

The City Council of the City of Charlotte, North Carolina convened for a Special Meeting on Monday, December 17, 2018 at 4:02 p.m. in the Meeting Chamber of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding. Councilmembers present were Tariq Bokhari, Larken Egleston, Julie Eiselt, LaWana Mayfield, James Mitchell, Greg Phipps and Braxton Winston, II.

**ABSENT:** Councilmember Matt Newton

**ABSENT UNTIL NOTED:** Councilmembers Dimple Ajmera, Ed Driggs, and Justin Harlow.

**Mayor Lyles** said we are conducting a Special Meeting because of the storm a week ago, so the Business Meeting will begin now and then we will have a Zoning Meeting following this meeting with a short break between.

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### **INVOCATION AND PLEDGE**

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

**Councilmember Driggs arrived at 4:06p.m.**

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### **AWARDS AND RECOGNITIONS**

#### **ITEM NO. 2: UNITED INDIAN COMMUNITY FORUM DAY PROCLAMATION**

**Mayor Lyles** said I would like to read a Proclamation recognizing December 10 as United Indian Community Forum Day; we have people in attendance and I would like you to please stand and one of you come down to receive the Proclamation.

**WHEREAS**, United Indian Community Forum is a nonprofit organization created with a mission to unite diverse Indian communities by channelizing professional, civic and cultural energies to benefit the greater Charlotte community; and

**WHEREAS**, United Indian Community Forum has organized several social initiatives to benefit the community including a graduate student mentorship program, a special needs kids' assistance program, a women's leadership program, bipartisan voter marches and a cross-community outreach program with the community at-large; and

**WHEREAS**, United Indian Community Forum is an essential organization to unite and integrate diverse communities by fostering cross-community collaborations; and

**WHEREAS**, it is appropriate for the City of Charlotte to recognize United Indian Community Forum and affirm the actions this organization has taken to benefit this community:

**NOW, THEREFORE**, I, Vi Alexander Lyles, Mayor of Charlotte, do hereby proclaim December 10, 2018 as

**“UNITED INDIAN COMMUNITY FORUM DAY”**

in Charlotte and commend its observance to all citizens.

Mayor Lyles said we always talk about Charlotte being a welcome and diverse community, but it is very important that communities unite and engage around the mission in our City and our democracy, so we are very proud that your organization has done that. We are stronger and better with diversity and inclusion. Thank you very much for what you do.

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Councilmember Ajmera arrived at 4:10 p.m.

ITEM NO. 1: CONSENT AGENDA

**Mayor Lyles** said we have speakers on three items: Item Nos, 17, 18, and 19. The following property transactions have been settled; Item Nos. 51, 52, 58, 60, 62, and 63. The following property transactions will be brought back to a future Business Meeting; Item Nos. 54, 56, 68, and 69. The following items have been pulled by staff: Item Nos. 55, 61, and 67.

Mayor Lyles said is there were any items on which Council would like to comment on?

**Councilmember Bokhari** said Item No. 40.

**Councilmember Winston** said I would like to comment on Item No. 18 and have a separate vote.

Motion was made by Councilmember Mitchell, seconded by Councilmember Mayfield, and carried unanimously to approve the Consent Agenda as presented with the exception of Item Nos. 17, 18, 19, 51, 52, 54, 55, 56, 58, 60, 61, 62, 63, 67, 68, and 69.

**Councilmember Bokhari** said is there someone who could talk to Item No. 40; Airport Elevated Roadway and Pedestrian Walkways Change Order. I was just curious about this one given that it is part of a broader initiative can you just describe to me a little bit about why this is the second change order we are seeing on the same project this year and is bringing it to about \$1.5 million over. What drove this and is there anymore more we can expect to see coming forward given the fact that this was anticipated to be a year-end completion on this project?

**Jack Christine, Deputy Aviation Director** said this change order is actually for some advance work that we now need to do for the Terminal Lobby expansion that we will be bringing to Council for a full award probably the end of summer. This is to put some knockouts in the roadway itself for the tower cranes that we now know where they will be located for the construction of the Terminal Lobby expansion. We had no idea where those would go until we had gotten into the design for the lobby, but now that we know that we want to put those in before the actual pavement gets paved in that section of the elevated roadway so we don't have to come back to the road and tear it up to put those cranes in.

Mr. Bokhari said I'm assuming that targeted end date is not 2018 anymore.

Mr. Christine said no, the target date is not changing; this is just some changes to the plans that are going to be accomplished before that pavement goes in, so we are not going to lose any time with this change order.

The following items were approved:

Item No. 20: Firefighting Medical Supplies

(A) Approve a unit price contract to the lowest responsive bidder Concordance Healthcare Solutions, LLC for the purchase of firefighting medical supplies for a term of three years, and (B) Authorize the City manager to renew the contract for up to two, 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 Glove Box (incomplete bid)	\$ 5,338.73
Quad Med (non-responsive)	\$ 571,538.81
Medical Industries (non-responsive)	\$ 884,386.21
Concordance Healthcare	\$ 919,901.14
Nashville EMS (non-responsive)	\$ 968,412.06
HME Medical	\$ 975,181.23

Southeastern Emergency Equipment	\$1,003,493.56
Wizak Medical	\$1,047,006.34

**Item No. 21: Resolution of Intent to Abandon a Portion of Sam Neely Road**  
(A) Adopt a Resolution of Intent to abandon a portion of Sam Neely Road, and (B) Set a public hearing for January 14, 2018.

The resolution is recorded in full in Resolution Book 49, at Page(s) 295.

**Item No. 22: Traffic Signal Mast Arm Installation at South Boulevard and McDonald Avenue**  
Approve a contract with Duke Energy for up to \$102,028 for the installation of mast arms at the intersection of South Boulevard and McDonald Avenue.

**Item No. 23: Craven Thomas Road/Robert Helms Road Streetscape**  
Approve a contract in the amount of \$229,353 with Woolpert North Carolina, PLLC for engineering design services for the Craven Thomas Road/Robert Helms Road Streetscape Project.

**Item No. 24: Facility Condition Assessment and Capital Forecasting Services for City-Owned Cultural Facilities**  
(A) Approve the purchase of facility condition assessment and capital forecasting services from a cooperative purchasing contract as authorized by G.S.143-129(e)(3), (B) Approve a contract with Duke Solutions, Inc. for the purchase of facility condition assessment and capital forecasting services for a term of one year under Sourcewell Contract #110515-SDI (dated December 15, 2015, and amended March 6, 2017) and, (C) Authorize the City Manager to extend the contract for one-year terms as long as the cooperative contract is in effect, at prices and terms that are the same or more favorable than those offered under the cooperative contract.

**Item No. 25: Digital Pipe Video Inspection Services**  
(A) Approve contracts with the following companies for digital pipe video inspection services for Engineering Services for a term of three years in amounts not to exceed: Crescent Construction Services, LLC \$300,000; Performance Contracting, Inc. \$150,000; Hydrostructures \$300,000; Pipe Pros, LLC \$300,000, and (B) Approve a contract with Pipe Pros, LLC in an amount not to exceed \$500,000 for digital pipe video inspection services for Storm Water Services for a term of three years.

**Item No. 26: Water Main Rehabilitation**  
(A) Approve a unit price contract to the lowest responsible bidder Mainlining America, LLC for Water Main Rehabilitation for an initial term of one year, and (B) Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

<b><u>Summary of Bids</u></b>	
Mainlining America, LLC	\$3,474,863.27
Michaels Corporation	\$3,784,053.00

**Item No. 27: South Boulevard Water Main Design-Build Services**  
(A) Approve a contract in the amount of \$1,586,986 with RH Price, Inc. for Phase 1 Design-Build Services for the South Boulevard Water Main project, and (B) Authorize the City Manager to acquire all easements and real property interests, including by condemnation, when necessary, for construction of the project.

\*The complete Summary of Bids is available in the City Clerk’s Office.

**Item No. 28: water and Sewer New Service Installations**  
(A) Approve a unit price contract to the lowest responsive bidder Dallas 1 Construction, LLC for the Installation of Water and Sewer Services for an initial term of one year, and (B) Authorize the City Manager to renew the contract for up to two, 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**

Dallas 1	\$5,544,506.00
Propst	\$5,821,464.00
State Utility	\$6,891,390.00

**Item No. 29: Irwin Creek Tributary Sanitary Sewer Design-Build Services**

(A) Approve a contract in the amount of \$2,760,100 with Sanders Utility Construction Company, Inc. for Phase 1 Design-Build Services for the Irwin Creek Tributary Trunk Line project, and (B) Authorize the City Manager to acquire all easements and real property interests, including by condemnation, when necessary, for construction of the project.

**Item No. 30: Upper McAlpine Creek Sanitary Sewer Interceptor Design-Build Services**

(A) Approve a contract in the amount of \$1,709,558 with Crowder Construction Company for Phases 1 Design-Build Services for the Upper McAlpine Creek Sanitary Sewer Interceptor project, and (B) Authorize the City Manager to acquire all easements and real property interests, including by condemnation, when necessary, for construction of the project.

**Item No. 31: Dairy Branch and Derita Branch Tributary Sanitary Sewer Improvement Design-Build Services**

(A) Approve a contract in the amount of \$5,447,847 with B.R.S., Inc. for Phase 1 Design-Build Services for the Dairy Branch and Derita Branch Tributary Sanitary Sewer Improvement projects, and (B) Authorize the City Manager to acquire all easements and real property interests, including by condemnation, when necessary, for construction of the project.

**Item No. 32: Little Sugar Creek Tributary to the Central Business District and South Boulevard Sanitary Sewer Improvements Design-Build Services**

(A) Approve a contract in the amount of \$4,123,118 with Sanders Utility Construction Company, Inc. for Phase 1 Design-Build Services for the Little Sugar Creek Tributary to the Central Business District and South Boulevard Sanitary Sewer Improvement project, and (B) Authorize the City Manager to acquire all easements and real property interests, including by condemnation, when necessary, for construction of the project.

**Item No. 33: Water and Wastewater Facility Roof Replacements**

Approve contract to the lowest responsive bidders for Water and Wastewater Facility Roof Replacement projects: Tecta America Carolinas, LLC \$859,621, Catawba River Pump Station; Interstate Roofing Company, Inc. \$470,750, Sugar Creek Wastewater Treatment Plant; Mecklenburg Roofing, Inc. \$686,434 Irwin Creek Wastewater Treatment Plan, and Mecklenburg Roofing, Inc. \$524,809 McAlpine Creek Wastewater Treatment Plan.

\*The complete Summary of Bids is available in the City Clerk's Office.

**Item No. 34: Brookshire Campus Project Architectural Services**

Approve a contract for up to \$869,550 with Creech & Associates PLLC for Brookshire Campus Project Architectural Services.

**Item No. 35: CATS Emergency Rail Repairs**

(A) Approve the emergency repair work performed by Balfour Beatty Rail as authorized by the emergency exemption of G.S. 143-129(e)(2), and (B) Approve a payment in the amount of \$336,184.66 to Balfour Beatty Rail for emergency repairs they performed on the Rail infrastructure as a result of the storm damage from Tropical Storm Michael.

**Item No. 36: CATS Rail Inventory Parts**

(A) Approve unit price contracts for the purchase of select rail parts for two years in the following: Ansaldo STS USA, Inc., Godbersen-Smith Construction Company, National Electric Gate Co. Inc. and Siemens Mobility, Inc., and (B) Authorize the City Manager to



renew the contracts for up to three, one-year terms with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.

**Item No. 37: CATS Cummins Bus Engine Parts**

(A) Approve a unit price contract to the lowest responsive bidder, MHC Kenworth, for the purchase of Cummins bus engine parts for CATS bus fleet for an initial contract term of two years, and (B) Authorize the City Manager to renew the contract for up to two, 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**

A complete list of the Summary of Bids is on file in the City Clerk's Office.

**Item No. 38: Airport Wilson Air Center North Abatement and Demolition**

Approve a contract in the amount of \$1,391,500 to the lowest responsive bidder, Messer Construction Co. for the abatement and demolition of the existing Wilson Air North Terminal and the construction of sire infrastructure for the New Wilson Air North Terminal project.

**Summary of Bids**

Messer Construction	\$1,391,500.00
Blythe Development	\$1,763,435.30
Showalter Construction	\$2,436,500.00

**Item No. 39: Airport Field Maintenance Relocation Design Services**

Approve a contract in the amount of \$336,081 with Landrum and Brown, Inc., for architectural and engineering design services for the Airport Field Maintenance Relocation project.

**Item No. 40: Airport Elevated Roadway and Pedestrian Walkways Change Order**

Approve change order #3 for \$478,512 to Flatiron Constructors, Inc. – Blythe Development Company, a Joint Venture for the installation of five bridge deck blockouts for the future tower cranes and installation of pedestrian covered walkways.

**Item No. 41: Airport Engineering Consultation Services**

Approve a contract with Kimley Horn and Associates, Inc. for engineering consultation services for an initial term of three years.

**Item No. 42: Airport Entrance Monument Design Services**

Approve a contract for up to \$159,525 with C Design Inc., for professional pre-design services associated with the Airport Entrance Monument project.

**Item No. 43: T-Mobile Antenna Lease Extension**

Approve a lease extension with T-Mobile South, LLC for an additional five-year lease for a telecommunications antenna on the Airport's Rotating Beacon Tower.

