

Charles C. Meeker, Mayor
James P. West, Mayor Pro Tem
Mary-Ann Baldwin
Thomas G. Crowder
Bonner Gaylord
Nancy McFarlane
John Odom
Russ Stephenson

1:00 P.M., TUESDAY
MARCH 16, 2010
THE COUNCIL CHAMBER

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A. MEETING CALLED TO ORDER BY THE MAYOR

1. Invocation - Father Mark G. Reamer, OFM, St. Francis of Assisi Roman Catholic
2. Pledge of Allegiance

B. RECOGNITION OF SPECIAL AWARDS**C. CONSENT AGENDA**

All items on the consent agenda are considered to be routine and may be enacted by one motion. If a Councilor requests discussion on an item, the item will be removed from the consent agenda and considered separately. The vote on the consent agenda will be a roll call vote.

1. Petition Annexations

<u>Area Name Contiguous</u>	<u>Petitioner</u>	<u>Acres</u>	<u>Proposed Use</u>
3812 Noremac Drive/ Cameron Property	Beulah B. Cameron	.48	Residential
Bazemore's Property	Mike L. Bazemore/Bazemore Family Limited Partnership	4.18	Industrial

Recommendation:

1. That these annexation petitions be acknowledged and that Council request the City Clerk to check their sufficiency pursuant to State statutes, and except as noted below, and if found sufficient advertise for public hearing on Tuesday, April 20, 2010.
2. Because the property located at 3812 Noremac Drive is connecting to City sewer only and City water is not available at this time, it is recommended that the annexation of this property be deferred.

2. Road Races**2.1 YMCA and Baileywick Road Vicinity**

Thys Wind, representing Endurance Magazine, requests to hold a race on Sunday, May 23, 2010, from 8:00 a.m. until 10:30 a.m.

Recommendation:

Approve subject to conditions on the report in the agenda packet.

2.2 Trinity Baptist Church - Six Forks Road Vicinity

Ren Wiles, representing the North Raleigh Alliance of Churches, requests to hold a race on Saturday, September 1, 2010, from 9:00 a.m. until 10:30 a.m.

Recommendation:

Approve subject to conditions on the report in the agenda packet.

3. Temporary Street Closings**3.1 3600 Block of Alamance Drive**

Isabel Mattox, representing her neighborhood, requests a street closure on Saturday, April 10, 2010, from 4:00 p.m. until 10:00 p.m. for a neighborhood block party.

She also requests a waiver of all City Ordinances concerning the possession and consumption of alcoholic beverages on City property and a waiver of the amplified noise ordinances.

Recommendation:

Approve subject to conditions on the report in the agenda packet.

3.2 1400 Block of Doughton Street

Leslie Howes, representing her neighborhood, requests a street closure on Saturday, April 17, 2010, from 3:00 p.m. until 8:00 p.m. for an annual neighborhood celebration.

She also requests a waiver of all City Ordinances concerning the possession and consumption of alcoholic beverages on City property and a waiver of the amplified noise ordinances.

Recommendation:

Approve subject to conditions on the report in the agenda packet.

3.3 200 Block of East Hargett

Paul White, representing the Wake County SPCA, requests a street closure on Saturday, April 17, 2010, from 10:00 a.m. until 12:30 p.m. for a fundraising pet walk.

He also requests the encumbrance of all parking spaces on the east side of the 200 block of South Blount Street and all parking spaces on the 200 Block of East Hargett Street.

Recommendation:

Approve subject to conditions on the report in the agenda packet.

3.4 100 Block of East Cabarrus Street

Pat Dickenson, representing the Lincoln Theater and Band Together, requests a street closure on Saturday, May 22, 2010, from 9:00 a.m. until 2:00 a.m. on Sunday, May 23, 2010, for an outdoor musical event.

She also requests a waiver of all City Ordinances concerning the possession and consumption of alcoholic beverages on City property and a waiver of the amplified noise ordinances.

Recommendation:

Approve subject to conditions on the report in the agenda packet.

4. Requests for Public Hearing - Proposed Text Change/TC-XX-10 Pedestrian Access

Authorization is requested to initiate a text change to Section 10-2091 of the zoning code. This section deals specifically with pedestrian access from the public right-of-way to a principal use or structure and is applicable to administratively-approved site plans as well

as those approved by the Planning Commission. The code currently requires that for any of the listed uses located within 400 feet of the right-of-way must provide a pedestrian connection. The proposed text change would expand the list of uses, remove the 400-foot proximity standard and require multiple points of access to and through the site, and provide standards for pedestrian connections.

The proposed text change has been prepared to implement the following Comprehensive Plan policies:

- Policy LU 4.5- Connectivity
- Policy LU 7.6- Pedestrian Friendly Development
- Policy UD 2.3- Activating the Street

Recommendation:

Authorize the text change for the Tuesday, April 20, 2010, public hearing.

