manager's Office but to staff, because we've had this conversation now for many years when we talk about the ability of development and growth and specifically who has access. So, regarding \$80,000 out of a million-dollar contract, our CBI policy does not dictate how many subcontractors a bidder should use to meet the subcontracting goal on the project.

The challenge that I have is, if we have a hauler opposed to identifying one hauler that may have the ability to actually earn a substantial amount in a project, it may be split, but staff did respond and gave me an example, also an example of utility construction. Utility construction cannot be used by the bidder to perform hauling, so listed for the contract for the award each of the minority small business enterprises listed will perform a specific subcontracting scope of work. For example, although I may see two firms listed for concrete, right-of-way contractors perform underground utility structures, while another group will perform above ground construction. I think we still have an opportunity when we look at Mrs. Rosado's team and how we are doing outreach in the community. It was already started under Natasha Smith. We started in 2017 where we're actually going out into minority community and teaching them here are the gaps that we have. I have not received a follow-up on that to know if that is continuing, because Natasha and I were working directly on going out and identifying opportunities, but we need to figure out a way to create real opportunities, because our prime contractors have been prime contractors, which is great, but for the City for 35, 40, 50 years. Our subs have been just that. Are we creating the opportunity for subs to be able to grow and to eventually become prime so that we no longer need to use our MWSBE criteria, because we have enough minority businesses that are in a position where they can bid successfully bid for contracts.

Mayor Lyles said I have one item with a correction, Item No. 43, Property Transaction, 8605 Todd Road. It is an acquisition. The total parcel area should read .73 acres instead of .43 acres.



Motion was made by Councilmember Newton, seconded by Councilmember Driggs, and carried unanimously to approve the Consent Agenda as presented with the exception of Item Numbers 19, 40, 41, 45, and 47, which were pulled by staff.

**Item No. 18: Police Vehicle Lease Services Contract Renewal**

Approve a four year renewal of the Vehicle Lease Services Contract with Wilmar, Inc. for police leased vehicles.

**Item No. 20: 2017 Assistance to Firefighters Grant**

(A) Authorize the Charlotte Fire Department to apply for a grant for the 2017 Assistance to Firefighters local grant program for extrication equipment and turnout gear, and (B) Authorize the Charlotte Fire Department to apply for a grant for the 2017 Assistance to Firefighters regional grant program to enhance regional radio communications.

**Item No. 21: Façade Improvement Grant at 2122 Freedom Drive**

Authorize the City Manager to negotiate and execute a Business Matching Grant contract, not to exceed \$133,000, with Summit Avenue Freeberry, LLC for façade improvements at the former Goodwill Building.

**Item No. 22. Mechanical Engineering Design Services**

Approve unit price contracts with the following firms for mechanical engineering design services for a three-year term: AME Consulting Engineers, PC; Little Diversified Architectural Consulting, Inc.; McCracken & Lopez, P.A.; McKim & Creed, Inc.; Professional Engineering Associates, P.A.; RMF Engineering, Inc.

**Item No. 23. Belmont Center Roof Replacement**

Award a contract in the amount of \$315,000 to the lowest responsive bidder Interstate Roofing Company, Inc. for the Belmont Center Roof Renovation project.

**Summary of Bids**

Interstate Roofing Company, Inc.	\$315,000.00
Owens Roofing, Inc.	\$338,963.00
Rike Roofing Services, Inc.	\$340,000.00
Radco Construction Services, Inc.	\$410,000.00
Tecta America Carolinas, LLC	\$426,304.00

**Item No. 24: Design Services for Comprehensive Neighborhood Improvement Projects**

(A) Approve a contract in the amount of \$300,000 with AECOM Technical Services of North Carolina, Inc. (AECOM) for engineering design services for the I-77 West Trade Underpass Enhancement Projects, and (B) Approve a contract in the amount of \$445,000 with AECOM Technical Services of North Carolina, Inc. (AECOM) for engineering design services for the Five Point Plaza Improvement Project.

**Item No. 25: Landscape Maintenance Service Contracts**

Approve landscaping maintenance contracts with each of the following vendors for a three-year term: (A) Champion Landscapes, Inc. (total contract amount over three years is \$910,598); Center City West District Grounds: \$229,320; North District C Medians: \$203,060; South District B Medians: \$245,778; and South District D Medians: \$232,440  
B. Roundtree Companies, LLC (total contract amount over three years is \$1,366,281); (B) West District Grounds: \$366,132; North District A Medians: \$267,072; South District C Medians: \$250,380; Oaklawn Cemetery Grounds: \$141,900; and CATS Grounds (Bus Park and Ride Lots): \$340,797; (C) Southern EEZ Landscaping (total contract amount over three years is \$459,056); South District E Medians: \$172,432; and South District A Medians: \$286,624; (D) Taylor’s Landscaping Service, Inc. (total contract amount over three years is \$213,980); Government District Grounds: \$213,980; (E) Triple L Landscape LLC (total contract amount over three years is \$312,975); Evergreen Cemetery Grounds: \$198,900; and, Pinewood Cemetery Grounds: \$114,075.

**Item No. 26: Private Developer Funds Appropriation**

(A) Approve Developer Agreements with Mt Island Promenade, LLC, and 521 Partners LLC, and (B) Adopt Budget Ordinance No. 9244-X appropriating \$203,000 in private developer funds for traffic signal installations and improvements.

The ordinance is recorded in full in Ordinance Book 61, at Page 215.

**Item No. 27: McDowell Basin Interceptor Improvements Phase II: Professional Engineering Services**

Approve a contract in the amount of \$2,727,227 with Black & Veatch International Company for the McDowell Basin Sanitary Sewer Improvements Project Phase II: Professional Engineering and Bid Phase Services.

**Item No. 28: FY 2018 Sewer Point Repair and Replacements Contract**

(A) Award a contract in the amount of \$1,781,291.40 to the lowest responsive bidder Atlantic Coast Contractors, Inc. for sewer point repairs and replacements, and (B) Authorize the City Manager to approve up to two renewals in the amount above, with possible adjustments in unit prices and each renewal cap in an amount no greater than the percentage change in the Engineering News Record Construction Cost Index, and to amend the contract consistent with the purpose for which the contract was approved.

**Summary of Bids**

Atlantic Coast Contractors, Inc.	\$1,781,291.40
State Utility Contractors	\$2,611,847.70
Propst Construction Company	\$5,028,312.87

**Item No. 29: Charlotte Water Uniforms and Clothing Contract**

(A) Award a unit price contract to the lowest responsive bidder Synq Marketing Group, LLC for the purchase of uniforms and work clothing for the initial term of two years, and (B) Authorize the City Manager to renew the contract for up to three, one year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

**Summary of Bids**

The complete summary of the bids is on file in the City Clerk's Office.

**Item No. 30: Airport Consolidated Receiving and Distribution Center Design Services**

Approve a contract in the amount of \$941,340 with LS3P Associates, LTD to provide design services for the Consolidated Receiving and Distribution Center.

**Item No. 31: Airport Medical Services**

(A) Approve a three-year contract with Mecklenburg County Emergency Medical Service Agency for emergency medical services, and (B) Authorize the City Manager to extend the contract for two additional, one-year terms with possible price adjustments as stipulated by the contract.

**Item No. 32: Airport Vehicle Maintenance Facility Construction**

(A) Award a contract in the amount of \$14,284,079 to the lowest responsive bidder Walbridge Southeast LLC for the Airport Vehicle Maintenance Facility, and (B) Adopt Budget Ordinance No. 9245-X appropriating \$2,684,079 from the Aviation Discretionary Fund to the Aviation Community Investment Plan.

**Summary of Bids**

Walbridge	\$14,284,079
Edison Foard	\$14,626,500
Messer	\$14,656,110
Cleveland	\$15,718,500

The ordinance is recorded in full in Ordinance Book 61, at Page 216.

**Item No. 33: Airport Concourse B Renovation Change Order**

Approve change order #1 for \$1,182,210 to Messer Construction Co. to install a Voice Evacuation Alarm System for Concourse B.

**Item No. 34: Airport Capital Program Compliance Services**

(A) Approve a contract in the amount of \$1,467,001 with R. W. Block Consulting, Inc. for Airport Capital Program Compliance Services, and (B) Adopt Budget Ordinance No. 9246-X appropriating \$1,467,001 from the Aviation Discretionary Fund to the Aviation Community Investment Plan Fund.

The ordinance is recorded in full in Ordinance Book 61, at Page 217.

**Item No. 35: Menzies Aviation Office and Cargo Facility Lease**

(A) Approve a five-year lease with Aviation Services International, Inc. dba Menzies Aviation (USA) Inc. for office space, and (B) Approve a five-year lease with Aviation Services International, Inc. dba Menzies Aviation (USA) for cargo space.

**Item No. 36: FedEx Cargo License**

Approve a month to month license for additional parking spaces for FedEx Corporation.

**Item No. 37: Voluntary Annexation Public Hearing Date**

Adopt a resolution setting a public hearing for February 26, 2018 for a voluntary annexation petition.

The resolution is recorded in full in Resolution Book 48, at Pages 557-558.

**Item No. 38: Refund of Property Taxes**

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessment error in the amount of \$50,993.04.

The resolution is recorded in full in Resolution Book 48, Pages 559-560.

**Item No. 39: Meeting Minutes**

Approve the titles, motions, and votes reflected in the Clerk's record as the minutes of: December 11, 2017, Business Meeting and December 18, 2017, Zoning Meeting

**PROPERTY TRANSACTIONS**

**Item No 42: 8419 Todd Road**

Acquisition of .43 acres at 8419 Todd Road from Edith and William Bambach for \$300,000 for Airport Area Master Plan - Project AMP.

**Item No. 43: 8605 Todd Road**

Acquisition of .73 acres at 8605 Todd Road from Elliott Winifred H by Entirety for \$350,000 for Airport Area Plan - Project AMP.

**Item No. 44: Ashe Plantation Waste Water Treatment Plant, Parcel #90**

Acquisition of 39,552.48 square feet (.908 acres) in Fee Simple at 8632 Quarters Lane from Timothy M. Ashmen and Meghan R. Ashmen for \$77,000 for Ashe Plantation Waste Water Treatment Plant, Parcel #90.

**Item No. 46: City LYNX Gold Line Streetcar Phase 2, Parcel #310**

Resolution of condemnation of 212 sq. ft. (.005 ac.) in Sidewalk and Utility Easement, plus 597 sq. ft. (.014 ac.) in Road Easement, plus 10,194 sq. ft. (.234 ac.) in Utility Easement at Lawing Avenue from W.S. Alexander for \$3,950 for City LYNX Gold Line Streetcar Phase 2, Parcel #310.

The resolution is recorded in full in Resolution Book 48, at Page 561.

Motion was made by Councilmember Newton, second by Councilmember Mayfield, and carried unanimously to recess the Business Meeting until the adjournment of the recessed Zoning Meeting.