**Item No. 44: Airport Career Development Program**

(A) Approve a unit price contract with Associates for Professional Development for career development services for an initial term of three years, and (B) Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

**Item No. 45: Citywide Automatic Vehicle Location Services**

(A) Approve the purchase of automatic vehicle location equipment from a cooperative purchasing contract as authorized by G.S. 143-129(e)(3), (B) Approve a unit price contract with Blue Arrow Telematics for the purchase of Geotab, Inc. automatic vehicle location hardware and software services for a term of three years under Scourcwell, Contract #022217-GEO, dated 6/1/2017, (C) Authorize the City Manager to extend the contract for one-year terms as long as the cooperative contract is in effect, at prices and terms that are the same or more favorable than those offered under the cooperative contract, (C) Authorize the City Manager to amend the contract as may be required for additional enterprise implementations of this automatic vehicle location solution, and (E) Authorize the City

Manager to purchase such additional software licenses, services, hardware, maintenance, and support as required to maintain the system for as long as the City uses the system.

**Item No. 46: Public Auction for Disposal of Surplus Equipment**

(A) Adopt a resolution declaring specific vehicles, equipment, and other miscellaneous items as surplus, (B) Authorized said items for sale by public auction on January 12, 2019, and (C) Authorize the City Manager to approve certain administrative and storage fees as may be required from time to time for auctions events.

The resolution is recorded in full in Resolution Book 49, at Page(s) 296-302.

**Item No. 47: Cisco Products and Services**

(A) Approve contracts with the following companies for Cisco products and services for an initial term of five years: CDWG, DISYS, Softchoice, and (B) Authorize the City Manager to renew the contracts for up to two, one-year terms with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.

**Item No. 48: Refund of Property Taxes**

Adopt a resolution authorizing the refund of property taxes assed through clerical or assessment error in the amount of \$28,384.21.

The resolution is recorded in full in Resolution Book 49, at Page(s) 303-305.

**Item No. 49: Meeting Minutes**

Approve the titles, motions, and votes reflected in the Clerk's record as the minutes of: November 5, 2018 Strategy Session, and November 19, 2018 Zoning Meeting.

**PROPERTY TRANSACTIONS**

**Item No. 50: Property Transactions – Beckwith-Meadow Drainage Improvement, Parcel #7**

Acquisition of 108,683 square feet (2.495 acre) at 1939 Shamrock Drive from Kamelot, LLC for \$383,088 for Beckwith-Meadow Drainage Improvements, Parcel #7.

**Item No. 53: Property Transactions – Bryant Farms Road Sidewalk, Parcel #4**

Resolution of Condemnation of 258 square feet (.006 acre) in Storm Drainage Easement, plus 2,285 square feet (.052 acre) in Temporary Construction Easement at 9300 Briarwick Lane from Jack Jaimes and Ruth L. Jaimes for an amount to be determined for Bryant Farms Road Sidewalk, Parcel #4.

The resolution is recorded in full in Resolution Book 49, at Page(s) 306.

**Item No. 57: Property Transactions – Bryant Farms Road Sidewalk, Parcel #11**

Acquisition of 3,890 square feet (.089 acre) in Fee Simple plus 60 square feet (.001 acre) in Sidewalk and Utility Easement, plus 6,953 square feet (.16 acre) in Temporary Construction Easement at 11924 Elm Lane from Nisbet Oil Company for \$111,150 for Bryant Farms Road Sidewalk, Parcel #11.

**Item No. 59: Property Transactions – Cross Charlotte Trail Brandywine-Tyvola, Parcel #12.1**

Acquisition of 1,848 square feet (.042 acre) in Temporary Construction Easement at 2104 Hassell Place from Kimberly Williams for \$13,450 for Cross Charlotte Trail Brandywine – Tyvola, Parcel #12.1.

**Item No. 64: Property Transactions – NC 51 Sidewalk (McAlpine Creek to Ridgeloach Place), Parcel #23**

Acquisition of 510 square feet (.012 acre) in Storm Drainage Easement, plus 1,828 square feet (.042 acre) in Temporary Construction Easement at 5627 McCallum Court for \$10,325 for NC 51 Sidewalk (McAlpine Creek to Ridgeloach Place) Parcel #23.

**Item No. 65: Property Transactions – Orr Road Extension, Parcels #5.1 and 8**

Resolution of Condemnation of 9,701 square feet (.223 acre) in Fee Simple at 228 Dawn Circle from Katherine M. Wisor for \$15,500 for Orr Road Extension, Parcels #5.1 and 8.

The resolution is recorded in full in Resolution Book 49, at Page(s) 307.

**Item No. 66: Property Transactions – Rozzelles Ferry PedScape, Parcel #9**

Resolution of Condemnation of 106 square feet (.002 acre) in Temporary Construction Easement at 2329 Rozzelles Ferry Road from Miriam Fuller McNeil, Mary Fuller Howell, Heirs of Cora Bell Fox and Heirs of James Kennedy for \$375 for Rozzelles Ferry PedScape, Parcel #9.

The resolution is recorded in full in Resolution Book 49, at Page(s) 308.

**Item No. 70: Property Transactions – Upper Taggart Creek Outfall, Parcel #14**

Acquisition of 63,872 square feet (1.466 acre) in Sanitary Sewer Easement, plus 2,822 square feet (.065 acre) in Access Easement, plus 28,544 square feet (.655 acre) in Temporary Construction Easement at 4617 Wilkinson Boulevard from Coyote Partners for \$72,400 for Upper Taggart Creek Outfall, Parcel #14.

**Item No. 71: Property Transactions – Upper Taggart Creek Outfall, Parcel #34**

Resolution of Condemnation of 1,673 square feet (.038 acre) in Sanitary Sewer Easement, plus 66 square feet (.002 acre) in Temporary Construction Easement at 4109 Carlyle Drive from Doris Ayscue Frazier for \$650 for Upper Taggart Creek Outfall, Parcel #34.

The resolution is recorded in full in Resolution Book 49, at Page(s) 309.

**Item No. 72: Aviation Property Transaction – 9024 W Steeleberry Drive**

Acquisition of .37 acres at 9024 W. Steeleberry Drive from Ann Moody Price for \$31,000 for EIS Mitigation Land South.

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**ITEM NO. 17: CMPD MOBILE APPLICATION FOR RESIDENTIAL ENGAGEMENT**

**Councilmember Mayfield** said hopefully there is someone from staff who can answer questions; I sent an e-mail asking how would any other calls be enforced, when we still have some challenges; we are still receiving e-mails specifically off Latrobe as far as enforcement, so I want to get a better understanding of how this mobile application for resident engagement should work in coordination with 911, because I know it is not a substitute. We should still call 911 but I would like to get a better understanding of what would be the purpose of a mobile application.

**Deputy Chief Mike Estes, Police** said the mobile application basically is a way in which we can better communicate with all citizens for all things they may need from recruiting to reporting crimes, not crimes in progress, but things to follow-up on like quality of life issues and things like that. I could take a poll right now, and I bet you most everyone in here has a mobile phone. Today everybody has one, and that is how they communicate. My son, who is 20 has one, and he has everything through it. Currently, CMPD communicates with the citizens basically in two ways, one by website, and we've found that a certain number of people identify with websites as their main way in which to communicate with us and the other way is dialing 911 and/or some semblance of connecting with their community coordinators or other officers they see in the communities. With mobile applications being everywhere and the way most people, particular young people, communicate with us, we wanted to make sure that was available to them for recruiting purposes, for reporting crimes or any other ways in which they wanted to talk to us. As far as crimes go, currently we have Crime Stoppers and other ways in which people can communicate with us via our website or by calling phone numbers. This will do nothing but enhance that. A lot of the sites here on the mobile application would direct back towards the website so that we can be a bridge between the mobile application and the website. I'm not computer savvy enough to explain the way it all works, and that is why I have a director who can do that. This is just an enhancement of what we have right now to be able to communicate better with young folks and anyone who seeks to use the application. There are a few other things it will do which

I think are particularly important; you can opt in to be notified when things happen, for example at your child's school, at your home if a crime is reported in the area it will let you know what is going on in the community in which you live. We also put out breaking news or tips or things that we want the community to know about a special event, about a missing child, all sorts of things we can community if a person would like to opt in on the mobile application.

Ms. Mayfield said I'm trying to get an idea of potential worst-case scenario, because unfortunately, we have seen a large number of police related calls for individuals in their own neighborhood, specifically African-Americans but calls that have been made regarding non-African-Americans and officers having to go and respond to those calls. How do we avoid and/or track because I believe there is still a thing such as filing a false police report, how would we track something like that in the mobile application, because I would be concerned that people would then use their mobile device to continue what is unfortunately becoming a trend and that has hit us right here in the Charlotte area? How would the mobile app help to eliminate or is there a trigger to help identify the person who sent the message if it is clearly a false report in order for us to follow-up?

Deputy Chief Estes said currently most people who call 911 use their mobile phone to do right now, so I'm not sure that the mobile application would do anything other than be a different way that you could communicate. This would be via written messages, tips and those sorts of things, so from that perspective they could do the same thing through e-mail right now or call 911 and say there is a person in my neighborhood that "doesn't belong." I'm not sure that the application would do anything to deter that. so our individual officers would make sure that when we go there that we see what is really taking place and what the motivation is in the investigation and figure out why somebody might be calling on a person legally walking in the neighborhood somewhere.

**Councilmember Winston** said this apt is going to be funded by a grant from the Police Foundation of \$147,000, but annual expenditures and maintenance is estimated to be \$20,000 a year. How long do we anticipate being able to use this apt and where do we anticipate this funding to be coming from? As I am seeing it now, the Police Foundation grant is only for the development of this apt. Is that true?

**Crystal Cody, Police** said it for the customization of the application, so it is a commercial off the shelf application now, but we are asking them to customize it and change the look and feel of it to make it a lot more modern and lot easier to use for our citizens. The \$20,000 a year is a subscription price because it is a hosted application so that would come out of CMPD operating going forward.

Mr. Winston said so we anticipate that this will be a line item in the CMDP budget in perpetuity?

Ms. Cody said yes sir, as long as we choose to use it.

Mr. Winston said how long will technology like this last, 10-years?

Ms. Cody said as far as we know the vendor will keep it up to date with IOS and Android operating systems, so part of that maintenance that we pay keeps it up to date with the platforms and the latest operating systems out on phones; none of us can really anticipate how quickly technology is going to move certainly and what devices may be presented in that type of thing, but for the foreseeable future we anticipate that mobile phones aren't going to go away. There is no guarantee how long we would use it and we would always look to see whether it was beneficial as well to determine whether we want to continue using it. If the return on our investment is not there, we may anticipate not using it, but our intention is that it become a stable for how our citizens interact with us.

Mr. Winston said I don't want to speak for anybody, but I did speak to Stephanie before last week's meeting, and part of her concerns where we are living in a new reality here in Charlotte and Mecklenburg County after election and installment of our new Sheriff who pulled us out of the 287g program. That has been followed by federal agency saying they



are going to ramp up activities here in Charlotte, so we have a community while they are celebrating the end of a bad policy they are in fear of what is to come and they have communicated to me that we have not done enough as a City, as CMDP to lay out a plan of how we can keep them safe. So, if we invest in an application like this that is supposed to increase engagement with populations how are we going to use this to communicate with this population that is living in fear that might speak different languages than a lot of your officers and might need to communicate in a quick and efficient method to know who is actually at their door and how they should respond.

Deputy Chief Estes said I can think of no better way to do that. Now, we have to rely on our own tweeter or traditional media or someone else putting out the information for us, absent the City's communication plans. This way if they download the apt they can get information straight from us, and I believe in multiple languages; I'm not sure on that but I will check so if you want to get current information in what is happening, or if you heard rumor that there is some immigration deal you can contact us directly through the application.

Mr. Winston said we approve this I would really like to see that looked at, because there are multiple languages spoken in the City, and this apt needs to have the capability, so we need to check, not only how long this application is going to be supported but what is the full sweep of options in that support.

**Councilmember Phipps** said I was just asking if staff has given any consideration to see if the Charlotte Code for America has the capability of working on this apt as well; I just wanted to throw that out there.

Mayor Lyles said we will get back to you with a note and the information of a follow-up.

Motion was made by Councilmember Mitchell, seconded by Councilmember Ajmera, and carried unanimously to (A) Approve a contract with MobilePD for the development of a mobile application for resident engagement, and (B) Authorize the City Manager to purchase such additional software licenses, services, hardware, maintenance and support as required to maintain the system for as long as the City uses the system.

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#### **ITEM NO. 18: LOW VELOCITY LESS-LETHAL DELIVERY SYSTEMS FOR CMPD**

**Councilmember Winston** said I would like someone from staff to explain what this low velocity less-lethal delivery system is.

**Major Steven Brochu, Police** said this is an expansion of a current program we have in service; this equipment is currently equipped by SWAT, carried in the event that someone presents themselves as a threat. This system launches a 40 mm at somebody to try to discourage any kind of threat against either themselves, our community or members of the Police Department.

Mr. Winston said why do we need an expansion of what we currently have?

Major Brochu said the equipment has changed; the modernization of the new equipment is providing additional accuracy, and in addition to that, we want to expand the options that officers have in front of them should they be presented with a lethal threat and this would be an applicable tool in order to mitigate that.