5. Easements

5.1 Easement Setback Reduction - Jones Sausage Road Widening Project

Council authorization is requested for the reduction of required front yard setback for one property that is non-conforming because of the Jones Sausage Road Widening Project. The property is located at 4601 Rock Quarry Road owned by William F. Warren. The current property setback is 42.0 feet and the new property setback after the project will be 19 feet which is non-conforming to City Code.

Recommendation:

Approve.

5.2 Easement Setback Reduction - Rock Quarry Road Widening Part B

Council authorization is requested for the reduction of required front yard setback for three properties that are non-conforming because of the Rock Quarry Road Widening Project Part B. The properties are located at 4309 Rock Quarry Road owned by Franklin W. Parker & Elena Plakhotnikova, 4313 Rock Quarry Road owned by Durrell L. McCray and 4405 Rock Quarry Road owned by Wayne Timberlake. The current property setback is 42.0-44 feet and the new property setback after the project will be 28-29 feet which is non-conforming to City Code.

Recommendation:

Approve.

6. Consultant Services - Buck Jones Road Widening - Fee for Design Services Agreement

The consultant selection process has been followed and an agreement was negotiated with the selected consultant, URS Corporation - North Carolina, for the Buck Jones Road Widening project. The negotiated design fee is \$478,426.03 to include roadway, culvert replacement, utility relocation, drainage, erosion control, traffic control, pavement marking, and signing plans as well as environmental approvals and permitting. The design will also include surveys, public and private subsurface utilities location, geotechnical investigation, landscaping design, traffic planning and preparation of right of way plats for right of way acquisition. Funding is available in account 531-2210-790010-00975-00000-CIP02-98980000.

The total fees are in line with current market fee estimates. The consultant is proposing to use 19% MWBE participation.

This agreement has been reviewed by the City Attorney's office.

Recommendation:

Approve the City Manager's execution of the design agreement. Funds will be transferred administratively.

7. Personnel Changes

7.1 Position Transfer and Position Title Change Related to Development Services Reorganization

As part of the creation of the Development Services Customer Service Center, there is the need to transfer and change the position title of a Permit Specialist (PC#3756, Job Code 0036, PG 29) from the Inspections Department to a Planning Assistant (PG 3756, Job Code 1105, PG 29) to the Planning Department.

Funds will be transferred administratively.

Recommendation:

Approve the transfer and position title change effective March 27, 2010.

7.2 Finance Department - Position Reclassifications

The Finance Department is reorganizing several functions within the accounting area in response to changing processes and new managerial responsibilities. The Personnel Department is working with the Finance Department to review duties and appropriate position titles and classifications. Two initial positions that have been recommended for change within the accounting area are [1] the Assistant Controller position (Class 0179, Pay Grade 42) which would retain its class code and title (working title to be: Assistant Controller-Strategic Development) and a change in classification to Pay Grade 41 and [2] the Accounting Manager position (Class 0160, Pay Grade 40) which would also retain its class code but would change title and pay grade to Accounting Services Manager, Pay Grade 41. Funding is available in the salary budget for the small differential.

Recommendation:

Approve the proposed position and title reclassifications.

7.3 Public Affairs Department/Print Services - Position Reclassification

To better utilize resources, the department is requesting to reclassify the current position of Equipment Operator (Pay Grade 27) to Print Production Assistant (Pay Grade 31, code 1103, position number 3754).

This position is needed to handle increasing accounting activities for the Print Services Division which include vendor payments and billing to City departments, as well as print production support and customer service. The reclassification of this position has been reviewed and approved by the Personnel Department. Funding is currently available in the budget.

Recommendation:

Approve reclassification request.

8. Encroachment Requests**8.1 Poole Road at Cooper Road**

A request has been received from the Worthdale Neighborhood Association to encroach on City right-of-way for the purpose of installing a neighborhood entrance sign. A report is in the agenda packet.

Recommendation:

Approve the encroachment subject to completion of a liability agreement and documentation of proof of insurance by the applicant.

8.2 216 Fayetteville Street

A request has been received from the AJ Fletcher Foundation to encroach on City right-of-way for the purpose of installing a metal canopy on Fayetteville Street, and two outwardly swinging doors for emergency egress. A report is in the agenda packet.

Recommendation:

Approve the encroachment subject to completion of a liability agreement and documentation of proof of insurance by the applicant.

9. Budget Amendments**9.1 Police**

The following accounts should be increased by:

Revenue Account:

100-0000-532900-000	Miscellaneous Revenue	\$5,401
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Expense Account:

100-4010-752900-361	Capital Equipment-Other	\$5,401
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Purpose:

The Police Department requests an appropriation of \$5,401 from the Police Ammo Brass account (100-0000-223280-000) for an equipment shelter to protect tractors, mowers, and other range equipment. The Police Ammo Brass account was set up for improvements at the range. The funds in the account are provided from recycling spent casings after qualification.