The Business Meeting was recessed at 7:14 p.m.

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## RECESSED ZONING MEETING

The City Council of the City of Charlotte, North Carolina reconvened for the Recessed Zoning Meeting from January 16, 2018 on Monday, January 22, 2018 at 7:14 p.m. on in the Meeting Chamber of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding. Councilmembers present were Dimple Ajmera, Tariq Bokhari, Ed Driggs, Larken Egleston, Julie Eiselt, Justin Harlow, LaWana Mayfield, James Mitchell, Matt Newton, Greg Phipps, and, Braxton Winston.

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## EXPLANATION OF A ZONING MEETING

Mayor Lyles explained the rules and procedures of a Zoning meeting.

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## INTRODUCTION OF ZONING COMMITTEE

**John Fryday, Chair of the Zoning Committee**, introduced members of the Zoning Committee and said the Committee will meet Tuesday, January 30, 2018 at 5:30 p.m. at the Government Center. At that meeting the Zoning Committee will make recommendations on the Zoning Petitions that have public hearings tonight as well as those that were done last week. The public is welcome to come to the Zoning Committee meeting but it is not a continuation of the public hearing being held tonight. Before the meeting you may contact the Zoning Committee to provide input on these zoning petitions. Contact information and information on each of the petitions is on the City's website at [charlotteplanning.org](http://charlotteplanning.org).

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## HEARINGS

**ITEM NO. 23: HEARING ON PETITION 2017-146 BY NORTH STATE DEVELOPMENT, LLC FOR A CHANGE IN ZONING FOR APPROXIMATELY 4.35 ACRES LOCATED ON THE WEST SIDE OF OLD ARDREY KELL ROAD, SOUTH OF PROVIDENCE ROAD WEST FROM R-3 (SINGLE-FAMILY RESIDENTIAL) TO UR-2(CD) (URBAN RESIDENTIAL, CONDITIONAL).**

**Mayor Lyles** declared the hearing open.

**Kent Main, Planning** said the site context map that you see before you shows the parcel at the center of site; it is on Old Ardrey Kell Road, which intersects with Providence Road West and connects to Johnston Road over to this side and Community House Road on that side over there. It is due west of a large continuing care, the Brightmore Development, so it is right next to an institutional use. Here is the existing zoning that shows the institutional zoning and our parcel is right here. You can see most of what is around it is zoned R-3 and R-4 single family zoning. The adopted future land use is our South District Plan, and it calls for single-family residential at this location subject to the General Development Policies which is the scoring system, which measures the ability or susceptibility of an area for slightly higher density development. This particular site scores for about eight dwelling units per acre. The case before us is for 35 single family attached, or townhouse units in buildings that would be a maximum of five units per building; ten



buildings on the site. The maximum height is 46-feet. Each has a one or two-car garage and there are a number of visitor spaces. As you see the site plan has a central open space and the visitor parking is surrounding that particular area. There are architectural standards for building materials, blank walls, garage doors, usable porches and such as that. In addition, the units along Ardrey Kell Road will have front doors that face the street along with a 30-foot setback off of Arden Kell Road, which is a fairly substantial roadway. It will also have landscaping and a decorative fence to separate those from the street as well, probably gateways leading through into the units. There will also be a 25-foot side yard around the parameter where we abut single-family neighborhoods on the other three sides of the property.

Staff recommends approval of this petition upon resolution of some outstanding issues related to site design; these have to do with the sidewalk width and the clarity of some of the fencing and zoning details. The petition is consistent with the South District Plan which has a recommendation for residential uses and the 8.05 units per acre in general is in keeping with the eight units per acre indicated by the General Development Policies. The rationale is that it is located between that large institutional use and single family on the other side of it. The petition does have a limit in the number of units, and it is consistent with the General Development Policies and also with the setback from the street and the setback from the single family on the surrounding sides. It is an appropriate development.

**Keith MacVean, 100 North Tryon Street** said I am with Moore & Van Allen representing North State Development, LLC. I want to thank the staff for their support of the petition. With me tonight are Matt Langston with Land Works; he is the Civil Engineer for the site as well as David DuPrey and Shane Seigle with North State Development. They are principals in the development Company. North State Development is a private real estate investment and development firm that acquires, develops and manages real estate investments on behalf of investors. The principals have over 55-years of experience in doing that type of work here in Charlotte and the Carolinas.

I think Kent did a great job in explaining where the site is; just slightly over four acres right across Old Ardrey Kell Road from Brightmore age restricted residential community, a fairly large and dense neighborhood. We feel this townhome development will make a good transition between that more intense use and the surrounding single family. As Kent has mentioned the request is consistent with the South District Plan; it meets the General Development Policies in terms of density. Site plan wise a 30-foot setback for units fronting on Old Ardrey Kell Road. We will be doing streetscape improvements, sidewalks, curb and gutter, six-foot sidewalks, eight-foot planting strip. There will be interior sidewalks as well; there is also a large common open space in the middle of the site that has additional on-street parking that surrounds that site. The units will have garages and the driveways will be of sufficient length to accommodate overflow parking for the units as well. Our tree save area and buffer are on the parameter of the site adjacent to the existing single-family homes to create a buffer.

We are working on a couple of subtle changes; there is a large oak tree on the southern end of the site that we are trying to save. We may as a result of that have grouped that one building a little bit to allow some room to save that large tree and our building footprints have grown slightly but other than that there are no other changes to the plan. We will be working with the staff to address the three minor issues that have been raised in the staff analysis.

**Councilmember Driggs** said we have discussed this proposal, and I think in general in terms of land use it conforms with what we want to do. I do have to have to point out it is on Ardrey Kell Road, and I've mentioned to all of us here a number of times that we've got a building situation of congestion in my District. Ardrey Kell Road is one of the really bad ones and on Saturday at the Ballantyne Breakfast Club we saw that Ardrey Kell Road is in NCDOT's pipeline for the 2035 to the 2045 timeframe. This is not huge; I think we should be able to get there but my specific request is I would like to see on the 260-trip estimate the breakdown into periods of day, a typical table that shows the peak hour activity. It is roughly triple the existing even though again the numbers aren't huge and if staff has an estimate of the volume of traffic on Ardrey Kell Road in that location so that we can get a

feel for these slots in, that would be useful. I don't need that now; I just hope you can get that to me.

Mr. Main said I will just mention that this is on Old Ardrey Kell Road which is a smaller road.

Mr. Driggs said I know; it is still contributing to the congestion in that area.

**Councilmember Newton** said it appears that the surrounding schools are over populated. This is going to generate students but there seems to be a conclusion that there would be a net negative change of students entering the system. How is that possible and how was that reconcilable?

Mr. Main said the calculations that the school district does is based upon some very broad generalities and one of those is that townhouses have significantly smaller numbers of students per household than single-family properties do. That is where that calculation comes from.

Mr. Newton said it would still be a net gain overall?

Mr. Main said of course if you build anything it is going to be a net gain of some sort.

Mayor Lyles said I want to reiterate the dialogue that we heard on Saturday concerning the traffic congestion as well as the schools is very real. In addition to having just this one and where the peak are, I wonder if it would be possible for the staff to provide us a total with a quarter or half-mile radius of the redevelopment and the approvals that we've done and the traffic counts for that location. That would be helpful for us to have that data.

Motion was made by Councilmember Driggs, seconded by Councilmember Phipps, and carried unanimously to close the public hearing.

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**ITEM NO. 24: HEARING ON PETITION 2017-147 BY QUICKTRIP CORPORATION FOR A CHANGE IN ZONING FOR APPROXIMATELY 2.05 ACRES LOCATED ON THE NORTHEAST CORNER AT THE INTERSECTION OF BROOKSHIRE BOULEVARD AND NORTH HOSKINS ROAD FROM B-1 (CD) (NEIGHBORHOOD BUSINESS, CONDITIONAL) AND R-5 (SINGLE FAMILY RESIDENTIAL) TO B-1 (CD) (NEIGHBORHOOD BUSINESS, CONDITIONAL) AND B-1 (CD) SPA (NEIGHBORHOOD BUSINESS, CONDITIONAL, SITE PLAN AMENDMENT).**

**Mayor Lyles** declared the hearing open.

**Kent Main, Planning** said the location of this is north of Center City as Brookshire Freeway turns into Brookshire Boulevard, so this is past the point where it turns into a multi-lane street with traffic signals and such as that. It is located at Brookshire Boulevard right at Hoskins between Hoskins Road and Cloudman Street, and you can see on the location map here. This is an earlier rendition of the aerial, and you can see at one point there was a gasoline station in that area you see in the whitish tone in an earlier era. It was rezoned in 2016 for a larger QuikTrip Station, which extended that from essentially the line that you see between these other parcels on either side back into the neighborhood. That has been built, so there is today a QuikTrip gasoline station on that particular site covering that entire property. The proposal before you now is to take that and extend it one more single-family parcel further back into the neighborhood. It was extended by the 2016 and this is yet one more parcel further into the neighborhood for the purposes of expanding some uses on that property.

You can see the adopted future land use for the plan which is from the Thomasboro Hoskins Area Plan and the Northwest District Plan, which was amended by the prior rezoning, so the existing station is now business use, and the one further parcel is still

recommended for single family residential. This station is built; the canopy out front is built; there is a small road behind here. There is tree save along the edge of this property and it is proposed to be taken down and instead of a 35-foot area of tree save and buffer it would be narrowed to widen that driveway and to provide for some additional parking spaces along this edge of the new property here. The tree save would be relocated essentially from here, making it narrower, and relocated onto the single-family site that you see. This is the rendition they show in their package for what that might look like; it is in fact already there.

Staff does not recommend approval of this petition, because it extends that use yet one more parcel into the neighborhood in order to gain a little bit wider driveway and a few more parking spaces for the site. The earlier rezoning was not recommended by staff at the time, but it was approved, so it is in place but adding one more and narrowing that buffer on the one side towards Hoskins Road and relocating to the residential parcel is not something that we would propose for you.

**John Carmichael, 101 North Tryon Street** said with me tonight is Judy Allie with QuikTrip Corporation. Kent has done a good job of going through it but nevertheless we will try not to be too depictive. The blue portion of the site here contains about 1.8 acres and was rezoned back in 2016 to B-1(CD) to accommodate the development of a QuikTrip on this site and the QuikTrip has been developed and is fully in operation. There is a little green portion back here that is zoned R-5; it contains about .226 acres and the request is to rezone that from R-5 to B-1(CD). To sum up the request you've got B-1(CD) here and R-5 here, so what is being sought or requested from the Council is a site plan amendment to the B-1(CD) portion of the site and the rezoning of this R-5 portion of the site to B-1(CD) to accommodate the installation of eight additional parking spaces on the site, which will help improve the functionality of the site and the circulation.