Mr. Winston said would this be used for gas chemical rounds?

Major Brochu said it can be, yes. It would be only SWAT that would be able to deploy chemical rounds or CEU.

Mr. Winston said I'm going to vote against this. To my colleagues, I have been at the receiving end of these 40 mm rounds, and I can tell you that they are painful; they are used against peaceful, non-violent protesters, and it is not something that I think we need to

expand. It is just not something that we need to be spending our money on, so I hope you will join me in rejecting this.

**Councilmember Mayfield** said I sent a specific question to staff and what I requested is to have provided all circumstances where we have used the current system since we are saying that this is an expanded system. One example was unfortunately during 2016, but it would be helpful to get an idea of when we have used low velocity less-lethal delivery systems in our local region, especially within the recent years.

Major Brochu said just within the last couple of weeks we had one incident, someone armed with a knife, and they were discouraged from hurting themselves with this system and they were taken to the hospital and treated for that. The last deployment prior to that was a SWAT deployment; someone armed with a handgun dropped the handgun and then attempted to retrieve it, and this weapon system was deployed and discouraged that person from retrieving that firearm, and they were saved because of that.

Ms. Mayfield said do we by any chance, and you may or may not have the answer to this since unfortunately this meeting was pushed back from last week, do we have the numbers in comparison the time that a lethal weapon was chosen versus the time that the actual gun or lethal weapon was chosen when we are looking at incidents in the community?

Mayor Brochu said a lethal threat is a lethal threat, and the application of a 40 mm is something that provides a standoff for edged weapons or other types of lethal weapons, not necessarily firearms. These weapon systems today are on scene every time we have a SWAT deployment. The application just depends on the type of threat we are faced with.

Ms. Mayfield said the concern that I have is that earlier in the year we had an incident, and we actually had more than one incident, where an individual unfortunately was not taking their medication, and they posed more of a threat to themselves than to anyone else or the law enforcement, but it does not seem when the information was provided to the community or the Council that a less lethal option was utilized, and it resulted in death of the individual. That is why I'm trying to get an understanding, because at this point I'm concerned about us continuing to bring weapons into our community, where we have seen unfortunately the impact that has negatively impacted our community versus using less lethal options. I'm trying to understand why if we had this in place it wasn't utilized in certain cases of if you are tracking that information.

Major Brochu said two points there, one, because there are so many calls for service and so many officers- I couldn't stand up here in good faith and say every time under the time constraints that are provided based on the circumstance that we can have a less lethal option there to prevent the situation like you correctly pointed out. The intent is however, to give the officers a bridge when someone presents an edge weapon, a knife or a pipe of something like that that was in close proximity could be refuted with deadly force, we'd like another option so like the situation that you just spoke about when the person went to reach for the pistol, once they dropped it we were able to engage with a non-lethal mechanism and then make the arrest so that we preserved life. That is the intent here; to be able to give the officers another option to preserve life whenever possible.

Ms. Mayfield said just for clarification, we have tasers which is a non-lethal form but the question that was asked by my colleague and that was just shared is around the gas which has caused a lot of problems for people. The request seems broad as far as what can go under this umbrella of low velocity lethal weapon opposed to specifying purchasing X number of additional tasers or a specific item, so I'm trying to get a better understanding of have you all discussed exactly how the purchases will be done? Do you have an item of what items it is you are looking to invest in?

Major Brochu said the intent of this particular item is to expand the less-lethal options. As the Chief said we only have a limited number out there and we have a large City and County to patrol, so we want to expand all the options that are available to an officer to resolve something peacefully as much as possible. The fact that the launcher can launch many different items is not what the intent is; it is just intended to be issued out to patrol with the

less-lethal option which is basically a rubber ball that would be shot out. What the launcher can launch is a varied of things that the manufacturer produces, but we are regulated down to just what these less-lethal options are for the patrol officer. The SWAT application or the CEU application that can launch gas, and there is an appropriate time for that to be done, but the expansion of this is for less-lethal.

Ms. Mayfield said so, this is specifically for the delivery system that fires projectiles but you are saying in that it could be numerous items that are actually utilized in the weaponry that can fly out.

Major Brochu said the manufacturer makes a number of different rounds for it; however, we are purchasing this for a less-lethal application.

**Councilmember Egleston** said most of what I was going to say has been said, and I won't rehash it all, but I do think that there is always going to be the potential any tool we equip our law enforcement officers with there is going to be the opportunity for it to be used in the wrong place or time. We shouldn't ever want someone to have pain inflicted on them when it is not necessary, but the idea of expanding non-lethal ways to handle these situations seems appealing to me, because if we take the non-lethal options away from our law enforcement officers when faced with a situation similar to ones they just referenced, unfortunately that might lead to them turning to lethal options, and those obviously produce outcomes that we can't come back from. I'm generally, and tonight, will always be in favor of us moving toward more non-lethal options for our police officers to utilize so we lower the risk of citizens dying in those encounters.

Motion was made by Councilmember Winston and seconded by Councilmember Mayfield, to deny (A) the purchase of low velocity, less lethal delivery systems, as authorized by the sole source exemption of G.S. 143-129(e)(6), (B) Approve a contract with Lawmen's Distribution, LLC for the purchase of low velocity, less-lethal delivery systems for the term of one year, and (C) Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

Substitute Motion was made by Councilmember Mitchell and seconded by Councilmember Bokhari, to (A) Approve the purchase of low velocity, less-lethal delivery systems, as authorized by the sole source exemption of G.S. 143-129(e)(6), (B) Approve a contract with Lawmen's Distribution, LLC for the purchase of low Velocity, less-lethal delivery systems for the terms of one year, and (C) Authorize the City Manager to renew the contract for us to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

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

YEAS: Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Mitchell, and Phipps

NAYS: Councilmember Mayfield and Winston

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#### **ITEM NO. 19: CMPD NIGHT VISION GOGGLES**

**Councilmember Mayfield** said I asked the same question of staff to please share all circumstances when the night goggles have been used in Charlotte Mecklenburg.

**Mayor Steven Brochu, CMPD** said we don't currently have goggles; we have some night vision capabilities now, very limited as such, and anytime we deploy at night under low light conditions that piece of equipment is utilized for intelligence and to be able to visually see better. It is very limited; it is old technology, and it is inhibiting us right now from some of the duties and responsibilities we have with critical infrastructure.

Ms. Mayfield said so, currently SWAT does not have night goggles? Because the way that this was presented to us was that night vision goggles are used by Charlotte Mecklenburg Police Department SWAT team to allow officers to fully function safely in the dark and reduce the chance of an armed encounter.

Major Brochu said we have some night vision capabilities; it is just not goggle mounted like we are trying to procure now.

Ms. Mayfield said and you are saying what we currently have is inefficient?

Major Brochu said that is correct.

Ms. Mayfield said we are looking at just the cost of 50 officers, we are estimating \$545,900 for the purchase of night goggles for 50 of our SWAT Officers.

Major Brochu said that is correct.

Ms. Mayfield said please give me, and you may have said it, and I just didn't comprehend it as well; give me an example why the current night vision is not adequate and why we would need to invest almost \$550,000 into night goggles for 50 individuals.

Major Brochu said I certainly understand the question, and it is a valid one. Currently, the equipment that we have is relegated just to a few people, like nine, and the problem becomes if someone presents themselves very quickly in a dynamic threat or dynamic environment, only nine people, if they are all there with their equipment up and running, are going to be able to see what is going on. So, any advantage that we can give our tactical operators so they can see, they can identify if something is a threat, if it is not a threat they can certainly see. In conditions, we've had people that have gotten out of our perimeter in the low-light conditions; we've unfortunately even had officers who were inadvertently in our perimeter and now with this technology will be able to identify who is who, whether or not they have weapons, whether or not they pose a threat, what their activity and behavior is much more deliberately than currently what we have now and we also would be able to deploy in critical infrastructure like the nuclear plants and things that we are responsible for ineffectively do our jobs and do it much more safely.

**Councilmember Winston** said my question does revolve around the cost as well; at over half a million dollars, it is a lot of money for 50 officers. I'm sympathetic to sending our officers to dark places, and I think about Lake Arbor Apartments. I don't know if we've been out there lately, but there is completely inefficient light there and one of the things I've asked for us to think about creatively I think that is a threat to public safety. I think it is a threat to our officers; it is a threat to those residents there, so I want us to look at instead of buying 50 officers night vision goggles, perhaps it should come out of CMPD budget where we are fixing the lighting situation in some of our neighborhoods. We talk about driving down streets I hear from motorists all the time that they can't see between the lines that we should look to create a more public good with the way we spend our Police dollars. I don't think over \$10,000 per SWAT Officer- How much further could that go to alleviate the danger that our officers and our public are in because of darkness? I think there are more creative and better ways to go about it than this purchase.

**Councilmember Driggs** said I just wanted to say briefly, I think that we can and we do hold our offices responsible for the things they do in the conduct of their duties. No one on this Council has a background in law enforcement or any special expertise and micromanaging the equipment that they tell us they need in order to do their job is not the way. I believe that we should allow our officers to perform their duties in a City in which there are 80 to 100 homicides a year; it is a dangerous environment, and we have every right on occasion when warranted to question the conduct of an officer or any action by CMPD that we think was inappropriate, but trying to micromanage their equipment purchases is not the answer.

**Councilmember Eiselt** said I think we are conflicting issues when we talk about lighting at a private apartment development, and I'm not sure where we stop where we are providing



the lighting. When does the property owner say, great, let's let the City do that. I don't know if there are other ways to get around that versus on a public street, where it is our job of the state's job, but I would like to know if that is really what we are talking about. Give us an example of when you are using the night goggles.

Major Brochu said a lot of times on a perimeter, we don't really have the option of what the lighting conditions are; we operate at night. Officers getting into position, suspects may turn out their lights, choose not to be illuminated. This would give us the opportunity to see anytime they present themselves in their homes or come outside, identify weapons or not in their hands and just increase the level of safety. Also, we are able to see one another; the aircraft, and helicopter is designed to be able to see these operators as well with some of the other technology that we have into place including less-lethal launchers and things like that we like to deploy. They can do that without backlighting themselves or giving their positions away or moving into positions. A lot of times we do; we just have suspects that choose to turn out their lights or be more discrete, and we can't see them. If we can't see then we are hindered in our safety and our ability to render that safe.

**Deputy Chief Estes** said just practically speaking, wherever it is dark; when you leave tonight you go out, and you see where there are not streetlights or where it is dark, our officers operate 24 hours a day, 365 days a year. Most often when they call for armed or dangerous people, it happens to be at night. If a car went out right now, a person who had just committed a violent crime and there was some car chase or some foot chase or they barricaded themselves, if it is in a dark area we have to hope that one of the nine people who have our limited night vision technologies is close on scene. Now, if not we are flashing lights to try to see, which is nothing more than a beacon for the person who is armed to be able to target, so for us it just makes sense, recognizing the cost to equip our officers, particular our SWAT officers who we ask to go into the most violent and dangerous situations that we have on a volunteer basis, to equip them to be safe as individuals and also to make sure that the innocent citizens who may happen to get caught up in that situation are safe as well as the fellow officers are save. That is the intent here.

Ms. Mayfield said I appreciate my colleague comments on micromanaging, but I also think it is our responsibility to ask as many clarifying questions as possible, because what we saw unfortunately in 2016 when there was community unrest are items that we approved previously under the understanding that during the DNC there would be certain items that were needed. What we saw was a number of those items used on our own community, and regardless of how you feel about it or your opinion about it, being black in America ain't easy, so when we ask these questions more often than not it is from real life experience, not just the fact we may or may not have gone through the Citizen Academy or been in law enforcement ourselves, it is the reality of being black in American and being black in Charlotte.

When I had a community event this past Thursday that had an amazing turnout and when an individual utilized his first amendment right to share his opinion and literally within five minutes of him leaving the event, that individual being pulled over by a police officer and being questioned, then yes, it is my responsibility as well as it should be everyone on Council to question when we are talking about bringing additional items into our community. I'm not concerned about what they do in Boston or Chicago, I'm not concerned about what they do in Rock Hill. What I'm concerned about is Charlotte, specifically Charlotte Mecklenburg and every time, and it is not necessarily the full amount of almost \$550,000, because the last one was only \$53,000. It is the impact of how these items accumulate and how they are used in our community and who most often are the individuals that these items are used on so we should be able to question and get more information, because when individuals, who are predominantly African American are pulled over and/or questioned or these items are being utilized on them, after the fact is not the time that we need to ask the question to say, what happened? We've got to take responsibility that we approved after having discussion these items to be put in the hands of law enforcement. I want to make sure that we have as much transparency around this table as possible. I don't have to be an officer of the law; I don't even have to go ride along for the mere fact that I'm black and walk out of the house every day. My experiences with law enforcement, both good and bad, are going to be reasons that we should be asking these questions when it comes time to getting access to

any weapon because all of these are weapons of destruction in the wrong hands, and yes, I will be voting no.

Motion was made by Councilmember Bokhari and seconded by Councilmember Driggs, to (A) Approve a unit price contract to the lowest responsive bidder Lawmen’s Distribution, LLC for the purchase of SWAT night vision goggles and accessories for one year, and (B) Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

The vote was taken and recorded as follows:

YEAS: Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Mitchell, and Phipps

NAYS: Councilmembers Mayfield and Winston

**Mayor Lyles** said I hope Ms. Mayfield; the person that was pulled over you directed him or her to the complaint system that we have so we can tract that.