9.2 Police

The following accounts should be increased by:

Revenue Account:

100-0000-532980-000	Appropriation from Special Reserve	\$60,000
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Expense Account:

100-4040-752900-392	Capital Equipment-Other	\$60,000
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Purpose:

A license plate camera is needed for the Police Department's Raleigh Intelligence Center. The camera will be installed on a trailer and moved to strategic locations. This mobile equipment will be used in various law enforcement functions to increase department productivity and enhance security

measures. The Department requests an appropriation of \$60,000 from the Police-Asset Forfeiture fund balance reserve (100-0000-400010-40014) for this purpose. Per the U.S. Department of Justice's Asset Forfeiture and Money Laundering Section, it is permissible to use these funds for this purpose so long as the use of federal asset forfeiture funds does not supplant the Police Department's regular budget.

10. Major Water and Sewer Reimbursement Contract

Water Area 93 Contract #16
 Wake Partners, LLC/
 Offshore Drive and Horseback Lane/
 Construction of 12 inch and larger water mains
 Total Reimbursement \$59,051.40

Recommendation:

Approve contract.

11. Condemnation Requests

Negotiations have, thus far, been unsuccessful with the following property owners to acquire the right of way and other easements needed for the Jones Sausage Road Improvements Project. To keep this project moving forward, staff recommends that Council authorize condemnation to acquire the right of way and other easements needed from the following properties:

Robert H Brown, Sr. and William J. Brown - 2200 S. New Hope Road
 Parish Manor, Inc. - 0 Parrish Manor Drive
 Parish Manor 1, Inc. - 3301 Arnbridge Court, Garner
 Christopher C. Parrish & Anthony E. Parrish - 3631 Ardmore Drive
 Stone & Stone Associates, LLC - 3905, 4001, and 4005 Jones Sausage Road
 The Stephens Center, Inc. - 3001 & 3301 Jones Sausage Road & 0 Rock Quarry Road
 Capstone Realty, Inc. - 4901 and 5125 Rock Quarry Road
 Smith Land and Improvements Corporation - 3561 Jones Sausage Road

Recommendation:

Approve.

Efforts have been unsuccessful to obtain needed easements; therefore, it is recommended that a resolution of condemnation be authorized for the following:

Project Name: Capital Area Transit Passenger Amenity Improvements
 Name: Water Investments Inc. ET. Al.
 Location: 4405 Falls of Neuse Road

Recommendation:

Approve.

Efforts have been unsuccessful to obtain needed easements; therefore, it is recommended that a resolution of condemnation be authorized for the following:

Project Name: Rock Quarry Road Widening Project-Part B
 Name: Jackie Johns Sr., Trustee
 Location: 3808 Rock Quarry Road

Name: Jennifer Ayscue
 Location: 3914 Rock Quarry Road

Name: Dwight A. Peebles & Marguerite D. Peebles
 Location: 4501 Rock Quarry

Name: Erich A. Barbour & Evelyn M. Barbour
 Location: 2720 Holloway Road

Name: Erich A. Barbour & Evelyn M. Barbour
 Location: 2725 Holloway Road

Name: Erich A. Barbour & Evelyn M. Barbour
 Location: 4009 Rock Quarry Road

Recommendation:

Approve.

12. Change Orders

12.1 Glenwood Avenue Force Main Rehabilitation Project - Change Order #6 - Pipeline Utilities, Inc.

This change order is for a net increase of \$1,500,000 and time extension of 90 calendar days.

Reason:

For additional work including emergency sewer main repair work on a time and material basis. Any money not used for the current emergency sewer replacement work will remain in the contract for future emergencies or be deducted from the contract when the project is complete. The current emergency replacement work that is ongoing is estimated at \$1.4 million. The Public Utilities Department has received approval from the Purchasing Department to handle emergency work in this manner as opposed to doing an emergency purchase order since the bonding and insurance requirements that the City requires will be in place when handling it through a contract change order. The emergency sewer replacement work currently underway is at the North Bank Crabtree Creek Replace/Rehab at Anderson Drive and at Wildcat Branch Sanitary Sewer Main Replacement off Hammond Road.

History:

Original contract amount	\$2,588,745
Previous net changes (ADD)	\$1,326,968.54
New contract amount	\$5,415,713.54

Budgetary accounts to be amended:

Transferred From:

349-5210-790010-975-CIP01-84680000	\$ 500,000
Main Replacement	
349-5210-790010-975-CIP01-91690000	<u>1,000,000</u>
Crabtree Cr/Glenwood to Capital	
	\$1,500,000

Transferred To:

349-5210-792020-975-CIP01-84680000	\$ 500,000
Main Replacement	
349-5210-792020-975-CIP01-91690000	<u>1,000,000</u>
Crabtree Cr/Glenwood to Capital	
	\$1,500,000

Recommendation:

Approve the change order in the amount of \$1,500,000, time extension of 90 calendar days, and the budgetary transfer. Funds will be transferred administratively.