This is the rezoning plan, but I'm going to focus on an enlarged portion of the site; this is the existing QuikTrip fuel pumps and canopy, and this is the proposed additional eight parking spaces. What I want to point out to you is this yellow line is the current zoning line and the current property line, so to the south of this yellow line or below it is the portion of the site that is already zoned B-1(CD). The part of the site that is requested to be rezoned from R-5 to B-1(CD) is this portion here, and these are the eight additional parking spaces that I mentioned previously. What happens if you are able to build these eight parking spaces is that it pushes tree save and buffer to the north, so what would be on this portion of the site if it were to be rezoned, and it is limited to such on the conditional rezoning plan would be tree save, buffer and open space. There would be no active uses and actually the width of this buffer is significantly larger than it was under the original zoning. This is now 75-feet. Mr. Main is correct as you move to the right the buffer has been pinched from the rezoning that was approved in 2016; the buffer was 33-feet in 2016, and it has been pinched about three-feet for this portion of the site. It is 33-feet here, but unfortunately due to the design of the site and some of the limitations, QuikTrip could not maintain the 33-foot buffer on this portion of the site. Once again if this were approved the eight additional parking spaces would be here and then what would be on the R-5 portion of the site that is requested to be rezoned would be buffer and tree save areas. Of course this is the existing QuikTrip that I think opened in December.

The Planning staff did not recommend approval of the 2016 rezoning, and they are not recommending approval tonight. We understand why; as Mr. Main stated, it is inconsistent with the Area Plan, but respectfully the request is simply to push the buffer into the R-5 portion just to improve the function of the site. I will ask Judy to give you a little bit of information on QuikTrip and some of the dealings with the neighborhood on this matter.

**Judy Allie, 3701 Arco Corporate Drive** said I want to thank you guys, not only for the previous Council support with this project, but with all of your support in communities around Charlotte that have helped us open 42 stores in North Carolina, 79 total stores in North and South Carolina. These stores have provided 2,500 jobs for folks surrounding these communities since 2012. Our store managers average \$63,000 per year and our part-time clerks start at \$10 per hour. Our stores provide 401-K, health benefits, tuition reimbursement, and we also partner with United Way, Folds of Honor, and Safe Place

organizations. I myself was a part-time clerk 13-years ago in Lee's Summit, Missouri, and I really got hooked onto our values as a company, and it is three of those values I want to talk to you about tonight. Focusing long-term, doing what is best, and never being satisfied. That is why we are here tonight asking for these eight additional parking spaces and this extended drive in our rear, because we are not satisfied with what we are providing our customers today. There is some internal lot congestion, and even though we are extending our footprint further into the neighborhood, we have met with the Brookfield Association and the Thomasboro Community and have had very positive feedback from them, and we look forward to working with the communities. I am simply asking tonight for a rezoning for some property for some trees and buffering and then all the improvements themselves would actually already be on the existing B-1(CD) property.

**Councilmember Newton** said I'm a little confused by all of this; you are saying that you want to rezone this portion, but it will not be for any parking spaces whatsoever.

Ms. Allie said right, it is just used for a buffer and tree save requirement.

Mr. Newton said the parking spaces will be on the existing lot that QuickTrip is on.

Ms. Allie said correct.

**Councilmember Phipps** said I think you alluded a few minutes ago about the tenor of the community meeting; I see you had 13 people attend. What was the general tenor of that meeting? I was hopeful that I would be able to review it in our materials but somehow that seems to be deleted from the book, and I would hope that we could get that reinstated in the future back into our zoning book. You indicated that the community was favorable of this particular proposal, but I wanted to get a feel of the minutes. Could you just describe the tenor? Staff has said they object to it, because it encroaches on the neighborhood but yet you have a neighborhood that does not seem to be concerned about that.

Mr. Carmichael said it does encroach, because the buffer and tree save goes further into the neighborhood, so staff's statement is absolutely correct. Let me give you a little historical concept Mr. Phipps. in 2016 when the B-1(CD) portion of the site was rezoned, we had a neighborhood meeting, and it was very positive and part of the positive feelings from the community then was the security that QuikTrip would bring to the area and then the redevelopment of that portion of Brookshire Boulevard. When we had our neighborhood meeting in connection with this petition, I will tell you there were some people that were not aware of the 2016 rezoning, and they voiced some concerns about not having been made aware of that, and I told them we followed all the procedures and the mailing requirements and to the extent someone didn't get notice we were sorry about that and wanted all the input we could get. There were concerns expressed about what QuikTrip could do for the community and things of that nature; the meeting wasn't entirely positive but then there were follow-up meetings between representatives of QuickTrip and Brookfield and Thomasboro but the leadership that QuikTrip has met with has gotten comfortable with it, and there is a letter of support that we can provide from Brookfield. There was one gentleman on Cloudman Street who doesn't appear to be happy about it, but the neighborhood at large, we are not aware of any significant concerns, and as I said Brookfield has been positive or the association has been.

**Councilmember Harlow** said I can vouch for the community support for Thomasboro and Brookfield, and thank you John and Judy for your presentation. This QuikTrip is already functioning; it is probably one of the most well-lit businesses on this stretch of the Brookshire in District 2. I applaud the efforts of the multiple community engagement sessions that QuikTrip has had. I did get a lot of the history around the prior rezoning knowing that this is an addition. One question about the parcel on the northern right side next to the new proposed tree save space. That resident is probably the most affected; how does Ms. Smith feel about that?

Mr. Allie said she has been very supportive of us.



Mr. Harlow said as it relates to the Cloudman Street side, there is already existing buffering and tree save there on that side correct and nothing is changing about that.

Ms. Allie we are increasing it from a 40-foot buffer to 70-feet on that side.

**Councilmember Driggs** said it says redevelopment; what is there now?

Mr. Main said the QuikTrip gas station is there now. There is a house on this particular site.

Mr. Driggs said one house on the R-5 portion, and where exactly is the buffer being narrowed? It is along that part of the site on the right?

Mr. Main said that part of the site right in here.

Mr. Driggs said what was the buffer and what will it be if this is approved?

Mr. Main said the tree save buffer they have committed to was 35-feet the total distance there and you can see this line right here which carries straight across. That is what is being added or subtracted I guess you could say out of the buffer, and the tree save area between this driveway and the house.

Mr. Driggs said so just to understand correctly; the staff's objection is that there is a loss of about three-feet in that buffer on that portion?

Mr. Main said the loss of that piece of the buffer and also; of course it is tree save but it is one more bite into the neighborhood so that as you are coming along Cloudman Street the houses here would be fronting yet more fenced area and more commercial, even though it is tree save along that particular point.

Mayor Lyles said why wouldn't we do this by a variance versus rezoning an entire parcel that takes something into a rezoning where we have a neighborhood encroachment? It just seems to me for the amount of trees the balance of being in a community and taking down a home and creating that; I just didn't understand the difference between a variance and a rezoning. Staff, would that not meet a variance requirement?

Mr. Main said we are still subject to the zoning of the parcel itself.

Mayor Lyles said I know but I'm asking the question, if we would not recommend rezoning of an R-5 into the neighborhood would a variance be allowed or could a petition for a variance instead of that property acquisition take place? It just seems to me like we are hitting a hammer on a mosquito for three-feet. I am just very concerned about encroachment into the neighborhood. We have very few fragile neighborhood, and we've just had a speaker talk to us about taking down affordable housing to create trees. I'm just wondering about that.

**Tammie Keplinger, Planning** said your point is well made, and it is our concern and why we are not supporting this petition about further encroachment into the neighborhood. A variance is not appropriate here, because with a variance you have to prove a hardship, and there is no hardship that is related specifically to this property. It is truly a zoning issue. Examples of a hardship would be something that is caused by a topographical issue. If for some reason it is something beyond the control and the making of the property that creates a hardship, so a variance in this case would not be the way to go; it would be through a rezoning.

Mayor Lyles said again tell me why you need to acquire that site? Is it to maintain a zoning note on the existing 2016 petition for a certain size buffer for the tree save?

Ms. Keplinger said no ma'am; once the rezoning was approved in 2016 the petitioner came back, and they decided that they did not have enough land, and I don't want to put words in their mouth, so I'm going to look to them, based on what they have told me and

what I've heard tonight; they didn't have enough room for parking and maneuvering on the site, and they needed to add additional parking. The way to add additional parking was to add this additional residential lot and request rezoning so that they could these parking spaces. On the original rezoning these parking spaces are in the buffer.

Mayor Lyles said I'm not sure that I'm getting; how many parking spaces are on the site currently?

Mr. Carmichael said 32.

Mayor Lyles said and you are going to add eight and go to 40?

Mr. Carmichael said that is the request, yes.

Mayor Lyles said and you are going to do that by cutting out the tree save and move into the neighborhood that rezoning?

Mr. Carmichael said the tree save and buffer is currently located where the parking spaces would be, so in order to install the parking spaces those items would shift to the north on this plan.

Mayor Lyles said one of the questions that I have is that you are saying that to have a variance you have to have a hardship. Have they shown an economic or business plan which showed that created a hardship of was it just the idea of acquiring the site for rezoning?

Ms. Keplinger said I'm going to ask our Attorney to weigh in on this, but I believe an economic hardship is not considered a hardship in terms of the variance.

Mayor Lyles that is okay; you don't have to explain it. I will figure it out later. I wonder how many other opportunities we had of rezonings that have been to attempt to balance tree save and rezonings in business areas like this or in this area. Do we actually look at how many times we've rezoned just for a tree save or to change a tree save area?

Ms. Keplinger said I think we only have one other case that I can think of where we had to go back in and do some rezoning for the tree save. There may be others that I'm not aware of, but I believe on the original rezoning in 2016 they had enough room to meet the requirements of tree save so this rezoning is not to acquire additional land to meet tree save.

Mr. Carmichael said that is correct.

Mayor Lyles said so, it is not a rezoning for the tree save; it is a rezoning for a buffer.

Ms. Keplinger said it is to allow them to expand the commercial use by a parking and maneuvering area in the parking spaces, and in order to do that they are asking to rezone a piece of property that is currently rezoned residential, which we think further encroaches into the residential neighborhood.

Mayor Lyles said is the intent to demolish the house and plant more trees?

Mr. Carmichael said that would be correct.

**Councilmember Winston** said I think my question is along the same lines; just wondering, are these eight new parking spots required to expand some type of economic development for this gas station? Is this a destination gas station that it is full to the brim, and I guess my question for staff would be being that these parking spots on the back side and looks like it would be hidden from the main road has anybody had any input from CMPD as to what the effect that may be in terms of patrolling this development?

Mr. Main said the Police Department has not weighed in on this. The parking spaces in the back are still accessible to the doors, and there are many cases where there are parking spaces behind like this. It could be customers that are just trying to find an empty space, or it could employee parking or any number of other things. Our concern is the impact of one more extension into the neighborhood.