Ms. Mayfield said we will see if it works.

Mayor Lyles said I was just hoping they had gotten into the system.

<b>Summary of Bids</b>		
Lawmen’s Distribution, LLC	Raleigh, NC	\$545,900.00
ANVS, Inc.	North Salt Lake, UT	\$604,100.00

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**POLICY**

**ITEM NO. 3: CITY MANAGER’S REPORT**

**Mayor Lyles** said I believe you have at your place there is a City Manager update on the ground floor real estate leasing strategy. A question was asked by Mr. Phipps and Mr. Winston and the response to that is at your place. In addition to that Mr. Jones do you have anything?

**Marcus Jones, City Manager** said I do not.

**Councilmember Mayfield** said I was just clarifying that we have no update from the Manager.

Mayor Lyles said just the document that you have in front of you today.

\* \* \* \* \*

**CITY MANAGER’S COMPENSATION**

Mayor Lyles said in addition the City Council has been working with the Manager on his annual evaluation and as well because of our City Attorney’s retirement we are going to appoint an interim City Attorney.

Motion was made by Councilmember Mitchell and seconded by Councilmember Driggs, to approve a base pay increase for Marcus Jones, City Manager by 5% effective the first payroll date of FY2019.

Mayor Lyles said we discussed this in our Closed Session, and I believe we had a majority vote.

The vote was recorded as follows:

YEAS: Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Mitchell, Phipps, and Winston

NAYS: Councilmember Mayfield.

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## INTERIM CITY ATTORNEY

Mayor Lyles said the Council will need to appoint an interim City Attorney. I recommend that we request a motion to appoint Senior Deputy City Attorney Hope Root to serve as the interim City Attorney until such time that a permanent appointment is made and to provide an interim salary increase of 10% of her base salary for the duration of the interim appointment.

Motion was made by Councilmember Egleston, seconded by Councilmember Driggs, and carried unanimously to appoint Hope Root to serve as Interim City Attorney until such time that a permanent appointment is made and to provide an interim salary increase of 10% of her base salary for the duration of the interim appointment.

Mayor Lyles said every year we set as a body and discuss the goals and the outcomes with the City Manager, and this year some of the highlights of his evaluation were around as we are moving and changing our culture within the organization from running the business to working as a team and setting priorities as a total city where we are using cost functional teams to solve problems and address issues. That was one of the things that we particularly pointed out, and in addition the economic development processes that are going on and we hope to continue, have been fully with the implementation of our economic development strategy, which is later on your agenda and as well accomplishing a number of complex contract issues that we have. Mr. Jones; we are glad that you are here, got to shepherd the organization through the operation and implementation of the Council's policies and budget. Thank you very much for what you do.

I would like to ask Hope Root to stand and be recognized. Hope has been with the organization for a very long time, and she has been in a leadership position within the City Attorney's Office, and we look forward to her sitting here in January, and please express our regrets to your family on Monday nights.

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## ITEM ON. 4: STRATEGIC ENERGY ACTION PLAN (SEAP)

**Councilmember Ajmera** said we will continue leadership on creating a sustainable City for generations to come. As the Chair of the Environment Committee, I am pleased to report out the work of our Committee; over last year, we have worked diligently to create the City's first SEAP. It is a historic step that sets out a framework to our transition to low carbon future. Thanks to my fierce colleagues, I would like to recognize Vice Chair Mr. Egleston and Committee members Mr. Phipps, Mr. Winston, and Mr. Newton. Also, I would like to recognize the staff who has done an amazing job over last year, Rob Phocas, Gina Shell, Kim Eagle, and Erica for keeping us on track. Also, I would like to recognize the experts Rob Phocas, Dr. Carney, and Emily Yates with Envision Charlotte. Without their dedication and expertise we would not have been successful, because this is one of a kind. Also, I would like to recognize many stakeholders here in the room who have dedicated so much time to get to this point and I'm so thankful for you.

This reminds me of something my mom had told me earlier that we always recognize those who came before us and paved the way. With that, I would like to recognize the Board leadership of three Councilmembers who had formed an Environment Committee many

years ago; the late Susan Burgess, Honorable Patsy Kinsey and Honorable Nancy Carter, who is also here with us, for forming the Committee and having a vision for our City to create a sustainable place for generations to come. Also, thank you to our former Mayor Roberts for your continued advocacy on environment issues.

In addition to bringing this forward I recognize that there will be challenges as we implement this plan with many unknowns, but I believe that transformational changes require a bold leadership which is focused on the quality of life for many years to come. We can come up with many reasons that are short-term focused based on cost to not support it, but this requires a long-term view on creating a model City on what can be done and what is possible than what should be done. The adoption of this plan 2018 will be a historic year for our City as we become a global leader in sustainable and resiliency initiatives, and I hope that my colleagues will also join me in this historic vote as we create a sustainable and resilient place.

**Brian Kasher, 613 Ashgrove Lane** said I am here as a father, a husband, and a local business man. The Charlotte City Council is about to vote to initiate a program requested by our community that will significantly reduce the community's contribution to greenhouse gas pollution in our atmosphere. Our request is for your vote in favor and this request is not made lightly. Since 1827, we have known that greenhouse gas traps heat and thus increases temperature. Increases in global temperature are already having devastating impact on myself has responded first hand and up close to devastating 1,000-year rain events in South Carolina and West Virginia within the last couple years, as well as monster hurricanes right here in North Carolina. These devastating events are signs of what lies ahead for all of our children. It is for this reason in part that our community request that each of you vote in favor of implementation of this Strategic Energy Action Plan and cutting our City's greenhouse gas pollutions emissions drastically.

In order to make change globally, we need to act locally and act right here and right now. I again call on you as leaders to insure Charlotte is positioned to be the crown jewel in the Duke Energy Renewables Portfolio. Only you Councilmembers can insure that there is no City better positioned to be the Duke Renewable Energy Model of Municipal Energy Practices; however, you must also lead Charlotte in the direction of responsible business practice: how our public buildings operate, how our public fleets are fueled, how our transportation systems accommodate commuter need are also part of the puzzle that SEAP will work to resolve to significantly reduce greenhouse gas emissions. Additionally, through adoption of SEAP and its underlying programs the City of Charlotte will work to create a more forward looking competitive economic environment attractive to future employers while creating a healthier environment for our children to inherit. All that said I will say thank you to the Council and thank all the citizens for all the hard work.

**Kamariah Kasher, 613 Ashgrove Lane** said thank you for letting me express my opinion here today; many people, especially children on this earth, do not know the value of freedom and democracy so it is my honor to testify here today. I am a sophomore at Providence High School in south Charlotte, and my reason for being here is to say thank you for and from the children of Charlotte. The work that you are doing to reduce greenhouse gas emissions and move our City closer to the clean energy future, needed by my generation and future generations, in order to continue forward in a healthy, functional society. You are placing Charlotte in line with a global coalition of cities working to improve conditions for the future. Through your leadership, Charlotteans will be more competitive in the global market place providing youth, like myself, the opportunity to rise up and continue on a path changing for the better of all people.

According to the US Energy Information Administration, petroleum natural gas and coal have made up at least 80% of total US energy consumption for more than 100 years. The local programmatic goals of this SEAP will assist in achieving a more sustainable and resilient Charlotte, moving our City away from dirty fossil fuels. Also from an economic lens showing support of the national movement for a more sustainable society would create green jobs. With a focus towards creating these jobs, it is in the City of Charlotte's best interest to bring as many to Charlotte as possible. While I am here to say thank you for a unanimous vote, I'm asking that you vote in favor of adopting the Strategic Energy Action Plan. Once it is



passed, please inform students of the SEAP and the process. I believe there are students at every school who would find information about this program and school participation beneficial, so please vote in favor.

**Councilmember Justin Harlow arrived at 5:00 p.m.**

**John Ederer, 3124 Johnston Oehler Road** said respected City Councilmembers and Mayor entrusted with this beautiful blessing and opportunity as well as the responsibility to represent the people of Charlotte and lead in a beautiful bold way, I am the Imam of the Muslim Community Center of Charlotte, a brand-new Mosque that was just opened up on the north side across from Mallard Creek Park, and I'm also Mecklenburg Metropolitan Interfaith Network, and I represent a lot of people in the faith community and what I have found that is very beautiful on this subject all of us as students of scripture the Holy Koran, the Holy Bible, the Vedas and all of the other religious scripture that I know of the idea of human beings being responsible shepherds for the earth's well-being and for the people's well-being it is something that we all carry.

I would like to go a little bit into the history of the United States and what is going on in the corporate industry and how that has affected capitalism and thus the thought process and the attitudes of millions of Americans. First, I would like to say that it is very unfortunate that after the disastrous acts of terror that happened on September 11, 2001, the whole world was ready to just change immediately; the whole world was ready to expend all of these government resources and basically label 1.5 billion people as potential terror suspects, and that was unfortunately acted upon very quickly and very efficiently but unwarranted, and it caused harm and abuse to millions of lives of Muslims all over the earth. I would just like to piggyback on some of the previous discussions with Mr. Winston and Ms. Mayfield. The perspective as a white man growing up in Oklahoma changed a lot when I found myself surrounded by brown and black people for the last 15 to 20-years of my life, I learned things in human experience that I didn't expect to learn and post 911 I found myself detained for hours at a time.

**Jennifer Roberts, 619 Clement Avenue** said first a shout-out to Bob Hagemann; it was awesome to serve with you. I also want to remind folks Nancy Carter is currently an elected official, our Soil and Water Conservation District. I do want to have my comments entered into the minutes, since I may not finish them in two minutes and that way they will be there. First of all, I want to say thank you so much for taking this vote tonight. I'm here as a Board member of the North Carolina Climate Solutions Coalition and as a new employee of ECO America, which is working across the nation with climate change. By taking this action tonight, the City of Charlotte joins more than 9,000 cities around the world who have committed to emission reduction goals to the global covenant of Mayors for climate and energy, a global covenant that I signed onto when I was Mayor. The covenant requires a strategic action plan that "should be registered, implemented, monitored and publicly available." Charlotte's Strategic Energy Action Plan or SEAP will be just that and the ongoing stakeholder engagement and the working groups is an important way to keep the process public and the entire community invested in its success. Communities across our country are learning that investment in sustainable energy provide a healthier environment, attract new businesses and jobs and builds stronger communities. The transformation of our energy economy will improve the bottom line and save money. Tonight, Charlotte is taking an important step in this transition. We are in line with actions of our Governor and Executive Order 80; we are also in line with 17 cities and counties across North Carolina who have all make the commitment to 100% clean fossil fuel free energy by target dates in the near future. With this passing of the SEAP, Charlotte will be a leader in putting forth a detailed road map of how to get there. The commitment to update the plan every two-years will allow us to incorporate new technologies, such as in battery storage that universities and businesses are bringing to the market place.

**Martin Zimmerman, 1616 Bonnie Lane** said I am speaking on behalf of my children and grandchildren. I've reread the SEAP Plan again, and I can tell you that it looks better and better each time I go through it; I really like it. I have a few comments, first pertaining to the organizational framework; it starts on Page 24. I just want to reinforce how important it is to get the institutional, the business community, the hospitals, the Airport, the Universities, the

educational community involved as soon as we get things going, hopefully in the next couple of months. So far, the stakeholder involvement has basically been the grassroots type most of whom are sitting in the audience. The second point relates to the internal staffing at the City level; it is unclear from conversations I've had partly with Rob Phocas and others to what extent Emily Yates and Sebastian Carney are going to be retained for future work. I know staff has been added to Rob Phocas' staff; it just seems when you read this plan and all the challenges that the plan outlines that they are going to need even more staff in the short run. That is in addition to the Energy Ambassador position that is supposed to be heading the whole effort. The third item, which is really more of a worry than a suggestion, does state on one of the earlier pages of the report that Duke Energy Carolinas is going to be building natural gas plants by 2033 and although natural gas is technically better than coal, it is still not nearly as good as we need to get and somehow the City has to muster the energy to get them involved.

**Joel Segal, 4568 Randolph Road** said I am Executive Director of the North Carolina Climate Solutions Coalition; I speak for all the stakeholders. Dimple Ajmera, what a phenomenal job you have done to bring the stakeholders together, the City Council and this is a historic moment. I also have to thank Rob Phocas; he deserves a Christmas bonus. He has been fantastic in terms of leading all of us together towards a new future. Climate change is real; Trump Administration and 11 agencies said that we can expect in the southeast more rainfall, more drought; it is going to hurt our crops. There has been about \$500 billion worth of damage because of climate change. There will be those that say we can't do this; we can't do a Strategic Energy Plan. That is not true. We are the wealthiest country in the world; we are the leading exporter of oil and gas. We have \$200 million being invested by Wells Fargo, millions by Bank of America. I want to thank Representatives Bokhari and Driggs, because they went by principle. They could have said no to this; they said yes, and I wish more elected officials had the courage that both of you exhibited when you said yes to the 100% Clean Energy Resolution. This is about whether or not we survive as a planet and create scores of green jobs. This is a momentous historical evening; I'm so glad that I'm here.