12.2 Neuse River East Parallel Interceptor Sewer, Phase II Project - Change Order #3 - Park Construction of NC, Inc.

This change order is for a net increase of \$339,813.13.

Reason:

For additional work to include the replacement of sanitary sewer along Big Branch at Orleans Place.

History:

Original contract amount	\$6,859,397.93
Previous net changes (ADD)	\$1,919,644.93
New contract amount	\$9,118,855.99

Budgetary accounts to be amended:

Transferred From:

349-5210-790010-975-CIP01-84680000	\$339,814
Main Replacement	

Transferred To:

349-5210-792020-975-CIP01-84680000	\$339,814
Main Replacement	

Recommendation:

Approve the change order in the amount of \$339,813.13 and the budgetary transfer. Funds will be transferred administratively.

13. Transfers

13.1 Fire

It is recommended that the following transfer be authorized:

Transferred From:

100-4220-708900-450	Contractual Services - Other	\$20,000
100-4230-708900-450	Contractual Services - Other	30,000
100-4230-713110-450	Wireless Data Communication	7,000
100-4230-713080-450	Cellular/Wireless Lines	<u>3,000</u>
		\$60,000

Transferred To:

100-4230-752130-450	Fire Suppression Equipment	\$60,000
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Purpose:

To provide funding to purchase Humat valves to aid apparatus in obtaining quicker and more adequate water supply when fighting fires.

13.2 Public Utilities

It is recommended that the following transfer be authorized:

Transferred From:

310-5220-720020-627	Reserve Contingency	\$66,000
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Transferred To:

310-5220-706010-627	Small Equipment	\$26,000
310-5220-75290-627	Capital Equipment-Other	<u>40,000</u>
		\$66,000

Purpose:

To provide funds for expenditures for the D.E. Benton Water Treatment Plant.

13.3 Public Utilities

It is recommended that the following transfer be authorized:

Transferred From:

348-5210-790010-975-CIP01-90260000	Water Tank Rehab/Maint	\$ 500,000
348-5210-790010-975-CIP01-97770000	EM Johnson WTP Warehouse Expansion	<u>683,801</u>
		\$1,183,801

Transferred To:

348-5210-793080-975-CIP01-90260000	Water Tank Rehab/Maint	\$1,183,801
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Purpose:

To provide funds for the annual fee for Utility Service Company, Inc., to continue professional services for maintenance and asset management of the City of Raleigh's water storage tanks, including annual inspection, cleaning, repainting and servicing of each tank as required to ensure each structure is in sound, watertight, clean and safe condition.

14. Bids

14.1 House Creek Greenway

Bids for the construction of the House Creek Greenway Trail extending from the eastern end of the pedestrian bridge over I440 to the Crabtree Valley Trail located at the intersection of Crabtree Valley Boulevard and Blue Ridge Road were received on December 15, 2009. This project also includes the construction of a connector trail from the intersection of Ridge Road and Wade Avenue to the existing Reedy Creek Trail. Six bids were received with the low bid of \$3,827,380 from Blythe Construction. The engineer's estimate for the project is \$3,896,578.02. The City has entered into two Municipal Agreements with NCDOT for the project, E-4929 and EB-4979, which provides funding in the amount of \$225,000 and \$400,000 respectively for the project. A condition of the Municipal Agreements is that the contract must meet the state Disadvantaged

Business Enterprise (DBE) requirements in lieu of the City Minority and Women-owned Business Enterprise (MWBE) requirements. The DBE goal established for this project is 9%. Blythe Construction has reported DBE participation of 9%, and meets the NCDOT goal for this project.

Funds must be transferred as follows:

Transferred From:

636-6210-792020-975-CIP03-88930000	\$ 847,056
Walnut Crk Grnwy South Saunders to Lake Wheeler	
515-2210-792900-975-CIP02-82950000	56,300
Sidewalk Improvement Fund	
636-6210-790010-975-CIP03-99300000	<u>1,500,000</u>
Neuse River Completion	
	\$2,403,356

Transferred To:

636-6210-792020-975-CIP03-93210000	\$2,403,356
House Creek Greenway	

Recommendation:

Award a construction contract to Blythe Construction for the House Creek Greenway Project in the amount of \$3,827,380 and approve the transfer of funds.