Mr. Carmichael said these would be primarily occupied by employees. The store and the station have been extremely successful, so there are a lot of folks coming to the site and getting gas and also buying merchandise in the store. What this would allow to happen if it were approved would be to move employee parking from other areas that are more accessible for customers to the rear of the site.

**Councilmember Ajmera** said so you are proposing to do tree save in lieu of the house that is there, right?

Mr. Carmichael said yes ma'am.

Ms. Ajmera said is the house currently occupied?

Mr. Allie said it is.

Mr. Phipps said it is probably something that we can't go back and look at, but I was wondering had we known this particular information at the time of the initial rezoning, would that have made an impact on a decision? Even then they were talking about encroachment, and now we are talking about additional encroachment after the fact. It just makes me wonder how this would have impacted the initial decision on the original petition back in 2016 had we known that additional encroachment was necessary.

Ms. Keplinger said one thing I can say is that in 2016 staff did oppose the rezoning. Mayor Lyles said what was the Council vote for approval?

Ms. Keplinger said I don't know if it was a unanimous vote or not; I'm sorry Mayor.

Mr. Phipps said by heavy lobbying by the Council Representative at that time, I think it was unanimous.

Mr. Harlow said this question will be for the petitioner; I understand that you are adding eight spaces to the parking, and I fill my gas up here. Can you speak, and this is more for the benefit of other Councilmembers, what adding those spaces will do as it relates to alleviation of the congestion on the site and the side streets, especially in terms of when we are talking about encroachment of the neighborhood?

Ms. Allie said these eight parking spaces are specifically needed for employees to take them off of the side where that dumpster is and in front of the store to give our customers quicker access into our stores. We wouldn't be known as QuikTrip if we couldn't provide the quick service for them. Also, because it is currently a one way drive; I have driven past this multiple times where a tractor-trailer or a delivery vendor or a yard service are not quite understanding the flow of our lot and park back there and actually impede our traffic, so people that do have tractor-trailers and things like that are actually having to find creative ways to park on our lot, and this is our way of trying to fix a problem that has come, because the store is doing so well and the community has been so responsive to it. I do want to take a moment and say that the improvements are currently on the existing B-1(CD); the encroachment would just be to provide the proper buffering and tree save requirements that Charlotte requires.

Motion was made by Councilmember Ajmera, seconded by Councilmember Newman, and carried unanimously to close the public hearing.
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**ITEM NO. 25: HEARING ON PETITION 2017-148 BY EASTGROUP PROPERTIES, LP FOR A CHANGE IN ZONING FOR APPROXIMATELY 3.96 ACRES LOCATED OFF STEELE CREEK PLACE DRIVE, SOUTH OF SHOPTON ROAD AND WEST OF GABLE ROAD FROM I-2 (CD) (GENERAL INDUSTRIAL, CONDITIONAL) I-2 (CD) SPA (GENERAL INDUSTRIAL, CONDITIONAL, SITE PLAN AMENDMENT).**

**Mayor Lyles** declared the hearing open.

**Tammie Keplinger, Planning** said this property is located just right off of I-485; the Premium Outlet Malls are just across the interchange. This is Gable Road, and we've seen quite a few rezonings in this area over the past few years. The site that we are talking about tonight is actually this parcel; it was one of the original parcels that was rezoned back in 2013. In terms of the existing zoning, the property is zoned I-2(CD) the request is for a site plan amendment, which basically means they want to stay I-2(CD). They just want to change some of the details that were approved on the original site plan. You can see from the area in terms of zoning; this is all industrial. The dark is I-2; the lighter is I-1. Back in 2013 when this property was originally rezoned, this property across Gable Road was zoned R-3 single-family residential. The petitioner had some specific notes on the site plan relating to how the buildings would front this road and identify with this R-3 property. In 2016, this property was rezoned from R-3 to I-1(CD) industrial conditional, so it changes the relationship between the allowed uses in these two districts. The I-1(CD) district does not allow residential uses.

In terms of the Steele Creek Area Plan you can see all of the brown, which is recommended for all industrial use; over here we've had additional rezonings in this area. The proposal reorients building five, which is the building you see here, so that the truck doors and bays are in this direction. Originally, they were proposed for this direction. It replaces the buffer between building five and Gable Wood and Gable Road; it was a 37.5 foot buffer that had a berm, now will be a 20-foot landscaped area. They will install sidewalks and planting strip along Entrance Drive.

This petition is consistent with the industrial land use recommended by the Steele Creek Area Plan based on the rezoning from 2013, Petition No. 2013-21. The site is within an industrial park, so it is fitting for this area to remain industrial. It is just south of the Intermodal Yard of the Charlotte Douglas International Airport. The site plan amendment to change the orientation and layout and to eliminate the buffer due to the change in the zoning classification is something that is reasonable in terms of the request. The adjacent parcel is also part of the same industrial development and zoned I-1(CD). For those reasons staff is recommending approval upon the resolution of the minor outstanding issues.

**John Carmichael, 101 North Tryon Street** said Mr. Jones with Eastgroup Properties is here tonight. As Ms. Keplinger indicated it is just under a four acre site outlined in blue; it is a part of Steele Creek Commerce Park which is a Class A Office, industrial and distribution park located at the intersection of Steele Creek Road and Shopton Road. Portions of the park were rezoned in 2013; this portion of the park was rezoned in 2014 and then across Gable Road to the east of the site, which will be future phases of Steele Creek Commerce Park, this was rezoned in 2016 and then this part of Steele Creek Commerce Park was rezoned in 2017. This is the parcel in question and as you can see it is currently zoned I-2(CD); the parcels to the east are zoned I-1(CD), and these are the parcels that were rezoned pursuant to the request of the applicant in 2016. The request is a site plan amendment to change the orientation of the building designated as Building #5. Under the currently approved plan, the western elevation of Building #5 that faces Steele Creek Place, which is a street here, would have loading docks and pedestrian entrances, and there would have been a 37.5 foot buffer here to the east. The request is to basically reorient the building to change the layout. The front of the building or the western elevation of the building that faces Steele Creek Place would look like an office building. The eastern elevation would be where the truck court and loading docks would be and then in lieu of the 37.5 foot buffer there would be a 20-foot landscaped area. The reason for the elimination of the buffer is because this property here as seen here is no longer zoned residential; it was rezoned to industrial back in 2016, as a future phase of this park.



We do have some minor outstanding issues that will be addressed timely and we are happy to answer any questions that you may have.

Motion was made by Councilmember Ajmera, seconded by Councilmember Driggs, and carried unanimously to close the public hearing.

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**ITEM NO. 27: HEARING ON PETITION 2017-162 BY CRAIG CALCASOLA FOR A CHANGE IN ZONING FOR APPROXIMATELY 0.35 ACRES LOCATED ON THE NORTH SIDE OF WEST WORTHINGTON AVENUE BETWEEN WILMORE WALK DRIVE AND WICKFORD PLACE FROM UR-1(CD) (URBAN RESIDENTIAL, CONDITIONAL) TO UR-1(CD) SPA (URBAN RESIDENTIAL, CONDITIONAL, SITE PLAN AMENDMENT).**

**Mayor Lyles** declared the hearing open.

**Kent Main, Planning** said this is just off of South Tryon Street and the light rail line is on Camden Road just off this slide; Worthington Avenue is here. Wickford is there, and this is within the Wilmore Neighborhood. The parcel in yellow, there is a project that was rezoned UR-2 in 2000 and built in 2005; that is townhouses just south and west of this particular parcel. This parcel was rezoned previously for essentially what you see today. Here is the UR-2(CD) located adjacent to the townhouse project, and here is South Boulevard with retail uses along it as well and the remainder of the area is R-8 single family uses. The adopted area plan as amended by the prior rezoning call for four single- family homes on this site and that is what is proposed for this site. In fact, it is not at all unlike what was approved just last year on that rezoning. Some of the lot dimensions that they had on that prior site plan don't work, so that is why they are coming back and this is strictly to change those lot dimensions, and specifically it will provide for 3,000 square foot lots and 35-foot wide lots. Other than that, it will be as previously indicated; 40-foot height and the frontage will be single-family homes fronting on single family homes and providing an appropriate transition to the slightly lower density in the R-8 areas between there and the townhouse. Staff does recommend approval of this petition, because it is adjacent to the single family neighborhoods, and it is single family. It was already approved, and it is essentially the same plan as before; it will provide four single-family homes and the setbacks will be consistent with what is there today.

**Councilmember Mayfield** said just for clarification, we are stating that the minimum lot size is 3,000 square feet, and we are looking at four homes. Do we have what the lot sizes are in the immediate area; the homes that are either to the left or to the right?

Mr. Main said the lot width will be 35-feet, so that is a little bit smaller than some typical 50-foot lots in the area. These homes are all on denser lots; they are R-8, so they are eight units per acre. This will be about 12 units per acre. There are along here several homes, including one right there that is sort of what was once the back yard of those other houses that are consistent with these proposed houses. In fact, there was a house on one site sort of where one of those four lots would be that was there fairly recently.

Ms. Mayfield said Mr. Manager, now that we have a Planning Director in place, I hope we can identify some time during our upcoming Retreat to have a real conversation regarding the expectations that we have within the Planning staff and our language for developers. This is an area, when you look at the Wilmore Community, it really started many years ago back in 2007, but you see a very big difference in the style and design of homes right next to communities that had been there for 30 plus years and part of that is in our language. I'm not asking for us to make any changes on this particular petition, but moving forward I think it would be helpful if we could have a real conversation of the plan and get a chance to hear from our new Planning Director, because I know he has been driving around and had a chance to visit throughout parts of the community to get an idea of his vision when we talk about diverse price point housing and opportunities for development in new housing and who would have access to that new housing based on rental and/or home ownership.

There being no speakers, either for or against, a motion was made by Councilmember Mayfield, seconded by Councilmember Harlow, and carried unanimously to close the public hearing.