**June Blotnick, 2517 Belvedere Avenue** said I am the Executive Director of Clear Air Carolina. We are a statewide organization of educators, health professionals, scientist and clear air advocates dedicated to the protection of human health and the environment in North Carolina. We were founded here in Charlotte 15-years ago. I'm here really to thank Councilmembers for voting for the resolution back in the summer time to make the commitment to reduce our carbon emissions for City operations by 2030 and for the whole City by 2050. I want to especially thank the Environment Committee members for their hard work over the last six months and especially Chair Dimple Ajmera for her steadfast commitment to engaging stakeholders in the process. That was really important, also want to thank City staff as others have already noted for the long hours they have put in. While the Strategic Plan has taken a year to produce, the real work is only just beginning and we know we will have differences on the amount or the kind of technology and fuels we want to use. We know we will have differences regarding the timeframe with the urgency of climate change, but I'm confident that with an open stakeholder process that we will find our common ground and meet those goals. I just want to add a personal note that my church, The Unitarian Universalist Church of Charlotte just this week has made a commitment to replace all of their lighting with LED technology and to invest in a 17-kilowatt solar system for the church. I know that other faith communities as well is interested in partnering with the City on projects like this and being leaders. Thank you in advance for your vote tonight; Clean Air Carolina and many other stakeholders look forward to working with you in this process.

**Angela Gray, 13518 Mallard Landing Road** said first I would like to thank City Councilmember and Environmental Chair Dimple Ajmera for your leadership and support. I am the founder and Chairman of [inaudible] Market Foundation an organization that is working to open Charlotte's first full service non-profit grocery store. The passage of the Charlotte SEAP is important to our community, and I would like to highlight the impact it will have to small business owners as well as insuring food security for all. Being raised in Detroit, I have seen and continue to see the devastating effect to communities where leaders fail to embrace and prepare for change and instead fight to maintain what is generating the most revenue today. In order to compete and innovate, small businesses need support from

local leaders as well as a pool of prepared candidates. We must commit to the creation and training for the green workforce, insuring that we create pathways of upward mobility for all citizens regardless of the zip code they were born into. This will take collaboration between business and government. We must also recognize and address the impact the climate has on the quality and quantity of the food being produced. We have the ability to ensure that locally grown foods are available and affordable to everyone, as well as the equipment from transportation to stores does no harm to the environment. Finally, we must address food waste and its harmful effects to the environment. There is much that both organizations and individuals can do to ensure that we are good stewards of the natural resources that we are entrusted with, and we look forward to your support to help insure workforce development and food security for many generations to come.

**Michael Zytow, 520 East 18th Street** said I am the Program Coordinator for Sustain Charlotte; Sustain Charlotte is a community based non-profit organization dedicated to educating, engaging and uniting our community to solve Charlotte's sustainability challenges. I am here tonight to express my organization's support for the Strategic Energy Action Plan, a plan that will move the City of Charlotte to source 100% of its energy use in its buildings and fleet from zero carbon sources by 2030 and dramatically reduce greenhouse gas emission across the entire City. With the unanimous approval of the sustainable and resilient Charlotte resolution in June and the passage of the SEAP tonight, 2018 really stands to be remembered as the year we worked to build a stronger more prosperous City, a City dedicated to improving our air quality and overall health, a City dedicated to growing our economy with high paying green jobs, a City prepared to lead on the important issues. With 44 to 60 people moving to Charlotte each day, it is critical that we made land use and transportation decisions that promote smart growth and sustainability. This is a major undertaking, but we aren't alone; we are joining thousands of other cities and regions in this effort and we have so many wonderful people here to thank for this process. I want to thank all of the amazing stakeholders as we are truly lucky in this community to have so many dedicated individuals and organizations. I want to thank all the Councilmembers, especially the Environment Committee and our champion on the Environment Committee Councilmember Ajmera. I want to thank our City staff, especially the Sustainability Office, Dr. Sabastian Carney and especially Emily Yates of Envision Charlotte who played such a critical role in crafting the SEAP. I am really eager to implement this Plan and with all of our continued support in the community and with your continued support I am incredibly confident that we can reach our goals. With the last 10 seconds, I do want to move to a side note and say I want to thank Bob Hagemann for all his years of dedicated service, truly an amazing Charlottean who will be missed.

**Steve Rundle, 4331 Eagle Lake Drive** said I with the Charlotte Mecklenburg NAACP; President Corine Mack, who wanted to be here tonight personally asked me just to stop by and reiterate a couple of words from the letter she sent in support of the SEAP tonight. She says "Dear Mayor and Councilmembers I am writing to express the Charlotte Mecklenburg NAACP and you to use the uprising uplifting program that we worked with the City on, their support for visionary path outlined in the Strategic Energy Action Plan. We applaud Councilmembers for their previous unanimous decision to adopt the Sustainable and Resilient Charlotte resolution. We would urge Councilmembers to continue their efforts to make Charlotte a global leader by voting to approve the adoption of the Strategic Energy Action Plan. The resolution calls for improving environmental sustainability, social capital and economic mobility through growth and clean energy industries and workforce development opportunities."

These aspects had been further refined in the Strategic Energy Action Plan and could provide a path forward for many underserved communities of color in Charlotte. These are communities where economic mobility has been severely limited. These equity aspects are in line with the NAACP mission and you to use programs for a positive change in Charlotte. Their inclusion in the Strategic Energy Action Plan makes it worthy of your endorsement and your I vote tonight.

Motion was made by Councilmember Ajmera and seconded by Councilmember Egleston, to approve the Environment Committee's recommendation to adopt the Strategic Energy Action Plan.
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**Councilmember Driggs** said I just wanted to speak as a Republican on this vote; this is not a partisan issue. We have a shared interest in a clean future and in our environment. I like to remind people that the EPA was started during the Nixon Administration, so it has taken on a connotation. I hope we can work together on this; I believe Charlotte needs a policy; we need to send a message that we are working on and are concerned about environmental issues. I think modern cities have to do that; we need to do that to attract the kind of people we hope will come and live here because it is something that matters to them. So, I am supporting this, and I will point out to you as we go forward.

One of the things I like about the plan is that there is crossed consciousness in there; it is a responsible plan and it also intends to adapt to conditions that we may not know about today that happen in the future, so I believe it is a responsible approach, which is one of the reasons I'm able to support it. I will point out to you that going forward I expect the Republican attitude will simply be that we need to avoid certain solutions that could be very expensive and don't offer proven benefits. There are some things that sort of glitter and sparkle and the people get excited about, hugely expensive busses and stuff so we need to be very focused on getting good return on the investments that we make recognizing that we also have needs in transportation and all the other areas of municipal government. I think for tonight we should all be happy to come together around the idea of setting a target for ourselves and being serious about pursuing it. I said when the first resolution was proposed, we need to be responsible about this and we need to put out something that we can be held accountable for. So, I think this has the right balance between accountability, responsibility and at the same time pointing in a direction, setting a goal for ourselves. I will support it, and again, I look forward to bipartisan vote.

**Councilmember Winston** said I've supported this and I will support it tonight. I thank everybody who helped make this a reality. We have to keep moving forward on this and we have to find ways to express to the people and let them know what we are doing so we can continue to build this public/private partnership that is going to be so important. We really need to continue to educate people about our efforts around the circular economy we need to get people to really buy into things like this. We can lead but the only way people will follow us down the path is if we keep this effort and this policy kind at the forefront.

I do believe that this just can't live in the Environment Committee; we are going to have to figure out this is going to impact our economic development moving forward, how this is going to impact our comprehensive plan for our City as we develop it. That is going to be on us, and again, this can't be just a nice policy that just goes up on the shelf and collects dust. We have to be innovative with it and we have to continue to lead.

The vote was taken on the motion recorded as unanimous.

**Mayor Pro Tem Eiselt** said thank you to the Environmental Committee and to the public, the citizens who put so much work into this. The best work we do in the community is when our citizens step up and say we want to be a part of the solution, so thank you all for the hours that you put into this.

Ms. Ajmera said thanks to my colleagues for a historic vote, especially to my colleagues Mr. Bokhari and Mr. Driggs for taking a stand on environmental issues. I think as a Council we send a strong message that environment is not a partisan issue; there is no blue or red water, and there is no blue or red air. It is clean air and clear water. With that the hard work starts now with the implementation, so we are going to need all of you to help us get to our 2030 and 2050 goals. We will be calling on you to help us implement.

Mayor Pro Tem Eiselt said the Mayor has asked that we move forward to the Business items and then we will come back to Item Nos. 5 and 6.

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## BUSINESS



**ITEM NO. 7: 2019 CITY COUNCIL MEETING SCHEDULE**

Motion was made by Councilmember Egleston, seconded by Councilmember Mayfield, and carried unanimously to approve the 2019 City Council and Budget Meeting Schedule.

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**ITEM NO. 8: RESOLUTION TO CERTIFY AND DECLARE THE RESULTS OF THE NOVEMBER 6, 2018 SPECIAL BOND REFERENDUM**

**Emily Kunze, Deputy City Clerk** read the results of the November 6, 2018 Special Bond Referendum as follows:

General Obligation Transportation Bonds for \$118,080,000

AYES: 190,969

NAYS: 85,955

General Obligation Housing Bonds for \$50,000,000

AYES: 190,275

NAYS: 87,988

General Obligation Bonds Neighborhood Bonds for \$55,000,000

AYE: 202,537

NAYS: 75,653

Motion was made by Councilmember Egleston, seconded by Councilmember Mayfield, and carried unanimously to adopt a resolution certifying and declaring the results of the November 6, 2018, Special Bond Referendum.

The resolution is recorded in full in Resolution Book 49, at Page(s) 284-291.

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**ITEM NO. 9: LEASE OF CITY-OWNED PROPERTY AT JW CLAY PARKING DECK**

Motion was made by Councilmember Driggs and seconded by Councilmember Harlow, to adopt a resolution authorizing the City Manager to execute a retail lease agreement with the Charlotte-Mecklenburg Hospital Authority Carolina Physicians Network, Inc., operating as Atrium Health, for the lease of approximately 2,325 square feet in the JW Clay Parking Deck for a 10-year term.

**Councilmember Phipps** said what will the operating hours be for that facility?

**Marie Harris, Strategy and Budget** said it is currently proposed for Atrium Urgent Care, so right now they have the option of being 24-hours since it is an Urgent Care.

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

The resolution is recorded in full in Resolution Book 49, at Page(s) 294.

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**ITEM NO. 10: DISCOVERY PLACE CHILLER REPLACEMENT PROJECT**

Motion was made by Councilmember Mitchell, seconded by Councilmember Harlow, and carried unanimously to adopt Budget Ordinance No. 9469-X appropriating \$300,000 from the Tourism Fund to replace a chiller at Discovery Place.

The ordinance is recorded in full in Ordinance Book 61, at Page(s) 711.

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**ITEM NO.11: PRIVATE DEVELOPER FUNDS APPROPRIATION**

Motion was made by Councilmember Egleston, seconded by Councilmember Driggs, and carried unanimously to (A) Approve a developer agreement with YMCA of Greater Charlotte for traffic signal installations and improvements, and (B) Adopt Budget Ordinance No. 9470-X appropriating \$80,000 in private developer funds to traffic signal installations and improvements.

The ordinance is recorded in full in Ordinance Book 61, at Page 712.

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**APPOINTMENTS TO BOARDS AND COMMISSIONS**

**ITEM NO. 12: APPOINTMENTS TO THE BICYCLE ADVISORY COMMITTEE**

The following nominees were considered for one appointment for a three-year term beginning January 1, 2019 and ending December 31, 2021:

- Gerry Kinglsey, nominated by Councilmembers Ajmera, Egleston, Eiselt, Newton, and Winston
- Kenya Templeton nominated by Councilmembers Mayfield and Mitchell

Results of the ballot were recorded as follows:

- Kenya Templeton, 3 votes – Councilmembers Harlow, Mayfield, and Mitchell
- Gerry Kingsley, 7 votes – Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Phipps, and Winston

Mr. Kingsley was appointed.

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**ITEM NO. 13: APPOINTMENT TO THE CHARLOTTE MECKLENBURG PUBLIC ACCESS CORPORATION**

The following nominees were considered to one appointment for a partial term beginning immediately and ending June 30, 2020:

- Jennifer Ames Stuart, nominated by Councilmembers Bokhari, Egleston, Newton, Phipps, and Winston
- Shannon McKnight, nominated by Councilmembers Ajmera, Harlow, Mayfield, and Mitchell

Results of the ballot were recorded as follows:

- Jennifer Ames Stuart, 8 votes – Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Harlow, Phipps and Winston
- Shannon McKnight, 2 votes – Councilmembers Mayfield and Mitchell

Jennifer Ames Stuart was appointed.

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**ITEM NO. 14: APPOINTMENT TO CHARLOTTE TREE ADVISORY COMMISSION**

The following nominees were considered for one appointment for a three-year term beginning December 14, 2018, and ending December 13, 2021:

- Scott Roberts, nominated by Councilmembers Bokhari, Driggs, Egleston, Newton and Winston
- Angela Stoyanovitch, nominated by Councilmembers Ajmera, and Harlow

Results of the first ballot were recorded as follows:

- Scott Roberts, 6 votes – Councilmembers Bokhari, Driggs, Egleston, Eiselt, Phipps, and Winston
- Angela Stoyanovitch, 4 votes – Councilmembers Ajmera, Harlow, Mayfield, and Mitchell

Scott Roberts was appointed.