14.2 Falls of Neuse Road Realignment and Widening-Phase I, PW 2010-03, DeVere Construction Company, Inc.

Bids were received on February 4, 2010, for the Falls of Neuse Road Realignment and Widening, Phase I project with DeVere Construction Company, Inc submitting the low bid of \$7,484,027.55. DeVere Construction Company, Inc.'s MWBE participation is 13.9%. Funding is available in account 531-2210-790010-000975-00000-CIP02-94550000.

The project is partially funded by FHWA STP-DA funds made available through NC DOT. As a result, NC DOT's approval is required prior to the City's execution of the construction contract.

Recommendation:

Approve and authorize the City Manager to execute the construction contract with the low bidder, DeVere Construction Company, Inc. pending the Secretary for the North Carolina Department of Transportation's concurrence with the bid in the amount of \$7,484,027.55. Funds will be transferred administratively.

15. Traffic

Ordinances adopted by the City Council authorizing the following traffic changes will become effective seven days after Council action unless otherwise indicated.

15.1 Commercial Loading Zone - Salisbury Street

It is recommended that the hours for an existing Commercial Loading Zone located on the west side of Salisbury Street be changed to be effective twenty four hours a day, seven days a week.

A request was received by the Raleigh Convention Center to have the hours changed for the commercial loading zone located on Salisbury Street. They are the primary users of this commercial loading zone, and making this change will

help to ensure they are able to utilize this loading zone outside of the typical business day hours.

Recommendation:

Approve and amend the following Traffic Schedule.

Delete from Traffic Schedule 24:

Salisbury Street, west side, beginning at a point 88 feet north of Lenoir Street, northward 120 feet.

Add to Traffic Schedule 24:

Salisbury Street, west side, day and night, beginning at a point 88 feet north of Lenoir Street, northward 120 feet.

15.2 Single Space Meter Removal

As part of the paystation parking meter implementation, it is recommended that the following single space meters be removed from areas on the fringe of the central business district that have low usage. These spaces are recommended to be changed to time limit zones.

Recommendation:

Approve and amend the following Traffic Schedules.

Delete from Traffic Schedule 20A:

Jones Street, north side, beginning at a point 98 feet east of Harrington Street, eastward 33 feet.

Lane Street, north side, beginning at a point 30 feet west of Blount Street, westward 90 feet.

New Bern Avenue, north side, beginning at a point 162 feet east of Person Street, eastward 60 feet.

Delete from Traffic Schedule 20B:

Wilmington Street, west side, between Edenton Street and Jones Street.

Delete from Traffic Schedule 20C:

Bloodworth Street, west side, between New Bern Avenue and Hargett Street.

Hargett Street, south side beginning at a point 50 feet east of Person Street, eastward 42 feet. Hargett Street, south side, from West Street, westward, 2 spaces.

Harrington Street, east side, between Hillsborough Street and Edenton Streets.

Jones Street, both sides, between Wilmington Street and Blount Street.

Jones Street, north side, between McDowell Street and Salisbury Street.

Lane Street, north side, between Salisbury Street and McDowell Street.

Lane Street, south side, from Blount Street westward 185 feet.

North Street, south side, from Wilmington Street, eastward 256 feet.

Polk Street, both sides, beginning at Wilmington Street, eastward 125 feet.

Salisbury Street, west side, beginning at a point 240 feet north of North Street, northward 452 feet.

West Street, west side, from Hillsborough Street, southward 64 feet.

Delete from Traffic Schedule 20D:

Blake Street, east side, between Davie and Martin Streets.

Blake Street, west side, between Davie Street and Wolfe Street.

Blount Street, west side, between Lane Street and Jones Street.

Edenton Street, north side, between Harrington Street and Dawson Street.

Hargett Street, north side, beginning at a point 280 feet east of Person Street, eastward to Bloodworth Street.

Harrington Street, east side, beginning at a point 72 feet north of Edenton Street, northward 95 feet.

Jones Street, both sides, between Dawson Street and Harrington Street.

Lane Street, north side, beginning at a point 130 feet west of Blount Street westward to Wilmington Street.

Person Street, west side, between Lenoir Street and Cabarrus Street.

West Street, east side, between Hillsborough Street and Edenton Street.

Add to Traffic Schedule 15A:

Jones Street, north side, beginning at a point 126 feet east of Harrington Street, eastward 65 feet.

Lane Street, north side, beginning at a point 30 feet west of Blount Street, westward 90 feet.

New Bern Avenue, north side, beginning at a point 162 feet east of Person Street, eastward 60 feet.

Add to Traffic Schedule 15B:

Wilmington Street, west side, between Edenton Street and Jones Street.

Add to Traffic Schedule 15C:

Bloodworth Street, west side, beginning 72 feet north of Hargett Street, northward 107 feet.

Bloodworth Street, west side, beginning 335 feet north of Hargett Street, northward 147 feet.

Hargett Street, south side beginning at a point 50 feet east of Person Street, eastward 42 feet.

