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The City Council of the City of Charlotte, North Carolina, met in regular session on the 14th day of April, 1975, at 2:00 o'clock p.m., in the Council Chamber, City Hall, with Mayor John M. Belk presiding, and Councilmembers Harvey B. Gantt, Kenneth R. Harris, Pat Locke, Milton Short, James B. Whittington, Neil C. Williams, and Joe D. Withrow present.

ABSENT: None.

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INVOCATION.

The invocation was given by Councilman Whittington.

WEEK OF APRIL 13-19 PROCLAIMED AS CHARLOTTE CHECKER WEEK.

Mayor Belk recognized Mr. Al Manch and presented him with a proclamation declaring the week of April 13 through 19 as Charlotte Checker Week. He stated he and Council are proud of the job Mr. Manch has been doing with the Hockey Team.

JOHN LANG, RESIDENT OF LONDON, MADE HONORARY CITIZEN OF THE CITY OF CHARLOTTE.

Mayor Belk recognized John Lang, and stated he is now living in London, England. That John's grandfather was Chairman of the House Ways and Means Committee for over 40 years. He presented John with a certificate making him an Honorary Citizen of the City of Charlotte.

CITY OF CHARLOTTE PLAQUES PRESENTED TO RETIRING CITY EMPLOYEES.

Mayor Belk recognized the following city employees and presented each a Plaque of the City:

- (1) J. B. Norman, Customer Service Superintendent, Utilities.  
Employed October 21, 1940, and retired March 31, 1975.
- (2) George Williams Tettmar, Civil Engineer I, Utilities Department.  
Employed April 4, 1973, and retired April 1, 1975.

The Mayor and each member of Council expressed appreciation for the services rendered to the City by these men and wished them well in their retirement.

CLANTON ROAD OPENING SCHEDULED FOR FRIDAY, APRIL 18.

The City Manager stated Clanton Road opening will be on Friday, April 18, at 11:00 A.M., at the corner of Clanton Road and Sargeant Drive, and each Councilmember is invited to be present.

CDRS APPLICATION TO BE FILED WITH HUD ON APRIL 15.

Mr. Burkhalter, City Manager, stated the City is right on target with the CDRS application. It has gone through all the A-95 reviews, and Councilwoman Locke had it processed through the local COG. The application will be filed tomorrow April 15, with HUD.

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DISCUSSION OF WATER AND SEWER RATE INCREASES.

The following persons spoke on the water and sewer rate increases, and each asked that the rates not be increased at this time. Some of them gave suggestions on ways to prevent the necessity for increasing the rates:

- (1) Mr. Joe Grier, Attorney.
- (2) Mr. Jim Barnhardt, Barnhardt Manufacturing Company.
- (3) Verl Purdy, BASF Wyandotte Corporation.
- (4) Mr. Frank Pragacz, President Home Builders Association.
- (5) Mr. Bill Underwood, Attorney.
- (6) Mr. Bill Allan, Trotter and Allan Company.
- (7) Mr. Jack Delaney, H. C. Bissell & Associates.
- (8) Mr. Phil Forlidas, Marion Corporation.
- (9) Mr. Jim Cogdell, Carlton House Apartments.
- (10) Mr. Bill Trotter, William Trotter Company.
- (11) Mr. John Crosland, Jr., John Crosland Company.
- (12) Mr. Mac Davidson, Johnson C. Smith University.
- (13) Mr. Jimmy Johnson, Coca Cola Bottling Company.
- (14) Mr. J. R. Hudson, Vice President, Presbyterian Hospital.
- (15) Mr. Wayne Pettus, Southern Wipers Association.