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## POLICY

### ITEM NO. 6: EFFICIENCIES IN GOVERNMENT – RESOLUTION INCREASING DELEGATED AUTHORITY TO AWARD CITY CONTRACTS

**Casey Delehanty, 1501 Kimberly Road** said I am here today to lend my subject matter expertise in support of faith coalition, and their concerns regarding amendment specifically as it regards to the potential for increased police militarization. I am a Political Science Professor, as well as a publish expert on police militarization. City Councilmember Ed Driggs has in the past characterized such concerns as reflecting unwanted suspicion and negativity towards police and echoed those same concerns today lamenting the lack of experts in the room.

While I would contend that I am the expert in the room and I would say that these concerns are well founded in the most recent [inaudible] research on this issue. Showing that military grade equipment leads to greater rates of civilian victimization while leading to no positive effect whatsoever on either crime or officer safety. Numerous studies, including my own, have upheld this statistically significant relationship between increased militarization and civilian victimization as in [inaudible] every problem as a nail, militarized police tend to seek military solutions. We can see this most clearly with SWAT deployments originally developed to deal with active shooters scenarios and other situations demanding special weapons and tactics. Recent decades have seen a dramatic expansion in SWAT deployments with more than 90% in response to non-emergency scenarios, such as search warrants.

In St. Louis SWAT teams were recently used to serve building code violations until a state of recent civil lawsuits. These potentially unnecessary rates also disproportionately affect communities of color and harm public perceptions of police potentially harming criminal investigations due to the lack of civilian cooperation. In my role as Political Science Professor at Gardner Webb University I often tell my students to think of government spending in terms of its opportunity costs. Any dollars spent on one government policy deprives a dollar from another one. As such, we should evaluate government policy based on its efficiency relative to other options. When considered in this vein, potential spending on military grade equipment moves from wasteful to galling. As of October, this year North Carolina holds the dubious honor of leading the nation in untested rape kits with over 15,000 kits deprived of analysis that would undoubtedly solve untold sexual assault cases. CMPD has been particularly egregious on this front going so far as to take the unprecedented step of destroying over 1,000 rape kits from 2000 to 2016 or about one in every three collected during this time. At least 73 of those kits were destroyed in open investigation as per the Charlotte Observer. At both the state and local level, officials bemoaned a lack of funds to address the issue all while untold millions were spent on purchasing and/or upgrading militarized equipment that again has no positive effect on either crime or officer safety.

**Meko McCarthy, 1100 Tyvola Road** said faith coalition has fought for years for transparency and accountability for community oversight for local government. Raising the

City Manager's ability to purchase that use of violent- The purchase of those equipment's can be a use of violation of personal civil liberties without City Council approval and public comments due to will not promote the public's trust for that is a problem. Three months ago, we submitted a copy of the Civil Liberties Protection Act of 2018 to you to order you to insure both City Council and public were made aware of the purchase of military surveillance and equipment. Does the City Council really believe that neither the Council or the community has the right to tell the City Manager what equipment he can buy against the people of Charlotte, North Carolina? We are asking that the City to make the Civil Liberties Act Protection Act required by the City Manager to purchase militarized equipment and surveillance for crowd patrol. We want to the act to be a requirement whether the City Manager make a \$50 purchase of even a \$500,000 purchase.

**Councilmember Phipps** said at our September 18, 2018 Budget and Effectiveness Committee meeting, after a much-spirited discussion and debate, the Committee recommended that the City Council increase the City Manager's delegated authority to award contracts and amendments from \$100,000 to \$500,000. The purpose for this recommendation is to create a more efficient business process for both City Council and City staff while preserving appropriate governance and oversight. This change will streamline our work as a governing board and make us more effective policy makers.

I would like to remind my fellow Councilmembers that Consent Items are routine and transactional in nature. As a matter of fact, the last time we formerly had a vote to set the threshold was back in 1995, and that is when it was set at \$100,000. Since then, we have had dramatic growth and our City is not just the same as the small town that it once was, so we much change with the times. By increasing the threshold limits we as a governing body can concentrate on governing instead of scrutinizing the transactions that are necessary for our administration to run the day to day operations of the City.

Our City Auditor first recommended this to us about 18-months ago in our Governance and Accountability Committee back when Ms. Mayfield was Vice Chair and Councilmember Kenny Smith was the Chair. At our August 28, 2018 Budget and Effectiveness Committee meeting, our City Auditor Mr. McDowell made his recommendation to increase the City Manager's delegated authority and he shared with us a couple of things and matter of fact in fiscal year 2017 approximately half of all of the Consent Items were less than \$500,000. These items represented only seven percent of the City's Consent Item spending. So, as you can see representing over seven percent, with 90% we still have a chance to more or less say grace over a lot of these issues. The state level controls already exist; the governing contracting for construction and repairs, architects and engineers, surveyors as well as the purchase of goods, materials, equipment and vehicles. We have strong internal controls to address legal requirements, policy, risk mitigations and best procurement practices. So, changing the threshold would align the City's practices with other North Carolina urban cities and counties.

Motion was made by Councilmember Phipps and seconded by Councilmember Bokhari, to adopt a resolution authorizing the City Manager and designees to approve contracts and amendments of less than \$500,000, and clarifying and consolidating in a single resolution certain other contract authority.

Mr. Phipps said the City Manager has more or less committed that he and his staff can supply us with periodic reports that would detail those items that he has approved under this new delegated authority, if he so happens a chance to receive it tonight, but that is a caveat that is out there.

**Councilmember Mayfield** said my colleague is correct; we started this conversation when we initially had the Governance and Accountability Committee and even then, I shared concerns of the dollar amount, because as was mentioned in 1995 we had a conversation of \$100,000. To then say that we would go to \$500,000, I do have a challenge. If you think about the conversations that we've had earlier around this dais this evening one item was considerably under \$500,000, and one was a little over \$500,000. The second items probably would have still had an opportunity for us to have a discussion; I personally am



much more comfortable with a lower amount. I think it is also a little misleading when we say how many of the items have been approved because of the questions that have been asked by Council prior to coming to the dais to vote; a number of items have been either pulled or re-examined before coming to a full vote before the body and as a collective Council. I think there is a challenge in there, not as much transparency as we say that we want. When we wrote a letter to the community and made a commitment that commitment also included transparency. It will be difficult to receive an update after purchases are made opposed to us having the ability, whether we approve as a Council any Consent or not is not the question.

It is the conversation of does Council have the ability to review all of the items and ask whatever questions we need to ask either directly of staff or the City Manager or to have conversations around this dais prior to learning after the fact that okay here is how we may have spent money. There is an accountability conversation, yes, our City Manager oversees more than 8,000 employees. Yes, our City Manager oversees a budget that depending on who you ask is \$2.6 to \$3.2 billion. It is still the responsibility of Council and I have a challenge that if we keep delegating our responsibility, as elected body and the fact that we are currently the ones who are to oversee a number of these financial requests, then the question will be exactly what is the role of City Council? If we delegate everything to the Manager's office and after the fact we learn of an expense that would not have been approved, that will cause a challenge because then we are not able to be accountable to the community and to the constituency that elected us whether you are at-large or district. So, there are challenges in the idea of going from \$100,000 to over \$500,000 versus having a conversation even it was \$250,000 to \$300,000 there is a space in between the current and going up to \$500,000, and again, I have shared my concerns within the Budget Committee; I have shared the concerns over the years. We kicked this particular can down the road over a number of years and have gone through two plus iterations of Councilmembers to have this discussion. I will ask that my colleagues really reconsider this dollar amount as the request tonight up to \$500,000. I'm not going to make a recommendation of an additional amount, but if this is the direction my colleagues go, I will be voting against.

**Councilmember Driggs** said my colleague has already pointed out to us that we are a \$2.6 billion enterprise, with almost 8,000 employees. I think there are more productive ways for this body to spend its time than looking over the Manager's shoulder on every transaction that represents more than .004 percent of our budget. This is about effectiveness; that is what the Committee is for. I believe we have hired an experienced professional City Manager, and I called upon him when we discussed this in Committee to be sensitive to the fact that certain items that might come up at a lower number could be the subject of media coverage, could be controversial and therefore that he should use some judgement in talking to us about smaller items, but a great majority, as we have seen every month, they come through, you look at them, it is a properly vetted and reviewed contract pursuant to a decision that we made earlier to commit funds.

There are procurement rules and state laws that we have to follow, so I really think we would be better off devoting more of our time to issues like land use policies, the TOD thing, public safety in general, our transportation needs at the policy level and not try to dig into the weeds on every contract. Let's be honest, there are only a certain number and a certain kind of contract that are actually the target of most of this conversation and they represent a tiny subset of the overall volume and in return for trying to create greater transparency around those, and what we are doing is creating a huge workload for the staff and taking up a great deal of our time reviewing what are in the main very routine actions that the Manager should be able to take on his own authority. So, I'm going to support the resolution.

**Councilmember Winston** said I think you guys know where I stand on this, or I'm actually not really sure. I don't oppose the idea of raising the limit. I don't oppose making government more efficient, but we need a process that allows for effective and efficient scrutinizing of the spending of taxpayer dollars regardless of the amount that it is. This is not to implicate the Manager in any [inaudible] or any irresponsibility. I think that is the balance of a democratic republic, to run the business, while still allowing this to be a government of the people by the people and for the people. We know that while it might be .004 percent or less

or more that government policy and government spending since the beginning of this great experiment has been the source of so many disparities, has supported and perpetuated so many of our social and community ills. Sometimes over time it become so nuance, we don't even notice these things. So, all I have asked for is a process that allows for us to do better and be better and that is what I asked for on September 18, 2018 for staff to work with me to work with us to come up with some type of process. That request was ignored; it was never followed up upon and this just appeared. I don't think that is how it is supposed to go.

It is pointed out and some of my colleagues have said well, if you make a substitute motion to get a list of contracts after they are approved, I'll support that, but that is not a process. A list of things that have done; that is not a process, or I've been told well, we can still look. We can ask for it and you can look at the contract. Well, how do you ask for something that you don't know is there? That doesn't make any sense. I'll also point out that I'm aware that the Manager did not request this action to happen, but this process was started 10-years ago, but this Council has used the Consent Agenda in a way that no other Council has done before, and I understand has probably put some extra work upon the shoulders and the backs for staff, which I am sensitive to; however, I would suggest to my colleagues, don't be bullied by staff to get something over the finish line without getting it right.

So, I would make a substitute motion to pull this and come back to us with a policy that does create a process that provides the proper oversight, that provides the ability to scrutinize all of our spending because a dollar and what it is worth today is not what it was worth 10-years ago and won't be the same 10-years from now. We should do this when we have the opportunity when this is on the table right now, because we won't be thinking of this, you are right we have a lot of work to do, but if this is so important let's get try to get it right like we try to do everything else, because we won't be having this discussion for another 10, 15 or 20-years when whoever the City Manager is comes back and ask to raise it to a million dollars. So, get it right.

**Mayor Lyles** said Mr. Winston, I will come back to you for that substitute motion, but I had other speakers signed up if that is okay.

**Councilmember Harlow** said echoing some of the Committee Chair and some of the other members that sat on the Committee during the conversations, I've watched the Committee meetings after the fact and had conversations with some of the staff about how they feel as it relates to the work that is being asked upon them for all the procurement needs and certainly our Consent Agenda. I believe that we've hired and we certainly trust our Professional Public Administrator and our City Manager, who I remind you we just endorsed for a raise and gave an overwhelming review, four and five stars unanimously. I'm not as concerned about what other cities do in comparison to what we may or may not do here tonight, but rather how this does help us to be more efficient and effective.

This isn't about saving time for me and it is not about how much oversight or transparency do we want. I think we have plenty of oversight; we can ask all the questions we ever wanted to ask. We have that right as elected people up here to ask any questions we want to ask. I think we also have an opportunity to say well, if we wanted policy or an exclusion clause around a certain line item or a certain department, we have that right too. I have not seen that being referred to any Committee I have not seen out of the people who might be in opposition to this. My colleagues who are in opposition to this; we still have oversight here. We still have a voice. It is not just after the fact oversight either; we still have an opportunity to shape whatever policy we might want for our Manager. This is our hire and our decisions. I do believe though the data is very clear; the majority of these Consent Item agendas are unanimously approved and they are not public safety related.

For me let's just call it what it is, there is a few transactions in question here when we look at our long agenda every year, and I'm not certain that by reducing or by pulling this or by saying hey, we should not even have an increase in threshold that we are going to create any change here. We still have oversight and we still have questions. I also think we have an opportunity to have a larger conversation in the future here when we talk about government efficiency and government operations how we want to see ourselves as Councilmembers is that operational and in the weeds with the staff who are career public

administrators or is it purely as an oversight board. I think we have to continue to consider that. We've had some of those conversations before, but we shouldn't hang up this resolution for that, and we certainly could still have any future policy directing the Manager to do anything we want the Manager to do. I'll be supporting this tonight; I believe that we have a great Manager, we still have transparency here, I am still a public safety and community advocate but I believe that by hanging this up we are doing ourselves a disservice.