Harrington Street, east side, between Hillsborough Street and Edenton Streets.

Jones Street, both sides, between Wilmington Street and Blount Street.

Jones Street, north side, between McDowell Street and Salisbury Street.

Lane Street, north side, between Salisbury Street and McDowell Street.

Lane Street, south side, beginning 25 feet west of Blount Street westward 144 feet.

North Street, south side, from Wilmington Street, eastward 256 feet.

Polk Street, both sides, beginning at Wilmington Street, eastward 125 feet.

Salisbury Street, west side, beginning at a point 526 feet north of Lane Street, northward 426 feet.

West Street, west side, beginning 25 feet south of Hillsborough Street, southward 54 feet.

Add to Traffic Schedule 15D:

Blount Street, west side, between Lane Street and Jones Street.

Edenton Street, north side, between Harrington Street and Dawson Street.

Harrington Street, east side, beginning at a point 72 feet north of Edenton Street, northward 95 feet.

Jones Street, north side, beginning 155 feet west of Dawson Street, westward 34 feet.

Jones Street, north side, beginning 25 feet east of Jones Street, eastward 101 feet.

Lane Street, north side, beginning at a point 200 feet west of Blount Street westward to Wilmington Street.

West Street, east side, between Hillsborough Street and Edenton Street.

THIS IS THE END OF THE CONSENT AGENDA

D. REPORT AND RECOMMENDATION OF THE PLANNING COMMISSION

1. No report.

E. SPECIAL ITEMS**1. Senate Bill 44**

During discussion of TC-1-10 - Development Plan Review Process, questions relative to Senate Bill 44 occurred and the Council directed that the item be placed on this agenda so that the Council could consider whether or not to request amendment to Senate Bill 44 or ask that it be repealed.

2. Hillsborough Street Bicycle Accommodations

During the February 2, 2010, Council meeting, the Public Works Committee recommended that staff be authorized to approach NCDOT with a proposed design for striping bicycle lanes along Hillsborough Street according to figure 2 as outlined in the staff memorandum dated January 22, 2010. The Committee further recommended that the City Council authorize a public hearing for the proposed amendment to the Comprehensive Plan at the joint City Council/Planning Commission meeting in July, 2010.

Mr. Stephenson pointed out since the Committee meeting, conversations with some of the bicycle advocates as well as the Hillsborough Street Stakeholders have taken place and they asked that the item be held until March 16, to give additional time for further discussions.

3. Metro Mayors Advocacy Agenda

During the March 2, 2010, Council meeting, Councilor Baldwin presented the Metro Mayors Advocacy Agenda and talked about the City's Legislative Agenda for the short session. She reported everyone felt it would be a very short session and possibly the City should put all of its efforts into defending attempts of revenue grabs. Information on the Metro Mayors Advocacy Agenda for 2010 had been distributed to the Council. Mr. Crowder moved that the City of Raleigh support the Advocacy Agenda as submitted. After brief discussion on the Advocacy Agenda, it was agreed that the matter would be placed on this agenda for further consideration. A copy of the 2010 Metro Mayors Advocacy Agenda is in the agenda packet.

F. REPORT AND RECOMMENDATION OF THE CITY MANAGER**1. Five Points Charrette Quick Fixes Implementation Update**

In September 2009, the City Planning and Public Works Departments held a visioning charrette for the Five Points area. The charrette resulted in a report received by Council in January that identified strengths, weaknesses, and opportunities for area, listed recommendations, and illustrated alternate concepts for the future of the area. The report also identified a number of potential quick fixes generated by the charrette attendees. Staff has been requested to provide an update on the implementation of those potential quick fixes. Included in the agenda packet is a memo that identifies the quick fixes and the status of each item.

Recommendation:

That the report be received.

2. Unified Development Ordinance - Phase 1 Diagnostic and Approach Report

The Department of City Planning has contracted with the consulting company Code Studio to draft a Unified Development Ordinance. Phase I of the contract calls for the completion of a Diagnostic Report (critical analysis of the City's current Zoning Code and Subdivision Regulations) and Coding Approach Report (recommendations on alternative coding approaches and format). The consultants have completed the Diagnostic and Approach Report and the citizen comment period commenced on February 3, 2010, and will continue through March 31, 2010. The Report has been posted on the City's online Limehouse portal for public review and comment. The consultants will be in town on March 15 - 17 to hold three public presentations on the Diagnostic and Approach Report. The consultants will provide an educational workshop on the key elements of the Diagnostic and Approach Report to the City Council.

Recommendation:

Receive the consultants Diagnostic and Approach Report presentation for information purposes.

G. REPORT AND RECOMMENDATION OF THE UPPER NEUSE CLEAN WATER INITIATIVE

1. Reid Wilson, Executive Director of Conservation Trust of North Carolina, will provide an update on the Upper Neuse Clean Water Initiative. Additional information is in the agenda packet.