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**ITEM NO. 28: HEARING ON PETITION 2017-166 BY KP DEVELOPMENT, LLC FOR A CHANGE IN ZONING FOR APPROXIMATELY 3.22 ACRES LOCATED ON THE SOUTH SIDE OF TUCKASEEGEE ROAD, WEST OF I-85 FROM I-1(CD) (LIGHT INDUSTRIAL, CONDITIONAL) TO I-1(CD) SPA (LIGHT INDUSTRIAL, CONDITIONAL, SITE PLAN AMENDMENT).**

**Mayor Lyles** declared the hearing open.

**Tammie Keplinger, Planning** said this is another site plan amendment; the property is currently zoned I-1(CD) light industrial, conditional district, and the request is for a site plan amendment to the conditions that were associated with the I-1(CD). When you at this property it is a small portion of land that fronts right along Tuckaseegee Road, about 3.22 acres. I don't want to confuse the issue; this is the only property that we are looking at rezoning, but I need to tell you it is associated with this property to the south. This property is also zoned industrial, and it is not conditional. It is just straight I-1 light industrial, and these properties are being developed together. The request that is before you tonight deals with a rezoning that occurred back in 2005 when this property was originally rezoned from office to industrial, conditional. At that time, the main conditions that were associated with the petition were that they would not have access on to Tuckaseegee Road and that there would be a substantial buffer along Tuckaseegee Road to protect the single family residential properties across the street and also a buffer along this edge, so it would protect the existing daycare. The request that is before you tonight is to make a couple changes to this. They want to add one access point to Tuckaseegee Road; they will still provide the buffer for the daycare. They will also provide the buffer along Tuckaseegee Road; it will be 55-feet, except in the area where the driveway will be located. At one point in time back in 2005, they actually had permission through the rezoning to do a 50,000 square foot building on this site. There is an administrative amendment that was done last year, and staff believes that that 50,000 square foot building was eliminated, so this site plan amendment would also reinstitute that 50,000 square foot building.

In looking at the Northwest District Plan, you can see that it calls for office and industrial for all of this property and the associated property to the south. Across the street is single family residential. Here is the site plan that I will go over briefly; they have a 55-foot landscaped buffer along Tuckaseegee Road. This is the driveway that I mentioned; this is the buffer for the existing daycare. They have a potential parking and maneuvering area that is about 20-feet, and in this area where they have labeled tree save they also say potential building envelope. That is the question that staff has; it is one of our outstanding issues to clarify exactly what this area is. They are limiting the number of principle buildings, and they also propose transportation improvements, and some of those transportation improvements will actually help the daycare that is located immediately to the west of the site.

In terms of this petition, it is consistent with the office industrial land use that was adopted by the Northwest District Plan. The previous conditional rezoning prohibited the driveway access to Tuckaseegee, but this access will provide additional access points for the overall industrial site, and it will help distribute the vehicles that are coming from that site. The improvements along Tuckaseegee, as I mentioned, will help both this site and the adjacent daycare. All the parking in the building areas are located behind the proposed buffer along Tuckaseegee Road, and the buffer will extend around the daycare and Tuckaseegee Road and will screen industrial uses from the daycare and the single family uses so staff is recommending approval upon the resolution of the outstanding issues.

**Keith MacVean, 100 North Tryon Street** said I am assisting KP Development with this rezoning petition. As Tammie has mentioned this was a site that was previously rezoned in 2005 to allow expansion of the industrial zoning onto what was originally zoned office or was a buffer along Tuckaseegee Road. That buffer will be maintained and there was an ability to do expansion up to 50,000 square feet of industrial uses on the site. That expansion is still reserved on this petition but not currently proposed to be utilized. The main reason for the rezoning is to add a driveway to Tuckaseegee Road to serve the warehouse distribution facility that is being built on the remainder of the site which is warehouse distribution to a City facility for LKQ, which is an auto parts distributor. With me tonight is Aaron Maddox, who is the General Manager with LKQ here in Charlotte; they are currently located in Charlotte. This site that we are asking for the driveway, and the adjoining I-1 site is the location of the new LKQ Warehouse in Charlotte and represents an expansion of their footprint here in the City of Charlotte.

Here is the overall site again; the area being rezoned. This is the area where if you drive by on I-85 you can see the warehouse under construction. Original plan approved in 2005, the buffer, the expansion area, there were building setbacks, parking area setbacks, and so on. This is the proposed plan; we are adding a driveway and we are making left turn improvements along Tuckaseegee Road both to serve the driveway and Edgewood as well as another public street on the north side of the site. That left turn lane will also assist the daycare here, and we are also improving left turn lane from Tuckaseegee to Edgewood. The LKQ Warehouse will actually have an access here as well as two access points on Queen City Boulevard. We are also widening Tuckaseegee Road; there will be curb, gutter, and sidewalks and part of the reason for change in the undisturbed buffer was really to accommodate that additional streetscape improvements and widening along Tuckaseegee Road.

From an ITE perspective, the warehouse distribution facility is expected to generate between 45 trips in the a.m. and 49 trips in the p.m. peak. Those will be distributed among the three driveways that the facility will have. This driveway on Tuckaseegee Road here, we expect it primarily to be used by this type of vehicle, not semi-trucks for the warehouse. The loading dock area for the trucks is located on Queen City Boulevard and will be accessed primarily from that location. It will be these smaller trucks that deliver parts to auto dealerships and auto repair shops and anybody that does work on automobiles uses this facility to deliver parts to them. About 30 to 35 vehicles like this leave the site on a daily basis Monday through Friday. They start at 7:00 a.m. and end by 6:00 p.m., and they don't do deliveries on the weekend. Again, this is the whole site, the area where we are rezoning and the warehouse that it will serve. LKQ Corp is a Fortune 500 Company with leading distributor or marketer of specialty aftermarket equipment accessories in North American, and again this represents an expansion of their footprint here in Charlotte.

**Councilmember Newton** said I have a question for the petitioner; you were saying this is going to be LKQ locating here; how many jobs are we talking this providing or bringing into our City, and what range of salaries are we talking about?

Mr. MacVean said I will let Mr. Maddox answer that.

**Aaron Maddox, 1700 Parker Drive** said I am the General Manager of LKQ here in Charlotte; the new facility is going to have initially about 110 jobs. As we are continuing to grow, we are projecting that to increase. We currently have four facilities in the Charlotte area. With this facility coming on board, this is going to be the largest facility in our company. We are projected to do about \$14 billion in revenue this year, so it is a great opportunity for us to increase our footprint here in the Charlotte market.

Mr. Newton said will these jobs be locally sourced jobs?

Mr. Maddox said yes they will be.

Motion was made by Councilmember Mayfield, seconded by Councilmember Ajmera, and carried unanimously to close the public hearing.
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**ITEM NO. 31: HEARING ON PETITION 2017-173 BY RAM REALITY ADVISORS FOR A CHANGE IN ZONING FOR APPROXIMATELY .36 ACRES LOCATED AT THE CORNER OF HAWKINS STREET AND DOGETT STREET, SOUTH OF WORTHINGTON AVENUE FROM MUDD (MIXED USE DEVELOPMENT) MUDD-O (MIXED USE DEVELOPMENT, OPTIONAL).**

**Mayor Lyles** declared the hearing open.

**Tammie Keplinger, Planning** said this property is located at the corner of Doggett Street and Hawkins Street. You can see West Tremont Street is immediately to the south, Camden Road, South Boulevard and the East/West Transit Station is located right here. In terms of the existing zoning, we have quite a bit of different zoning in this area, anything from industrial to TOD, residential, optional, mixed use optional to U-MUDD to MUDD to MUDD-O so quite a variety in this area over years as land uses have changed. The South End Transit Station future land use recommends transit oriented development for this particular site. The request that is before you tonight is for a very small parcel; it is .36 acres. They are asking for 11,000 square feet of retail and office uses and 95 residential multifamily units. They have specified their building materials; they have two optional provisions, one to allow a maximum height of 165-feet. The normal height in MUDD is 120-feet, so this is 45-feet above that normal allowable height. There is an option request for height and also to allow encroachment of the sanitary sewer and grease traps in stormwater facilities into the setback.

From this drawing, you can see the proposed building; this is the actual site. This is the existing parking garage that is located immediately adjacent to it. They will be utilizing this building for their parking, so they will not have to provide parking on site it will be associated over here. These are some of the different designs that are incorporate into the site plan that demonstrates the proposed ground floor level details on the site plan.

When looking at this petition the staff looked at the South End Transit Station Area Plan which recommends transit oriented development, but we also looked at the South End Vision Plan, which was a coordinated effort by the community and staff back in September of 2017, and the design standards from that collaborative effort have not been adopted by Council, but we will be bringing those forward to Council to look at adopting some of those design guidelines in the future so we felt like it was appropriate to talk about those here. One of the things they have mentioned in the Design Guidelines through that Vision Plan was additional height and they said it was appropriate in this area. This petition will remove an existing parking lot and only utilize adjacent parking; it is within a half-mile walk of the East/West Transit Station. It provides a mix of retail and residential, which is something that we want in transit locations; it provides the active ground floor use and the architectural treatment that we've talked about. The 165-foot building height is something that is acceptable in this area, and the building height and commitments to ground floor design details are consistent with the recent South End Vision Plan, so staff is recommending approval upon the resolution of the outstanding issues.

I do have one more thing I need to talk about and that is about sewer capacity. If you noticed in your notebook Charlotte Water did indicate that this is in an area where sewer capacity is an issue, and what the petitioner is doing is going through what is called the Capacity Assurance Program with Charlotte Water, so the Capacity Assurance Program helps to evaluate the impact that new development will have on our sewer treatment system. They are looking at getting what is called a Conditional Capacity Assurance letter that says they will not be able to develop until the infrastructure program, which is known as the Charlotte Water's Wilmore Drive/I-77 project is completed, and that is schedule for completion in 2019. The petitioner is aware of this and it is something that they have been work on with Charlotte Water.

**Rachel Krenz, 1930 Camden Road** said I am with Ram Reality Advisors and I'm the developer on this project. You have a pretty overview, but I want to clarify one thing; the



site that we are proposing this building on is .36 acres. Currently, it is a large parcel with a parking deck on it, so it is a very small site which is why I'm coming before you today. Given that it is so small we are forced to do high rise; it is a pretty expensive construction costs, so we are looking to add a few more units to the site, so we are asking for additional height. We are proposing multifamily and retail there and are really excited. It is probably the most fun project I've worked on, and it will be a really unique one to add the neighborhood. I will keep it short and happy to answer any questions you have; it is pretty simple, just asking for additional height and to put some below grade shops for the retail.

**Councilmember Egleston** said I was wondering if the intent on the residential is to do all market rate or if there has been any exploration of doing mixed price point in the housing.

Ms. Krenz said unfortunately, it has to be market rate; it is such a small community. We can't even get the numbers to work with the current zoning, so it is just market rate, but we are very supportive of affordable housing in general as a company.

Motion was made by Councilmember Mayfield, seconded by Councilmember Ajmera, and carried unanimously to close the public hearing.

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#### ADJOURNMENT OF THE ZONING MEETING

Motion was made by Councilmember Newton, seconded by Councilmember Ajmera, and carried unanimously to adjourn the Zoning Meeting.

The Zoning meeting was adjourned at 8:26 p.m.

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#### RECESSED BUSINESS MEETING

Motion was made by Councilmember Driggs, second by Councilmember Ajmera, and carried unanimously to resume the recessed January 22, 2018 Business Meeting.