Councilman Short stated over about ten years he has received about as many complaints to field and as many arguments against the water operation as anyone in City Government. We have a number of policies that we have attempted to implement, mostly because of public policies, because they seem to be good practical public policies, and the inequities involved seem to be sort of standoff to some extent. We have had the graduated rate schedule. Comments today seem to indicate that perhaps we should not have this; the cost of delivering the water should be it, and divide the gallonage into the total expenditures of the total budget and that is it for everyone. But for better or worse and to be realistic to the larger users, we have maintained, against some attack, graduated rate schedule over the years. That he thinks we should continue to do so. We have had the higher rate outside; and he is surprised that we did not hear from some of those people today. We have the sewer rate based on the water usage that a lot of people have complained about. We have the apartment rate compromise that has been mentioned heavily today. All of these policies can be attacked. Dry industries say they are subsidizing the wet industries. The single family residents say since apartment users get a 25 to 30 percent lower rate they are subsidizing the apartment residents. A tee totaler says every time he waters his flowers, he is subsidizing the beer industry, and he thinks this is horrible. One man, a doctor, thought Coca Colas are harmful to people to drink too many, and everytime he paid his water bill he said he was subsidizing the Coca Cola industry. There are insiders who think they are subsidizing outsiders because of the ancestral policy with reference to extensions where those already served in the old city are paying to bring it on to the others. The outsiders think they are subsidizing the insiders because of the double rates.

Councilman Short stated in terms of pure equity he is sure all these people can make some kind of a point, and in terms of rebutting what they say, some kind of point can be made. It seems the apartment developers are asking that the charge be less to the apartment families basically because of the lack of property lines between the two. It is possible to argue that the city could adopt a policy that each family, regardless of the circumstances of property they live on, should have an individual meter, or at least a charge which would eliminate some of the disparity between single family and multi-families.

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He stated about all they can do in this kind of retailing and rate setting is to try to set good practical, workable public policies. That he does not subscribe to the view of the Community Facilities Commission that the industrial rates should be 25 cents a hundred or 27 cents. Because if you divide the gallons into the total budget this is what you get. They do not carry this to the logical conclusion by suggesting that the residential rate come down to this. If you carried their line of reasoning to the ultimate, it seems you would up industrial rates to this point and reduce the residential rate to this point. They do not advocate that. All we can do is set good practical, workable rates based on policy.

Councilman Short moved that (1) The Utility Department be instructed to sell, in effect, \$906,000 worth of 20 year bonds - inner fund bonds - to the Revenue Sharing Fund, and thus raise the \$906,000 in the form of bonds sold, rather than simply a contribution or donation of this much money. He agrees with Bill Trotter that he does not see that the public should really subsidize this, which is essentially a retailing industry, and it needs to expand like a lot of other retail industries. That the \$906,000 should be sold rather than simply taking it from the revenue sharing fund, and be paid back over 20 years. He would suggest the interest rate be the same as the last sale of general obligation bonds that we had. (2) That we have a water rate which would be a 19 percent increase across the board. If you take the \$3,205,000 indicated deficit, and substruct the \$906,000, you have to raise \$2,299,000 which is the 19 percent increase. Working this across the board to the nearest whole number it will be 20 percent in some cases, 18 in some, and 19 in some, and you get the following rate schedule:

First level	-	48 cents
Second level	-	39 cents (it is now 33 cents)
Third level	-	35 cents (it is now 29 cents)
Fourth level	-	27 cents (it is now 23 cents)
Fifth level	-	23 cents (it is now 19 cents)
Lowest level	-	19 cents (it is now 16 cents)

and No. 3 as a reasonable public policy in these particular times the apartment rate minimum be set at the fourth level, rather than the third level. The minimum apartment rate would therefore become 27 cents and it is now 29 cents. The motion was seconded by Councilwoman Locke for discussion.

Mr. Fennell, Finance Director, then discussed the financial aspects. During this discussion he stated it costs 13 cents per ton to deliver water to the individual residential customer; and down to eight cents a ton for the major concerns; this would be about 7.48 gallons per cubic feet.