**Councilmember Eiselt** said so just to keep things in context a little bit, when we talk about \$500,000 it sounds like a lot of money, but to Mr. Driggs' point, in a \$2.6 billion budget that is very different. The first time we brought this up that month the Consent Agenda, I went through the packet to see what was over \$500,000, and we had one item that was metal for street signs, and I think it was \$540,000, and that kind of puts things into perspective. A city our size has got to buy a product like that in large quantities, and that is the majority of what we are doing. We are negotiating contracts that are efficient, because it is a lot of money and we are not able to do that if we had to break these into amounts under \$100,000. The amount of time that goes into staff getting these onto the Consent Agenda, because it exceeds the Manager's limit, starts to eat into that efficiency so I'm going to be supporting this, because again, it is about government efficiency. For the vast majority of it, it is day to day operations that we've hired a City Manager to run, we have entrusted in him that he can do that job. If there items that we need to discuss as policy, then we should be able to do that so I'm happy to have that kind of conversation with regards to what it is we are buying and if it is appropriate for our City, but with regards to government efficiency and budgeting I'm going to be supporting this policy.

**Councilmember Egleston** said a wise friend of mine once said from this dais that I know Mayberry is set in North Carolina, but Charlotte is no Mayberry. This current policy is a Mayberry type number. It is hard for any of us to think about \$100,000 spend or a \$500,000 spend, because most people in this room, myself certainly included won't spend that in a year or in multiple years possibly time, but the average household income in Charlotte is \$53,000, so with that as a point of comparison we are currently authorizing the Manager to spend around \$2 without bringing it through a Consent Item, and we are talking about raising that to the equivalent of \$10, so if that is a household budget and we are talking about the difference between \$10 and \$2, I think that puts it in perspective a little better in the context of what is an incredibly large budget. I'll be supporting this. I think we set the policy; we set the course for the Manager as Mr. Harlow said we have just given him a staller review in saying that he is following the course that we have set for him and if we can't entrust him to spend \$10 in our household budget then we have some other questions we need to be asking.

**Councilmember Ajmera** said as a former CPA, I respect our City Auditor and the team of many CPAs that we have here in house. They have done a tremendous amount of work over the last several years before bringing this to our attention. They have vetted various transactions to figure out how do we move forward. How do we streamline processes? How do we operate in a more entrepreneurial way? How do we operate in a lean fashion? How do we ensure that we use our taxpayer dollars more effectively? This is exactly what this is; instead of spending so much time in trying to bring transaction and slowing down the process, this is a nimble way to do business. This further helps us from getting away from micromanaging our City Manager and the staff to looking at a higher picture, big focus items, such as affordable housing, workforce development, accountability, and that is what we ought to be looking at from the policy perspective. If you don't like something that we are spending money on then you've got to look at the policy, not by micromanaging the City Manager, okay here is the item. I think we ought to look at policy items and big items on how we can improve the lives of our citizens. I will be supporting this, and I appreciate the work that our Auditor has done, thank you and to the staff of many of our internal auditors that have spent so much time analyzing this to ensure that we can streamline our internal processes to operate as a business.

**Councilmember Mitchell** said this to me is about confidence in a young man we hired over two years ago. He had demonstrated tremendous trust and his ability to lead this community. I think our time is best spent developing policies like upward mobility and



affordable housing. With that say, I will be voting in favor of the threshold of \$500,000 to our City Manager.

**Councilmember Bokhari** said many of the good points don't need to be repeated about how it is policy and proactive versus transactional and reactive and slowing the process down. I think if you are looking for an example of why this efficiency is needed, you need not look much past tonight and what has already happened. We spent 30 minutes tonight on three Consent Agenda items that were pulled. The vast majority of it for a \$50,000 item for non-lethal force for our officers and an asset they needed. Nothing changed, the vote stayed exactly the same after they were grilled, and it is not even the fact that on the rest of the agenda where we are talking about an economic development strategy or later on when we are making affordable housing decisions that some of those are going to get pushed out because we wasted that 30-minutes. The real travesty here is the underlying bureaucracy, and those staff members didn't just walk up here, and I need it. It has been four, eight, 12, 13 weeks or preparation for this process for this \$50,000 item to present, meanwhile a Manager could have made that decision on his own, taken a couple days within the budget that we had already adopted, but instead our officers are going in the field in these examples without the non-lethal assets they require or without the night vision goggles that they need to execute. That is not balancing transparency with efficiency. There are other policy based ways for us to do so.

Mr. Winston said you all don't get it; you all don't get it at all. You all continue to perpetuate the status quo of looking at just putting business over the people, and this is not just about public safety spending. This is not just about a dollar amount because that \$50,000 amount look at the effect that it had on the City over the past two years and the use of those weapons if you want to pull it out like that. You are removing the ability for us to look at things and therefore the people to look at things. Not to say again that we shouldn't make the things that we do more efficient, change dollar amounts and things like that. I don't understand why there is such a fear of creating a process to scrutinize the spending of public dollars. I think you guys also don't get it, because you are personalizing this relationship that each one of you have with our City Manager. This is not about Marcus Jones and the 12 of us up here. This is about the seats; he might not be here tomorrow. We might not be here tomorrow, and Charlotte might be left with a City Manager that is not as empathetic as Marcus Jones. With 11 members of Council that are not willing to do the work between the lines, so that is why I say create a process, let's look at a policy that allows for us to modernize and be more efficient while striking the balance. I just don't understand why there is a fear on this Board to get it right.

Mr. Phipps said I would just like to thank the Privatization Competition and Advisory Committee for weighing in on this particular resolution through their review. This group of citizen committee volunteers has presented each of us a memo of their evaluation of this resolution and they are definitely in favor of the change.

A substitute motion was made by Councilmember Winston and seconded by Councilmember Mayfield, to pull this item from tonight's agenda and work with staff to create an effective and efficient process that allows for public scrutinization of the spending of tax dollars, regardless of the dollar amount, and then reintroduce this item on a future Business Meeting for adoption.

Mayor Lyles said before we vote, it is really awkward for me to sit here as a former Budget Director and now sit here as Mayor as we are talking through this because there is a lot to be said about this, but first and foremost I want our community to know that the items that we are talking about, all of these contracts have been included in our operating budget and if you know how much we spend our money or how we spend our money all of our property taxes go to Police, Fire, Transportation and Sanitation services. There is very little discretionary spending when you think about the 8,000 employees working every day, and we do pay a living wage and we provide health insurance and we provide a 401K. When you are talking about \$2.6 billion, you are talking about people that work for you every day and what they are doing.



What I would like for you to know is that you see what is going on in government every day when you are out and your traffic signals work, you see your garbage being collected, your streets being clean. We also hold Budget Workshops, a number of them, and we are livestreaming them, thanks to what Mr. Winston brought forward to us with his ideas when we started out this year and there are many, many discussions. Every member of this Council serves on at least two committees, some of you on three and maybe one or two on four where discussions are held about the policies and the activities that there are so when we start talking about how we do this, you are right Mr. Winston; this isn't about the City Manager at all. It is about having an organization with controls in place that allow for an auditor to come in and do their work, but also any citizens in this community, I would welcome you to make an appointment with any staff person that works here if you want to look at details about our operation we are certainly able to give you our finance reports. As a Councilmember, if you want to know what one particular area, if you want to know how much it cost to pave a street, how many people work in it, that is in our line item budget. It is only about two inches thick but you can have a copy of that and if you can't get a copy of that there are people in the Budget and Evaluation Office that you can come and sit down and say I am curious about this, and I know this, because I've had groups come to me and say why don't we have more people out in our neighborhoods? What is this money for that we do with Community Development Block Grant funding? They have never been turned away and there is always been a response.

So, the idea that we sometimes characterize ourselves as sitting at this dais and not being open, there is not a Councilmember at this dais that is not willing to show up. How many of us have taken out the budget and said to neighborhood groups, here you balance the budget, tell us where you would allocate the spending. but when that budget is approved it is an important document, because it is the budget that sets the guidelines for how we spend and operate that year. Now, I told someone that sent an e-mail to me after reading Mr. Winston's post on Facebook, I said I don't know whether to say this or not because the current \$100,000 limit has been in place for 23-years, and I've been around that long. I don't know whether that is a good thing or a bad thing, but in that entire time of \$100,000, there has never been any concern about transparency, and as well think about that, 1995, now I'm getting a little bit older, but that threshold amount is way older considering what you think about when gas was \$4.00 a gallon. I'm glad it is still like \$2.00 or \$3.00, now but those of the kinds of things that we are having to address.

So, what I want this Council to feel comfortable doing is that this is a government building that the doors are open and there is a list of departments you can visit and you can have that space. So, if we are in a position that we are working hard to further really big issues like how are we going to spend \$50 million on affordable housing? How are we going to make sure sidewalks are done? Those are the dais discussions. There are many other opportunities to have operational and implementational discussions. So, let's not confuse oversight and transparency with micromanaging operational processes and outcomes, because those processes and outcomes are open to anyone that choose to come here, and I welcome to call my office or call any Councilmember here to be able to find out how much a traffic signal cost.

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

YEAS: Councilmembers Mayfield and Winston

NAYS: Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Harlow, Mitchell, and Phipps

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

YEAS: Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Harlow, Mitchell, and Phipps.

NAYS: Councilmembers Mayfield and Winston.

A resolution is recorded in full in Resolution Book 49 at pages 281-283.

\* \* \* \* \*

## ITEM NO. 5: ECONOMIC DEVELOPMENT STRATEGIC PLAN

**Councilmember Mitchell** said I have to thank the Economic Development Staff Tracy Dodson and her whole team for doing an excellent job and my Committee members, Vice Chair, Ed Driggs, Councilmembers LaWana Mayfield, Matt Newton, and Justin Harlow. We decided on a new model for serving the City of Charlotte based on a great place, attract talent, create jobs, and advance our City. It is going to be built on four pillars, creating great places, new start-up in existing businesses, and perspective businesses.

Motion was made by Councilmember Mitchell, seconded by Councilmember Driggs, and carried unanimously to approve the Economic Development Strategic Plan Framework.

\* \* \* \* \*

## PUBLIC FORUM

### **#GetThereCharelotte Campaign**

**Kate Cavazza, 2115 Hawkins Street** said I am the Bicycle Program Manager at Sustain Charlotte. Tonight, we just want to thank you for beginning the process of instituting transportation choices for our City in 2018. Earlier this year you fully funded the Bicycle Program, you doubled funding for the Pedestrian Program, launched and funded a program to create a Zero Action Plan by the end of the year, create a plan for transit oriented development districts, successfully pioneered a permitting process for dockless, bike sharing scooters and passed an update on the Neighborhood Traffic Calming Policy.

We have made progress but we still have a long way to go; 2018 has been the most dangerous year for pedestrians in Charlotte with 28 people dying on our streets. We urge you to make bold decisions on infrastructure projects and enforcement in 2019 that protect the most vulnerable street users, those people who walk, bike, take transit and choose e-mobility options. Together let's work to prioritize people in our public spaces and it is not just the same Charlotte advocating for safer streets. Tonight, we are also bringing you the support of over 2,000 area residents who signed our getthereclt statement of support of which you have been given a copy. Their voices join ours in asking you to support ongoing funding to implement the Charlotte Walks Pedestrian Plan with more crossing opportunities and sidewalks on our busiest streets, the Charlotte Bicycle Plan including more protected infrastructure and the uptown connects and the implementation of a bicycle network map. Charlotte's commitment to vision zero, which also includes an implementation action plan and CATS Vision My Ride initiative to increase frequency of the service, the key bus route, the completion of the projects in the 2030 Transit Corridor System Plan also. We want to thank you for your time and we look forward to working with you in 2019.

**Eric Zaveri** said I was the person who went out and got a lot of those signatures and spent a lot of time, and I want to thank the community, neighborhoods and organizations that let me help get those signatures.

### **Homicide Rate in Charlotte**

**James Barnett, 1335 Dean Street** said I am here on behalf of Stop the Killing Crusade. On June 24, 2017, we kicked off a campaign as the murder rate began to increase in the City, and we believe that only God could help us decrease that murder rate. So, I come there today not to criticize you but to thank you for what you have done and to ask for your endorsement and support as we continue on our endeavor. What we would like for you to do is four things we come here to do. The murder rate will end this year with a decrease, and we've seen this happen before. What we would like to have you do is to publicly come out and thank the so called little people for helping to make Charlotte a safer place in which to live.

Don't need to mention Barnett's Stop the Killing, we tried this before and the last time we tried it you honored me. It is not about me it is about thanking the little people and second we would like to ask you to encourage them to engage in the upcoming year to make even a bigger decrease in the murder rate. Let it be known that we cannot do it without them. I come to you, and I need to be standing before the faith community but the faith community is somewhat absent in this war on drugs and violence, so by your endorsement maybe we can wake them up. The third thing we would like to do; we will be kicking off what we call a nationwide campaign to stop the killing, call upon the faith based community, based on Exodus 20:13 which says thou shall not kill, trying to get ministers involved. We commend the politicians for their action on the National Rifle Association but most of the people that kill in our community are killed by illegal guns and the faith community has got to get involved. We need more love in the streets, so we are going to be going to other cities and the fourth thing we want to do is get the cities around Charlotte. We are going before the City Councils and ask them to join Charlotte as we try to decrease the murder rate; a City that is just not complaining. There are some complaints that need to be made, but we need to show some action. We are stepping out saying we are going to do something, and I'm one that I believe that you can win this battle but it takes the people involved.