The City Council of the City of Charlotte, North Carolina reconvened for the recessed Business meeting on Monday, January 22, 2018 at 8:26 p.m. in the Meeting Chamber of the Charlotte Mecklenburg Government Center with Mayor Lyles presiding. Councilmembers present were Dimple Ajmera, Tariq Bokhari, Ed Driggs, Larken Egleston, Julie Eiselt, Justin Harlow, LaWana Mayfield, James Mitchell, Matt Newton, Greg Phipps and Braxton Winston.

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#### ITEM NO. 7: CLOSED SESSION

Motion was made by Councilmember Driggs, seconded by Councilmember Mayfield, and carried unanimously to go into Closed Session pursuant to North Carolina General Statute § 142-318.11(a) (4) to discuss matters relating to the location of industries or businesses in the City of Charlotte, including potential economic development incentives that may be offered in negotiations and pursuant to NCGS 142-318.11(a)(3) to consult with an attorney in order to preserve the attorney-client privilege and to consider and give instructions concerning the handling or settlement of Brian Kurzel, et al. v. City of Charlotte, 16-CVS-19521.

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The meeting was recessed at 8:29 p.m. to go into closed session in Room CH-14. The meeting was recessed at 9:36 p.m. at the conclusion of the closed session to move back to the Meeting Chamber to resume the remainder of the Business meeting. The meeting resumed at 9:38 p.m.

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## POLICY

### ITEM NO. 10: CITY MANAGER'S REPORT

**Marcus Jones, City Manager** thanked City departments that handled the snow even last week.

**Mayor Lyles** said last Monday right before the Zoning Meeting we had had the homicide related to domestic violence, and we talked a little bit about that, and since then the staff has had a meeting to look at what our current processes are, who works with us and who needs to work with us? Kim Eagle led that effort and discussion with the staff, and I thought it would be appropriate for us to have a report to the full Council tonight on what occurred and what the next steps might be.

**Kim Eagle, Assistant City Manager** said I'm pleased to do that. Today, Staff convened a group of partner agencies which included Mecklenburg County, Safe Alliance, CMPD, the Magistrate's Office, the District Attorney's Office and the City Manager's Office to begin discussing ways that we could do a couple of different things. First of all, we talked about ways to expedite and support initiatives that are already in the Planning process. We identified some potential new opportunities to enhance our processes and we discussed resource gaps and resource needs within the domestic violence prevention, intervention, and support systems. All of that being designed to improve outcomes for victims, and we want to do things faster and better. I do want to stress that the collaboration among those groups is already extremely strong and very, very healthy. That was a learning process for me personally, and I was very pleased to see that. We decided today that we are going to meet once a month; we are meeting again in three weeks. We want to continue the dialogue; we are putting together a master calendar to more effectively map and monitor all of the different efforts underway. We talked a lot about pushing our work forward today, particularly around the Family Justice Center, which is already about to begin the planning stages in May. We talked a lot about electronic filing or restraining orders and ways we can get that done faster and then we talked also about some strangulation awareness training because of the strong correlations between an abusers tendency to strangle their victim and then potentially kill them in the future.

I will say also that we very quickly, per the Mayor's comments, worked today on a process map, and I'm not going to give you a copy yet, because we had lots of robust conversation around what is on this piece of paper, so I'll have that for you when I come back next time to talk about where we are. Lots of great input that helps us see the current state and where we as a group can more effectively make enhancements along that path. We will be using this as we go, and like I said I will bring it back to you at my next detailed update. I anticipate, based on direction from the Manager that the next update will be after our next meeting which is probably going to be February 13, 2018 with the partner group so is very pleased with the progress today.

**Councilmember Eiselt** said Kim, as you mentioned it is a pretty robust group, and Councilmember Mayfield brought to my attention the conference that was held on Friday, and I think we missed each other there, but I had an opportunity to go and sit in on that as well, and it really showed the room was completely full of partners and everybody was pretty connected along the line of what needed to be done and what was missing. What does the City bring to the table; where are the opportunities for the City to plug in on that?

Ms. Eagle said to answer your question the first thing that comes to mind is to be a facilitator so that we are making sure we are connecting all of the partners and that we are monitoring progress. We can facilitate conversations around resource gaps regardless of

where those funds might come from whether it be the City or elsewhere. We can facilitate that conversation, and CMPD is a significant player in the group and the group overall was very appreciative of the City calling the gathering, so we could insure that we are all on the same page, and we can support each other, and we can look at the process from beginning to end to make sure that everyone has the support they need when it comes to the partner agencies. I'm also trying to bring a sense of urgency on which they already had, but I think it is beneficial as well.

**Councilmember Winston** said thank you for working so hard on this and quickly. I would like to point out my desire to see efforts that don't just look to navigation of the Criminal Justice System. We know that domestic violence, really relationships how we treat one another that exists in the continuum, and I know we are limited in terms of government of what we can do in terms of creating culture, but I think that is really where this problem lies if we look at just what is happening, not just in our City but around the country with the Me Too movement. These are relationships that are fostered over time through different aspects of life whether it is the way mates treat each other, how they are taught around the dinner tables, how they are taught in their churches, in their locker rooms and everywhere. I really would like to hear some considerate ideas of how we can really bring all segments into this to really nip this in the bud before it has to get to the Criminal Justice System in a homicide/suicide situation.

Ms. Eagle said we started that conversation today in looking at our process map and our first focus was on the Criminal Justice System, but we recognized very quickly that there are components of the process much, much further upstream that need to be a part of the overall dialogue, and I will take that back, absolutely.

**Councilmember Ajmera** said a couple of homicides that happened because of domestic violence. I was talking to Ron Kimble who has started this foundation to support the victims of domestic violence, and he shared a couple of resources with me, so you want to share that to the folks that are listening and viewing this. There is a web site that you can go to [jkffc.org](http://jkffc.org) if you or someone that you know needs help with this. Also there is a number that you can call; it is 1-800-799-7233, and these resources can help you get out of the danger and locate the resources that you need. There are several warnings signs that I think if you are in an abusive relationship, there are about 10 warning signs that you certainly look for and this foundation was started by Ron Kimble and his wife after his daughter was killed in a domestic violence incident. Some of those warning signs are based on their experiences, so I would suggest that you go to this web site, [jkffc.org](http://jkffc.org). It is Jamie Kimble Foundation for Courage.org and look at those warning signs and use the resources that are available. Ultimately, it takes a village to address homicides that are happening as a result of domestic violence. It also takes a village to bring those concerns, and it takes courage for victims that are going through domestic violence to come out of that. I encourage you if you know someone; I had a friend who has gone through that, and I connected her to some of the resources, and I think those are very crucial. Make good of these resources and help someone out; you never know you might end up saving a life.

**Councilmember Phipps** said I was just wondering is there any way that we could more effectively use our Domestic Violence Advisory Board. I would be curious to know have we charged them with a certain task in view of the escalation that we see in domestic violence or how could we better utilize them? I don't know if the County has a counterpart committee Domestic Violence Board also, but how could we collectively use those two entities to help promote what we are trying to do in terms of trying to be more proactive. It looks like we are covering a lot of reactive, because once you become a victim there are services and things, but I think we need more proactive elements out there to compliment it. I was just curious as to how could we engage that Committee more to help us out.

Mayor Lyles said I have met with the Chair of that Board and they are trying to work on a strategic plan. It is not quite as robust as I expect most of us to think that it would be. Were they in attendance?

Ms. Eagle said they were not in attendance today but we did have some conversation about groups that were missing from the table and we do have them on our list. We are aware that they are developing a plan to enhance that group's efforts.

**Councilmember Mayfield** said Ms. Eagle, I want to take a moment to thank you; as my colleague mentioned I had an opportunity to be in attendance at the meeting and I learned at the meeting, which was held here at the Government Center, that staff will be having a conversation and once I shared that with you, you immediately made sure that we had staff representation in that room. For my colleague Mr. Phipps; one of the challenges with the Domestic Violence Advisory Board, obviously we are having a high turnover. We are having very high turnover and mainly because the Board wants to be more active and is more of an advisory board so there were conversations that were started in the room on Friday regarding how to strengthen and what the Board Members can do to have a more active role. I also want to make sure that the community knows that our new District Attorney, Mr. Merriweather was also in attendance as well as our CMPD. Chief Putney has made some reassignments and unfortunately one of the most recent cases; when we think about domestic violence we don't necessarily think of all the ways that domestic violence plays out, like the fact of a case of a two-year old that has STD, and how do you deal with that? Knowing that our laws when you look at the laws that comes from the General Assembly because we are [inaudible] our laws determine domestic violence being male/female, so there is also an increase of domestic violence in same sex relationships, and unfortunately, I have yet to figure out this nonsense, but a lot of it is in female same sex relationships, and it is not even listed on the same level, so you have someone that could very well have a file that could be this thick but, because it is not listed as domestic violence that information never gets posted, so I can go and do a search on an individual if I'm going all of my due diligence, because it is not treated the same, because it is considered male/female to be domestic violence. Then there are so many rules around it whether you actually live together if you are married versus dating and if they don't recognize that a domestic relationship can be us living in a separate household, but you still have control and then there are programs in place but the programs that help give assistance once you are almost destitute before you have access. So, even if on paper you have an executive position but you don't have control over your money because that other individual controls the bank account. There are multiple conversations that are happening; I'm just really thankful that the partners who have been leading this conversation for many years were hosting a meeting here that our staff was able to attend and be a part of that conversation. I would hope that we not try to jump out too far ahead of the conversation, recognizing what our role is. If our role is truly a support role then that support role means that Charlotte City Staff might need to step back in order to really listen to what is really needed from our partners, and if that greatest need is for us legislatively to lobby the delegation and try to have changes made in Raleigh that may be our biggest asset and contribution to this conversation. Just when you look at the Civil Service Board, our biggest contribution is through the lobbying efforts with our partners. I would encourage us to remember our role and not try to get too far ahead of a conversation that we are not as well versed on opposed to letting our partners direct us and us listening to what they need from us opposed to us trying to identify what we think the situation needs.

Mr. Winston said about a week after we were sworn in, there was a terrible murder/suicide right on Eastway. A gentleman shot and killed his mother, his wife and shot his 12-year daughter in the head, and only his other children were able to escape and run out. I talked to the Chief after that; I talked to people that care for victims and victims themselves, and I think one of the most important roles that we play are illuminating the breadth of issues that are out there. Again, there are so many issues; when we talk about economic inequities and the abilities to hold together families; these are real issues, and I think can shine light in some dark places. I talked to Communications and Marketing after that to consider how we can do a Town Hall. I was thinking more of a virtual Town Hall where we bring some stakeholders in, some victims, some folks that we have on staff that deal with folks. I would invite my colleagues; I would love to partner with some of you to help do this, because I think this is something that needs to be done sooner than later, and it can be done in a robust way where we can really talk about it in ways that just don't fit into 90 second news pieces and things like that. I would love to follow up with any and all folks that are willing to think about that with me.