H. REQUESTS AND PETITIONS OF CITIZENS (2:00 P.M. OR AFTER)

1. [Elijah Holloway](#), IMPPS/Handicapped Service, would like to appeal the provisions of the taxicab ordinance pertaining to amber trouble lights and make suggestions relative to changes in the taxicab ordinance.
2. [Harold Dover](#) would like to discuss the amber light proposal for taxicabs and make suggestions relative to the locking of the men's restrooms when meetings are being held in the Council Chamber.
3. [Joseph Johnston](#) would like to discuss integrated neighborhood schools and issues he feels discourage integrated neighborhood schools such as zoning, parking requirements, etc.
4. [Tim Pflaum](#), Band Together, would like permission to install a banner across Glenwood Avenue near Peace Street and across Fayetteville Street during the period May 1, 2010, through May 23, 2010, relative to the upcoming Band Together concert outside the Lincoln Theatre.
5. [Gary Stansbury](#) would like to refute the code interpretation regarding roadside sale of shrimp in Raleigh, the method of notification of reversal and request restoring his rights to sell shrimp on Glenwood Avenue.
6. [Portia Griffis](#) would like for the City Council to establish a day for prescription drug abuse awareness and have facilities for unused prescription medications to be turned in.

7. [Cynthia M. Moss and Hazel S. Wrenn](#) would like to discuss the collapse of a stormwater drain between 4914 and 4918 Lakemont Drive and request emergency assistance in fast tracking of the project.
8. [Willy Stewart](#), Sassafrass All Children’s Playground, would like to provide a brief update of the project and announce the upcoming Dick Hoyt event on April 10.
9. [Doug Johnson, II](#), Veterans Stand-down, would like to talk about the 2010 Capital Area Veterans Stand-down scheduled for March 25, at the South Wilmington Street Center.
10. [William A. Allen, III](#), Cameron Village Neighborhood Association, would like to request the Council to sponsor rezoning of 117 single family homes in their neighborhood from R-10 and R-6 to Special R-6. Additional information is in the agenda packet.

I. MATTERS SCHEDULED FOR PUBLIC HEARING (2:00 P.M. OR AFTER)

1. [A hearing to consider the adoption of an ordinance prohibiting occupancy of the unfit dwellings](#) until repaired to comply with the requirements of the Housing Code and pursuant to the provisions of Section 10-6130 of the Code of the City of Raleigh:

<u>LOCATION</u>	<u>PROPERTY OWNER</u>	<u>TAX ID NO.</u>	<u>TIME LAPSE</u>
905 East Edenton Street (C)	Peter Sandaluk	0027357	173 days
1814 Watkins Street (C)	Linda H. Neal Weese	0050486	299 days

2. [A hearing to consider the adoption of an ordinance authorizing the demolition of the unfit buildings](#) as listed below and pursuant to the provisions of Section 10-6131 of the Code of the City of Raleigh:

<u>LOCATION</u>	<u>PROPERTY OWNER</u>	<u>TAX ID NO.</u>	<u>TIME LAPSE</u>
3915 Alder Grove Lane (C)	Leon Loyd	0334759	183 days

3. [A hearing to adopt an Ordinance authorizing the demolition of the unfit buildings as listed below](#) and pursuant to the provisions of Section 10-6127(d) of the City Code if the repairs necessary to render the dwellings fit for human habitation are not completed within ninety (90) days:

<u>LOCATION</u>	<u>PROPERTY OWNER</u>	<u>TAX ID NO.</u>	<u>VACATED & CLOSED</u>
2017 Atkins Drive (C)	Clayton Ray Evans	0077853	January 7, 2009
1216 Garner Road (C)	Mona Lisa Whitaker	0075993	September 19, 2008
210 Myers Avenue (C)	Sarah J.A. Coats Barbour c/o Janet A. Barbour	0013643	December 1, 2008
207 East South Street (C)	Angela K. Gupta	0022612	September 22, 2008

4. [A hearing to consider the adoption of a resolution confirming the charges for the abatement](#) of public nuisances as a lien against the property as listed below:

<u>LOCATION</u>	<u>PROPERTY OWNER</u>	<u>TAX ID NO.</u>	<u>ABATEMENT</u>
1100 Bunche Drive (C)	Anthony W. & Tremia R. Haythe	0018775	\$245
704 Hartford Road (C)	Jason Willard	0027948	\$325
3311 Tryon Road (D)	Milton Owens Battle	0071482	\$475

3327-3329 Tryon Road (D)	Ann Rice Williams	0072469	\$775
1840 Vintage Road (C)	Vineyards Homeowners Association	0053396	\$350

5. A hearing to consider the petitioned annexation of property known as Tatia Auto Sales and intervening right-of-way. If following the hearing the Council wishes to proceed, it would be appropriate to adopt an ordinance annexing the property effective June 30, 2010, and a resolution placing the property in City Council electoral district C.