You can't blame law enforcement; you can't just look to the politicians. It has to be the everyday person on the street getting out there doing something and saying I can make this a better place. We say to the young people you take to the streets and as a civil rights activist I look at you, and I can see the products of that movement but we open doors that young people are often not going in and they take to the streets. We took to the streets because we had to, but there are some doors open that you've got to hold some people accountable, and sometimes it is your own people. We are happy to come before you and during the month of January we are going to be going around to other cities trying to get them involved and in February we are going to call for a nationwide campaign to stop the killing and join Charlotte in doing so.

### **Access 21**

**Mayor Lyles** said I have gotten some letters on this, and the City Attorney has been helping us work through this. This is a long-ago decision when we actually Cable Franchise Agreements, which are no longer around.

**Lincoln Scott, 5373 Magnolia Tree Lane** said I am one of the previous Representatives at Access 21, and we are here today- We believe that the Charlotte Mecklenburg Public Access Corp [inaudible] producers and volunteers are calling for the immediate removal of the administrative staff at Charlotte Public Access Channel. This request is primarily based on their failure to fulfill its fiduciary responsibility to the producers and adhere to the mission stations and bylaws. The Executive Director in charge with the overall function of the station and its staff, the Director has proven inaccessible and disengaging over the years despite being aware of the numerous complaints directed toward the staff but particular the station manager and every known instance the Executive Director was unwilling to acknowledge the legitimate merits of our individual and collective complaints.

Given the Executive Director's constant failure to act, we feel that our request for his immediate termination is well founded. The mission statement speaks specifically to the importance of culture of diversity. [inaudible] has failed in fulfilling this stated mandate specifically as it relates to the administrative staff. We believe that the time is long overdue for the administrative staff at Access 21 to truly reflect the diversity of the City of Charlotte. Many of our individual concerns could be corrected if a new administrative staff committed to the full execution of the mission statement were in place. A Board by statute is empowered to amend and repeal its bylaws. It should also be noted that six of the people currently sitting on the Board were assigned by City Council and three by the Mayor's Office. In conclusion, we the tax paying public charge both the Mayor and City Council with the immediate responsibility of ensuring that the Charlotte Mecklenburg Public Access Corp is truly reflecting the City of Charlotte's community objectives. We are diligent in our resolve, we insist that [inaudible] as a funding recipient be made to fully execute on its mission statement and bylaws as a 5013C entity.

**Morrell Burroughs, 16245 Glowint** said I am here just to express one more opportunity of example of unfairness at Access 21. I am a producer there, been there for four years. I want to read you this short letter of suspension; this letter is for BTG Ministry Show; you failed to submit a program schedule to run on Monday, December 4. This was your first missed program this quarter. You also have had one repeat program during the quarter. The combination of the one repeat and one missed program of a total of two place you in violation of the [inaudible] rules which require producers of a monthly program to submit a minimum of two original programs each quarter. Unfortunately, you will not be able to meet this requirement. As a result, you have been suspended for the rest of this quarter and for the quarter beginning 2018. You will be eligible to be reinstated in the quarter of 2018. This is per Mr. John Rocco. As soon as I received the letter I contacted Mr. Rocco by telephone letting him know that I DVR all my shows, and matter of fact I can see a video of it, and I did send Mr. John Rocco a video of my show and also sent the Manager of Access 21 a video. Mr. John Rocco told me we have to meet with Mr. James when he comes in Monday. When I came to the office Monday James Rosser was there, but John Rocco wasn't there. So, he told me I was still suspended after providing a copy of my show which played on my time slot. I watched it at home because I record all my shows. So, I was still suspended regardless with no investigation or nothing and I feel that is totally disrespect; it is against the bylaws of Access 21. My show was hid to voice and echo Charlotte and Mecklenburg County, the Police force, what the Councilmembers talk about. My ministry supports the community, so I think when you attack my ministry you are attacking the voice of Charlotte because that is what I echo. I work with the Sheriff's Department and the Police Department; I talk with these people and echo back to the community. I'm here to say that I feel like the administration is very unfair and they need to be removed.

**Sonya Roberts, 5951 Providence Road** said I know most of you and I just want to tell you a little bit about who I am. I have been at Access 21 over 10-years; I have a great relationship with both the producers as well as administration, which is Executive Director John Rocco. I've directed over 2,500 shows and have directed 50 shows a year so I'm truly involved, and I know most of you and we thank you so much for hearing us today. I am here because I was one of those people who did not know what was happening, and once I did hear the buzz I did speak with the Executive Director to make we keep this at a level that stayed inside of our building instead of going outside of the building, and apparently you can speak to him about that when you get the opportunity.

I'm here today because they have presented me; I told them they would have to show me in order for me to be here to stand before you guys, because I know most of you, show me just cause why I should be here so they showed you the same thing they showed me but they came with 150 petitioners. With that being said, I would like for you Mayor, to help me understand what you guys can do to help us solve the situation. If it requires replacing administration, that is what we need to do, because Charlotte has got a lot and democracy works best when it works for the people. We have a lot, and if Charlotte is for you who can be against you. I know there will be a positive results and if what the people are saying is to replace the current administration and the administration has a vision of economic mobility like you are saying and equality then that is what we are for.

Mayor Lyles said we referred this to the City Attorney's Office for a review. It seems to me that we may need to do some mediation as well which we have staff trained to do with Community Relations.

### **Technological Update on Noise Ordinance**

**Tatyana Thurston, 9200 Hampton Oaks Lane** said as a former teacher I don't know how to fill three minutes, only 60 and 90, so I will get straight to the point. I am here to represent the silent victims, who are mostly children, young adults and people who can hear this machine, and I'm here to introduce this machine to you. This is a machine that is being marketed to consumers like Lowe's and so on, and it is a wildlife repellent system. It emits a high pitched, high frequency siren; the siren goes off about 20 seconds every three to four minutes 24-hours a day, 365 days a year. You can hook it up to battery or you can hook it up to power, so it never has to fail. It also has a strobe light. I had a neighbor who had this emitting into my yard; it covers 6,000 square feet of space and emits a sound that hurts your



ears so badly you want to run. You can't run from your home. Your children can run from your home. We have all suffered from this machine, and I'm hoping and I know you are revising the noise ordinance laws along with CMPD and they are getting calls about these machines, and they don't know what these machines do. In Europe, they are banned, because they are a torture device. It was invented in World War I as crowd control. I am kind of surprised to hear that; we were discussing military use in public spaces. I want this machine to be banned at least in residential areas. I know they are used in public spaces and often they were used as repelling teens from loitering, because it hurts their ears so they won't stick around. You can't be using this and avoiding wildlife. We live with our wildlife, and you cannot be emitting these in the homes of homes who can't tell you that their ears are hurting. We personally have PTS-, from this devise, and I'm shaking just looking at it but the strobe light is totally un-appropriate flashing up side the windows of your home day and night and the function of this is to deter nocturnal wildlife.

Mayor Lyles said we will have to get back to you on what parameters we have for any kind of what seems like commercial sale.

Ms. Thurston said I just want a noise ordinance update that includes these machines, because we have no protection nor the police could help us. Laws couldn't help us, City laws couldn't help us.

### **We Love U Foundation**

**Gregorio Zambrana, 14009 Dingess Road** said I would like to thank you for this opportunity to speak to you all. I am a Representative of the International We Love U Foundation, Charlotte Chapter. We Love U's mission is to serve Charlotte, the surrounding areas and the world with the heart of a mother. The International We Love U Foundation was established in 2001 by Zahng Gil-jah as a non-profit organization that promotes unity and friendship among all people of the global village, transcending boundaries between nationality, race, religion and social economic status. We Love U makes a difference in people's lives in more than 50 countries like carrying out lifesaving blood drives, rebuilding homes after natural disasters, providing clean water to thirsting communities and educating tomorrow's youth on the importance of maintaining a clean environment. The [inaudible] and We Love U has received more than 100 honorary and Presidential awards from various countries including the United States, the President's Call to Service Award, the Royal Order of Monisaraphon from Cambodia, the Great Woman Award from Peru, and the Certificate of Honor from Mongolia. Our goal here in Charlotte is to carry out the [inaudible] vision of a happy and healthy society by working together with our local government to improve the lives of our community, whether it is by carrying out environmental protection work or any other pressing needs of the community. Looking into 2019 We Love U wants to lend a helping hand for the better of Charlotte and the surrounding areas. We look forward to working directly together to find solutions and to provide help where it matters the most.

### **Water Supply**

**Aelisha Marsh, P. O. Box 31752** said today I'm here to talk about the City water supply. Every year the City puts out a bulletin to tell the City of Charlotte that its water is up to par and a great quality. I question those bulletins every year, and its belief every time. I receive the bulletin in my post office box; my point here today is to make a stand and ask the residents of the City of Charlotte and the surrounding to do the same thing. No, today it is not a big problem as yesterday or three or four days ago, also noting the water quality changed when I was put on the City Council Agenda list. I want everybody to say something just as I am today, say something every day. Today is the day I ask the people of Charlotte to stop acting oblivious, say it. You taste it; you smell it make the proper complaint. Take a stand about something you pay for. Take the stand for the quality you should demand, the quality your water should be. I would like the people of Charlotte to make a complaint to the City of Charlotte about the taste and smells that come out of your faucets, your showers, in your coffee. I want people to stop being oblivious to the fact that your water smells like manure sometimes, like yarn sometimes, like animal feces and urine as well. I had a commercial call it pet dander in your carpet; it was a little joke I had, because the water coming out of your faucet taste just like the streets when dog urinate against the trees.

My problem here today is the way people act oblivious to the way the water tastes and smells. Your mind, your body, your soul depends on water; if your water isn't clean neither is your mind and your spirit. If you are not oblivious that your water quality is not good, I question if you personally have a complaint and wonder why you have not. I would like you to make your complaint to the City of Charlotte Mecklenburg Utilities Department; it is an easy number, 311. If that number is too short for you to remember 704-336-7600.

I would also like you to hold your City Council, Mayor and other officials of Charlotte, including your State Senators accountable for the bad water that we taste every few weeks, every day for years now. I've been in Charlotte for the last three years; I've noticed that the water in Charlotte has been poor for those three years. I've also noticed how people act very oblivious to the truth and don't understand what I'm talking about when it is your mouth. It is not hard to tell when your water taste funny; I can even taste the bleach in the water from time to time. It is also not hard to tell when your house starts to smell of bad odors when you are washing your cloths using your kitchen faucet or you are in your shower and your shower is running. It is not hard to also notice people walking down the street with your Starbuck's cup and manure is coming out of your mouth. It is hard to tell the taste is running down your throat or out of someone's mouth as they drink City water or coffee as I said or the smell that comes off your body when you come out of the shower. You drink your coffee again for example. I don't want people to ack like the City already knows or they are going to do their job about it eventually, I want people to actually call in and make the complaint; 311 is the number. It is that easy.

Mayor Lyles said maybe if you could give staff the address of the neighborhood that you are in. Marie, would you take her note where they are experiencing the water problem?

#### **Sinkhole on Property Update**

**Keith Jefferson, 6228 Eagle Peak Drive** said I have addressed this body before and this is probably just the follow-up since the work has been done at our home. We had a broken stormwater pipe on the property and part of the ordinance indicates that we own the stormwater pipe. Everybody I've talked to at the City, I would say well if I own it I can blow it up, and they were no, you can't blow it up. Well, that means I don't own it so the crux of my complaint is that the ordinance probably needs to be re-worded or something, because this is just a summary and I will read the main point. Soil erosion is we think caused this blowout, so we had a lot of standing water for the last eight or nine years. It became manifest in 2011, so we had a lot of problems with the house settling, back yard being soft, etc. etc. The City classified this as a Class B sinkhole, and it not only affected my house, but it affected my neighbor's house and the people across the street, so it is not just me. According to Charlotte Mecklenburg Storm Water, until an easement has been executed and recorded by the Mecklenburg County Register of Deeds the maintenance of any portion of the storm drainage system on private property remains the legal responsibility of the owner, but as I said earlier, if I am responsible for it that means I should be able to go out there and fix it myself, blow it up, so I think the ordinance, no I don't think, I know the ordinance is written incorrectly, because I do not own it.

I have to wait, in this case, seven-years since I recorded it on 311, I still don't know what happened prior to that. We know this is a Class B sinkhole that manifest in the backyard, but we don't know how long the water had just been sitting there. So, we are requesting now that you refund or give portions of the \$40,000 we've spent just to keep our house from cracking up. Councilmember Mayfield has been on site to see some of the things that we are going through. I have provided the receipts and everything like that. I understand that may not be what you do, but if the ordinance is incorrect, maybe we should think about rewriting it so that it makes sense, because in my opinion right now if I own it that means I can do what I wish, but if you say I can't do it that means I don't own it and now I have to live with the consequences of how long it takes the City to come in and replace it.

Mayor Lyles said I think last year Ms. [inaudible] came down and expressed that same question; we need to follow-up. We will get you a follow-up.

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### ADJOURNMENT

Motion was made by Councilmember Egleston, seconded by Councilmember Harlow, and carried unanimously to adjourn the special meeting.

The meeting was adjourned at 6:42 p.m.

A handwritten signature in black ink that reads "Emily A. Kunze". The signature is written in a cursive, flowing style.

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Emily A. Kunze, Deputy City Clerk, NCCMC

Length of Meeting: 3 Hours, 40 Minutes  
Minutes Completed: December 31, 2018