Mayor Lyles said before we close this out, I want to say that I really appreciate, and I am really grateful for all the Councilmembers that have been taking a very deep look into this. I think it is time for a critical assessment of the system. Again, I think we need a critical eye towards what we are doing to look at what we've been doing in the past and ask, is it serving us well for the future in this area? The world is changing very, very quickly. You've heard that description our laws are particularly around something that perhaps people call relationships in 1950, 1960; those are not really applicable to what happens today in 2018. The way that we've reacted to things, we've done victim assistance in this City for a very long time, and it started off with people that were rape victims and then we moved a little bit further, and we've moved a little bit more towards trying to help people and our Police Department. That is just not sufficient, and I agree that we have many partners in this, and we need to make sure that they have the resources as well as the right path forward. I really appreciate the comments today; I look forward to the next steps that we would have in this and see it as an opportunity for all of us to think about this differently and think about it in a policy direction. Are we organized the right way, and do we have adequate resources to address the issues that we have? Do we have the safeguards in place to help protect the most vulnerable of us? Thank you Kim for stepping up; we had this conversation a week ago, and sometimes people think government moves too slow, but within a week when we have to step up after that last incident you stepped up. Manager, thank you very much for doing that and to all the Councilmembers that supported the efforts - thank you very much.

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## **BUSINESS**

### **ITEM NO. 11: APPOINTMENT TO THE CHARLOTTE INTERNATIONAL CABINET**

The following nominees were considered for one appointment for a partial term in the At-large category beginning immediately and ending June 30, 2019:

Niketa Mittal, nominated by Councilmembers Ajmera, Mayfield, and Winston  
Vanessa Vaughn, nominated by Councilmembers Egleston and Mitchell

Results of the first ballot were recorded as follows:

Niketa Mittal, 7 votes – Councilmembers Ajmera, Driggs, Eiselt, Harlow, Mayfield, Phipps, and Winston.

Vanessa Vaughn, 4 votes – Councilmembers Bokhari, Egleston, Mitchell, and Newton.

Niketa Mittal was appointed.

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### **ITEM NO. 12: APPOINTMENT TO THE CHARLOTTE MECKLENBURG PUBLIC ACCESS CORPORATION**

The following nominees were considered for one appointment for a partial term beginning immediately and ending July 18, 2019:

Jennifer Ames-Stuart, nominated by Councilmembers Driggs and Winston  
Kris Chambers-Woodruff, nominated by Councilmembers Newton and Phipps  
Olivia Scott, nominated by Councilmembers Ajmera, Egleston, Eiselt and Harlow

Results of the first ballot were recorded as follows:

Jennifer Ames-Stuart, 1 vote – Councilmember Winston

Kris Chambers-Woodruff, 7 votes – Councilmembers Bokhari, Driggs, Egleston, Eiselt, Mitchell, Newton, and Phipps

Olivia Scott, 3 votes – Councilmembers Ajmera, Harlow, and Mayfield.

Kris Chambers-Woodruff was appointed.

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**ITEM NO. 13: APPOINTMENT TO THE COMMUNITY RELATIONS COMMITTEE**

The following nominees were considered for one appointment for a partial term beginning immediately and ending June 30, 2019:

LaToya Evans, nominated by Councilmembers Egleston, Eiselt, Harlow, Mayfield, and Mitchell

Hannah Hasan, nominated by Councilmembers Egleston and Winston

Savannah Turner, Nominated by Councilmembers Bokhara, Driggs, Eiselt, and Winston

Results of the first ballot were recorded as follows:

LaToya Evans, 7 votes – Councilmembers Ajmera, Egleston, Harlow, Mayfield, Mitchell, Phipps, and Winston

Savannah Turner, 4 votes – Councilmembers Bokhari, Driggs, Eiselt, and Newton

LaToya Evans was appointed.

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**ITEM NO. 14: APPOINTMENT TO THE DOMESTIC VIOLENCE ADVISORY BOARD**

The following nominees were considered for one appointment for a partial term beginning immediately and ending September 21, 2019:

Tasha McClarrin, nominated by Councilmembers Ajmera, Driggs, Mayfield, Mitchell, and Winston

Patricia Wiley, nominated by Councilmembers Bokhari, Egleston, and Eiselt

Results of the first ballot were recorded as follows:

Tasha McClarrin, 3 votes – Councilmembers Ajmera, Mayfield, and Mitchell

Patricia Wiley, 8 votes – Councilmembers Bokhari, Driggs, Egleston, Eiselt, Harlow, Newton, Phipps, and Winston

Patricia Wiley was appointed.

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**ITEM NO. 15: APPOINTMENT TO THE MINT MUSEUM BOARD OF TRUSTEES**

The following nominees were considered for one appointment for a partial term beginning immediately and ending July 31, 2019:

Bernadette Flavors, nominated by Councilmembers Egleston and Harlow

Roxanne Trenkelbach, nominated by Councilmembers Eiselt, Mayfield and Winston

Linda Webb, nominated by Councilmembers Ajmera and Phipps

Results of the first ballot were recorded as follows:

Bernadette Flavors, 2 votes – Councilmembers Egleston and Harlow

Roxanne Trenkelbach, 7 votes – Councilmembers Bokhari, Driggs, Eiselt, Mayfield, Mitchell, Newton, and Winston.

Linda Webb, 2 votes – Councilmembers Ajmera and Phipps

Roxanne Trenkelbach was appointed.

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**ITEM NO. 16: APPOINTMENT TO THE TRANSIT SERVICES ADVISORY COMMITTEE**

The following nominees were considered for one appointment for a three-term in the Neighborhood Organizational Leader category beginning February 1, 2018 and ending January 31, 2021:

Sam Grundman, nominated by Councilmembers Ajmera, Egleston, Eiselt, Harlow, and Newton

Omar Valera, nominated by Councilmembers Mayfield, Mitchell, Phipps, and Winston

Results of the first ballot were recorded as follows:

Sam Grundman, 10 votes – Councilmembers Ajmera, Bokhari, Egleston, Eiselt, Harlow, Mayfield, Mitchell, Newton, Phipps, and Winston

Omar Valera, 1 votes – Councilmember Driggs.

Sam Grundman was appointed.

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**ITEM NO. 17: MAYOR AND COUNCIL TOPICS**

**Councilmember Newton** said I don't have too much; I wanted to comment on a vote that we had earlier today. I think it is very important that everyone has access to information and the decisions that our government makes; that is all the way from the Federal level down to the local level, and that is because access to information is important for transparency and transparency is important to establish trust between the community and its government. Earlier, we took a vote to open additional lines of access in communication between ourselves and the community, pending of course our conversation regarding any policy for interacting with the public on some social media platforms. I wanted to applaud my colleagues for the robust conversation and debate that we had for everyone's input and willingness to discuss that. I know that moving forward we will be talking about how we will interact on social media platforms, but I do believe that having that discussion now was the right time for it. Moving forward, I believe that insuring every opportunity and access point for the general public is in the best interest and the common good of what we are trying to accomplish and do. There were a number of my constituents over the past week that reached out to me and had explained that we didn't have a live feed on social media, and they were following our meeting on Tuesday on the Government Channel on TV. I believe there were a small handful that were also following it on YouTube, and unfortunately what has been explained to me, I've seen pictures of this, those channels went dark later on in the evening. I think from the standpoint of insuring that there are a number of different avenues, particularly when certain avenues might go dark or close over the course of the meeting, I think it makes even that much more sense that we continue to have every avenue available to us open for the public to view and watch exactly what we are doing and the decisions we are making. Having said all of that, I will thank you all for your participation in that and also say that I'm glad that we are going to get out of here tonight with the long meeting that we've had.

**Councilmember Bokhari** said this is the last time that you will have to hear this update from me, but District 6 Folks, tomorrow is our big day. Tuesday, January 23, 2018, tomorrow 10:00 a.m. to 7:00 p.m. our SouthPark CNIP Community Vision Workshop is at the Morrison Library. We have an action packed event; many of us both here in staff and in the private sector and in the community have all come together for weeks upon weeks to have tomorrow, and I will tell you, not only is it a very exciting day, you can drop in anytime you want to between 10:00 a.m. and 7:00 p.m. at the Morrison Library, but you can also come in for out two big exciting presentations. One is at noon, for those who can make it at that time, and one is at 5:30, and we will be presenting things the community and staff have come up with for project ideas as well as vision ideas and we are coinciding with all this the new opening of Morrison Library. There is a toddler story time at 9:30 a.m.; there is family story time at 10:15; baby story time at 11:00; food trucks on the scene; and finally a family story time at 6:00 p.m. so a great event if you want to bring your family out, have dinner at the food trucks, come in and hear and participate in the vision item a little bit and

then take your kids to story time in our beautiful Morrison Library facility. Very excited about that, let's have a strong showing and then finally we did have a long discussion about adding social media channels and live streaming today. I'll tell you for those of you who are champions of transparency, who are fans of removing bureaucracy, or engaging more through digital channels that we have now, I think we did just that in the first step towards a longer goal. I'm speaking especially directly to over the roughly 100 folks out there that commented, shared or reacted on social media that we opened up tonight and the over 4,000 people that viewed this that wouldn't have otherwise, because we didn't put that out there, and to the 17 of you that are still hanging on right now we appreciate you most.

**Councilmember Phipps** said I consider myself to be a voracious reader, but it was only recently that I read this book, Charlotte's Web, and you have an opportunity right now. I mentioned it at the last Business Meeting, to be a participant to read this book to Hidden Valley Elementary School students, third graders. We are going to start reading this book for five weeks starting the week of February 20, 2018. You can pick a day between Tuesday and Friday between the hours of 8:00 a.m. and 10:00 a.m. to read this book. All we ask is that you be consistent with the day and the time that you read and make a difference in third graders life. This is going to be a part of their curriculum. It is a gorgeous book; I don't know if you all have read this book before, but I'm surprised; all the reading I've done and just read this book, and it is just a gorgeous book. If you want to participate I would ask you to contact my Executive Assistant Ms. Robin Lo Furno and join me as we start to read this book as part of the Hidden Valley Elementary School curriculum starting the week of February 20, 2018.