J. REPORT AND RECOMMENDATION OF THE BUDGET AND ECONOMIC DEVELOPMENT COMMITTEE

1. No report.

2. **Items Pending**

Item #07-60 - Tarboro Road Area - Public Safety Concerns (11/3/09)
Trains - Quiet Zones Downtown

K. REPORT AND RECOMMENDATION OF THE COMPREHENSIVE PLANNING COMMITTEE

1. No report.

2. **Items Pending**

Item #07-60 - Hillsborough Street Streetscape and Parking Plan - Update (8/4/09)
Item #09-02 - TC-11-09 - Soil and Sedimentation Control (2/2/10)
Item #09-05 - TC-7-09 - Front Yard Parking for Single Family Detached Dwellings (2/16/10)

L. REPORT AND RECOMMENDATION OF THE LAW AND PUBLIC SAFETY COMMITTEE

1. **Claim - Fallen Tree - 309 Angier Avenue**

The Committee recommended supporting the recommendation of the City Attorney to deny this claim.

2. **Amplified Entertainment Ordinance**

The Committee suggested Amra's apply for a Special Use Permit to resolve their issue. The Committee is holding the item to further discuss the noise ordinance in general and to look at how to address ambient noise versus amplified noise.

3. **Items Pending**

Item #09-01 - Amplified Entertainment Ordinance (12/1/09)
Item #09-02 - Sanderson Drive and Wake Drive - Traffic Concerns (12/1/09)
Item #09-04 - Pawnshops-Location (2/2/10)
Item #09-05 - Claim - Sewer Backup - 5309 North Hills Drive (2/16/10)

M. REPORT AND RECOMMENDATION OF THE PUBLIC WORKS COMMITTEE

1. **Honeycutt Park Greenway - Concerns**

By split vote, the Committee recommends upholding staff's recommendation to approve the portion of the 60% Proposed Design from Strickland Road northward including stormwater improvements at the intersection of Honeycutt Road and Loniker Drive. The Committee also recommends staff approach NCDOT regarding installing a flashing light

at the point where the greenway crosses Honeycutt Road north of the Loniker Drive intersection. A map of the proposed alignment is in the agenda packet.

2. No Parking Zone - Manorbrook Road.

By split vote, the Committee recommends adopting an ordinance amending Traffic Schedule 13 to add a No Parking Zone along the south side of Manorbrook Road from Reedy Creek Road to Sarahcreek Court to read as follows:

Add to Traffic Schedule 13:

Manorbrook Road, south side, beginning at Reedy Creek Road, westward to Sarahcreek Court.

3. Items Pending

Item #07-68 - Stormwater and Public Utilities Systems - Possible Merger (10/20/09)

Item #09-02 - Sewer AR 1312 - Planna Terra Annexation Area (12/1/09)

Item #09-03 - Water AR 1339 and Sewer AR 1340 - Green Valley/Garden Acres Annexation Area (1/5/10)

Item #09-04 - Traffic Concerns - Faircloth Street and Oberlin Road (1/5/10)

Item #09-07 - Stormwater Drainage - Method Road (2/2/10)

Item #09-08 - Street Improvements - Falls of Neuse Road (2/2/10)

N. REPORT OF MAYOR AND COUNCIL MEMBERS

O. APPOINTMENTS

The following committees have appeared on past agendas and some nominations have been made. The Council may take action to make appointments or if the nominations have not been closed, which would be indicated on the agenda, additional nominations may be made on the ballot in the agenda packet. An asterisk beside a name means that person is presently serving on that board or commission.

Civil Service Commission - One Vacancy - Business Representative

No nominees

Human Relations Commission - Two Vacancies

Chris Moutos (West/Baldwin)

Planning Commission - One Vacancy

Peter Batchelor (Meeker/Crowder)

Matthew Martin (Gaylord) (to be withdrawn)

Stormwater Management Advisory Commission - One Vacancy

Everette Knight (Crowder/Stephenson)

Ralph Thompson (Baldwin)

Chris Bostic (Odom)

Substance Abuse Advisory Commission - One Vacancy

No nominees.

P. NOMINATIONS**Substance Abuse Advisory Commission - One Vacancy**

The term of Stephanie Payne has expired. I have been unable to contact Ms. Payne about her desires on being considered for reappointment. She has not been attending meetings.

Q. REPORT AND RECOMMENDATION OF THE CITY ATTORNEY**R. REPORT AND RECOMMENDATION OF THE CITY CLERK**

1. [Minutes of the March 2, 2010, Council meeting will be presented.](#)

S. CLOSED SESSION

1. Confirmation of the 2010 Environmental Award winners.