**Councilmember Mayfield** said for all residents who live in the Steele Creek area, hopefully you have already been notified, but on Wednesday evening there will be the Steele Creek Land Use Committee meeting that will start at 7:00 p.m. at Wingate's Studio. We have around 35-acres on South Tryon around the Youngblood intersection that is for up for rezoning going from R-3 to a proposed 10 units per acre which that could create around 350 additional units of housing on South Tryon Street near Youngblood Road; two parcels are being proposed. We need as many in the community as possible to attend the meeting and share your comments and suggestions and please feel free to connect and e-mail and/or call my office. Unfortunately, because of the weather this meeting was postponed to this Wednesday; initially, it was scheduled for last Wednesday and Wednesday I have for those of you who live in South End. There is a South End meeting that is also happening on Wednesday evening. That meeting starts at 6:30 p.m.; it is the South End Community meeting and that will be held at 1507 Camden Road. We have meetings at opposite ends of the District and specifically for our seniors most of you know every other year, non-election year, I attempt to hold multiple Town Halls, because the District is so expansive. The first Town Hall this year; we are looking at a date in early March. It is specifically targeted to our seniors, because there are a number of concerns and issues that have arisen regarding housing, homeowners associations, access and accessibility. We will have our DA in attendance as well as representation from Mecklenburg County and our State Representative that is working on some legislation. Representative Kelly Alexander will be there, so please seniors or those who are taking care of the elders in their family, please reach out. Councilmember Phipps and I share staff liaison Robin Lo Furno [rlfurno@charlottenc.gov](mailto:rlfurno@charlottenc.gov). Please reach out if you have any specific topics or concerns that you would like addressed.

**Councilmember Ajmera** said two items, number one, recently I saw a lot of Facebook messages on our bike share pilot program and some of the comments were around how there were orange and green bikes were in the middle of the streets, and there are also positive comments that oh it is great that we have the bikes for us to ride and so on. So, City of Charlotte is listening, and there is a survey that you can take if you have specific concerns, or if you just want to give your positive pitch, please take that survey that is on our City of Charlotte website. You can also find a link on Facebook; look it up, City of Charlotte Government Facebook Page, and there is a link to the survey, so you can provide direct comments or concerns of questions around dockless bike. Number two, Arts and Science Council is having their culture day, so they are going to have a free visit



to Bachler Museum, Levine Museum, and McColl Center on January 27, 2018. Take advantage of that and visit this cultural facility that we have right here in our Queen City.

**Councilmember Mitchell** said two quick announcements - the first announcement is all the citizens. Black Enterprise Entrepreneurship Conference will be June 4-6, and this Wednesday, January 24, 2018 from 11:30 a.m. to 1:00 p.m. in Room 267 we are asking all those who would like to volunteer and be a part of what we call The Ambassador Group. Please come join us; our goal is to have 200 volunteers here in the Charlotte area and learning about the other six committees you can serve on. The second announcement is a shout out to a former West Charlotte Lion, former Defensive Coordinator for Carolina Panther Steve Wilks. He will be announced tomorrow as the new Head Football Coach of the Arizona Cardinals. Steve, we wish you the best of luck and we're proud of the roaring Lions.

**Councilmember Eiselt** said Councilmember Ajmera already mentioned it the Connect with Culture Day, but I do want to mention that this is really exciting. There is going to be a lot of events all over the County so not just uptown but from Huntersville to Pineville, Ballantyne, and Mint Hill. Some of the events do require pre-registration, so I suggest that you go on to the Arts and Science Council website to find out what requires pre-registration. Lots of the events are free, all ages, and that is [artsandscience.org](http://artsandscience.org).

**Councilmember Winston** said I just wanted to thank my colleagues again to echo Mr. Newton's comments for the robust conversation about increasing access to what goes on in here. I think we've seen, especially over the past 18 months in this City that there has been an expanded interest in municipal government. All of us sitting around the dais participated in an election where it had a record turnout of people. I tell this story often; the proudest I've been was on election day when I was finding out people that couldn't vote for me, because they just found out that they did not live within the City limits of Charlotte, so they had been voting in possibly national elections and even year elections but they came out for the first time here. I thank you for being responsive to the needs and wants of our community and extending those efforts. It is a good thing that we did tonight.

Also, we talked about domestic violence; we need to put efforts and energy to focus and center this issue. At the end of the year as we look at crime stats and we look at homicide rates sometimes there are kneejerk reactions to how we deal with these things. We know that these are issues that we can't police our way out of. This is how we treat one another and again while we can't dictate culture from the dais again thinking about how many people are looking at us and the type of leadership folks want us to provide. There are figurehead ways that we can change the conversation in our communities starting from our own households and extending all the way up and beyond the borders of Charlotte. I hope we will continue to be thoughtful; I know we will continue to be thoughtful in attacking it, and I look forward to partnering with folks around this dais to really address this, as our District Attorney says, this sickness that exist within our community.

**Councilmember Driggs** said Mayor, I wanted to thank you for coming on Saturday to the Ballantyne Breakfast Club meeting. You drew a big crowd, and your remarks were very favorably received. I think people picked up on the fact that you suggested that maybe we needed to change our approach a little bit to be inclusive and how we invest and develop our community, so I'm hoping that coming from that there will be some good news that I will be able to share with my constituents. I also wanted to mention; every week on Friday morning I host a coffee meeting. It is attended maybe by 30 people. It is a great format; we talk about things that are going on in the City, and I'm bringing it up this week, because it happened that on Friday morning I had a Dr. Clayton Wilcox, the Superintendent of CMS; Representative Craig Horn, who Chairs the Education Appropriations Committee in the North Carolina House; Senator Dan Bishop; and School Board Member Shawn Strain altogether on a panel talking about class size, and it was a very lively discussion. It is an illustration of a conversation that you can't quite replicate in another setting, so I'm announcing partly, because I want to encourage people if there are speakers or topics that are suitable for that meeting or if people want to come, drop in I encourage you to do so, not in large numbers, because part of the appeal is the small number. Please feel free to

write me at eddriggs.com and let me know your preferences for that meeting and I will be happy to try to accommodate them.

**Councilmember Harlow** said two of colleagues stole my thunder about the Arts and Science Council Culture Day. I had the opportunity to meet with the ASC team this afternoon, so I'm responsible for you guys receiving these earlier. I did promise them that I would drop these off at your table during the Dinner Briefing. Definitely attend the Connect with Culture Weekend that is going on in a variety of different locations across the County this week. Also, we have a new business opening in District 2, very exciting.

Toucan Louie Café and Roastery is having their grand opening at 2:00 p.m. on January 27, 2018 at 2753 Rozzelles Ferry Road. It is an adaptive reuse project, an old abandoned mechanic shop that had been abandoned for about 20-years. They will be giving away coffee, shirts, and hats. Have a lot of samples from local breweries; come out as a new kind of rhino market concept right in the middle of Biddleville and Smallwood on Rozzells Ferry Road. I had the opportunity last week to do a four-hour tour with the Charlotte Mecklenburg Housing Partnership, and I would like to thank Julie Porter, the President and CEO of that group. I am recommitted, as I have already been, to continue to have the affordable housing conversation, specifically about being more persistent in, and I urge this group as we move into our Retreat next week to really get more serious about our biggest need, and that is the less than 50% AMI bunch when we are having that conversation around affordable housing. I know we are going to have more conversations down the road around trust funds and what that looks like going forward for our community, so I encourage the community who is still listening to continue to keep us focused, keep us engaged as we continue to have these pressing conversations around domestic violence, around housing, and making sure that we are serving you in the way that this City needs to be served.

**Councilmember Egleston** said earlier tonight during our Public Forum Mr. Gemini Boyd spoke eloquently and passionately about his view that we need to focus more on saving people than saving trees. I would not content that those things are not mutually exclusive and would point to a program in Denver, Colorado that I was made aware of recently called the Denver Day Works Program. It is something that I think Charlotte should take a hard look at. In Denver, they have given 284 of their citizens who are experiencing homelessness meaningful work; 110 of those people have landed full-time work, both in the public and private sector. They are in 2018 expanding that program from a budget of \$400,000 this past year to \$700,000, and those are dollars that are going to giving, and again neighbors, and it could be our neighbors here in Charlotte, that are experiencing homelessness some purpose, some aspiration, some opportunity and some real meaning in their life. I think that is something that all of us I think around the dais want to help people in our community that are experiencing that homelessness. I think this is a program that should inspire us to look to create new opportunities in our community or expand opportunities that already exist. I would encourage anyone who hasn't seen or read about the Denver Day Works Program to do so and for us to take some similar action here in Charlotte.

**Mayor Lyles** said I did want to say I appreciated the invitation to the Ballantyne Breakfast group and really appreciate each of you that came out, especially those of you that stood up and spoke, and it was a good representation of what we can do when we work together particularly around this issue of capital investment and balance. I really have a conviction that everybody is pulling in and participating, and we need to figure out in our budget this year some way to show that we completely hear what citizens are saying and that doesn't always mean it is a lot of money, but it is the visible things that are most important to them and that can be from a shoulder pavement, a sidewalk, or a traffic signal. I know that we tend to go by a lot of rankings and what we've done in the, but I don't know that the past serves us well when we are losing that connection to the people that we are serving. I really encourage this and leads me into the Retreat.

Our Retreat is about a week and a half away I've talked a lot about the idea of shared information, but we can only do that if you bring your ideas to the table, so we can have that kind of discussion. It is not a good thing when we are sitting and we are not really having the opportunity to talk about things that we all understand and this is a time from

Wednesday to Friday that we actually get to know some. I really want to say that we all may have different styles, but I believe we got elected to serve, because we had a consistent agenda around housing, jobs, and safe and great neighborhoods. If we really do have that we can't just sit around and talk about it anymore or surprise each other. It is only when we work in a united way; it doesn't necessarily mean that we agree obviously, but we have to at least have a sound footing that we are working together with the same information. Ed and I had a long conversation about an opportunity that he had information that I didn't, and it just blew up and the next thing you know it doesn't look good for the whole. We've just got to figure out what it means to share information and hold each other, so we can have debates that are really solid together. I really like the idea you bring up; the Denver Program, because if that is something on your mind, bring it to the Retreat and let's have a conversation. The other things about this Retreat it gives us a chance; we've now been working together approximately seven weeks; maybe some of us a little bit less, well that is true, I don't know that I'm always working with somebody sometimes, so I'm just saying that we now have the opportunity to actually say some housekeeping times and things and some fun discussions guys. I'm never afraid; I told Mr. Winston today I don't mind a negative news story as long as it represents me the way that I said that I wanted to be represented, or what I said to be factual. That is never going to be a threat to me that you can say, oh this isn't going to well, well so what as long as we had the conversation, we had it would date, good information and came to a decision. That is really important, so I want you to think about as we go to that [inaudible] that Friday we are going to be talking about some things that how we work together and let's figure out how to be as candied as possible in that discussion.

The final thing that I wanted to note is that I have several appointments, the community boards and committees, and I have not gotten a chance; I have great intention of talking with each one of you today, but that is not what happened. I am going to Washington tomorrow to attend the US Conference of Mayors, and I will try to make phone calls to you to talk to you about those various boards and committee slots, and we will hope to have that by the end of the week, no guarantees.

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#### ADJOURNMENT

Motion was made by Councilmember Mayfield, seconded by Councilmember Winston and carried unanimously to adjourn the meeting.
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The meeting adjourned at 10:26 p.m.



Emily A. Kunze, Deputy City Clerk, NCCMC

Length of Meeting: 6 Hours, 35 Minutes  
Minutes completed: February 5, 2018