Councilman Gantt asked what the deficit for 1975-76 is projected if nothing is done? Mr. Fennell replied it would be around \$3.2 million to \$3.5 million. That \$750,000 of this is attributed to the reduction in rates due to annexation. He stated there is more than one factor attributing to the debt. More than \$6.0 million has been spent on the McAlpine Creek plant to bring it in line with federal requirements; the City had no choice in this; it had to be done. This has changed the ratio of sewer to water from where it was ten years ago at 110 to where it is now at 120 because of the environmental impact. The City is under the same inflationary pressures as everyone else; rapid growth always creates a capital problem. The City is not like a private concern where it can accumulate profits. There are only two ways the city can get the money. Either from the general funds, or from the rate structures.

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Mr. Fennell stated new federal guidelines as they presently stand state that any new grants the city may get can be 75 percent of the total costs of new facilities. This will require a uniform rate, and they will not accept a sliding scale on sewer as the city has on water rates.

Councilman Short stated in his motion he sought to raise the \$2.0 million deficit by an across the board increase of 19 cents rather than 15 to 25 percent. He asked if this would make any difference? Mr. Fennell replied not at all. The important thing is to fund the water department without a deficit next year. Councilman Short stated he also suggested, instead of asking the revenue sharing fund to give the \$906,000, that they sale them bonds for this money. Mr. Fennell stated there is nothing wrong with that; but there does seem to be some differences of opinions as to whether or not other funds should be utilized under certain circumstances to take care of certain expansions of the system. Personally he favors the self-sustaining enterprise as he believes anytime government is in an enterprise they should try to operate the system efficiently but on a cost basis. However, there is some validity to the other viewpoints. We have had some unusual expansions of the system, and it could be supported in the traditional period by some subsidy point. He stated the city is in the same boat as the electrical utilities.

Councilman Williams asked what it costs to produce the water to the largest volume quantity? Mr. Fennell replied taking strictly a basic costs for treatment and delivery of water to a major area, it comes out 20.4 cents per hundred cubic feet. In looking at that figure, you have to remember that every system has about a ten percent loss between the water pumped and the water delivered. Also we are using a single rate for water and sewer and that rate should be adjusted by the fact that sewer costs about 20 percent more, and we adjust that so that it comes out about 22.3 cents per 100 cubic feet. He stated there has been no differential in the past on the water and sewer rates; sewer has always been 10 percent higher; this is because of the environmental impact imposed by the federal government, and it is likely to go higher. He believes ultimately the federal guidelines will force us to have separate sewer rates if you are going to get 75 percent federal funding. Councilman Williams stated Mr. Grier referred to the 2.9 to one ratio in costs. That he understands Mr. Fennell is saying you have to apply that to individual items to make up costs. Mr. Fennell replied there have been different viewpoints imerging. One is the engineering viewpoint and one is the economists.

Councilman Williams stated his last questions deals with the effect on federal fund<sup>s</sup>ending if we use revenue sharing monies as recommended in alternative two. Each Councilmember has received a letter from Mr. Aldan who says we might be losing federal funds if we go that route. That in the CFC report they say it should be self sustaining and not subsidized by the water system but by general funds, referring to the sewer situation. He asked if we are jeopardizing federal funds if we use revenue sharing funds? Mr. Fennell replied he thinks Council will have to come back and change the rates for a separate sewer rate if you receive the 75 percent federal funding. At present it is alright as the grants are under study. Once that grant is completed and you start the application for applying for the funds, he thinks before any funds are received for expenditures, Council will have to change the rate structure for sewer. That the city will probably not get into that problem until next year. That we are at least ten months away from getting the funds at present.

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Councilman Harris stated the Home Builders Association has furnished Council with a list of expenditures. He asked Mr. Dukes if he has seen them and reviewed them and if they are accurate? Mr. Dukes replied he has seen them and they are not accurate. That this shows there is only something like 6/10 of an increase in water since 1971. His figures show something like 16 percent increase; it does not mention anything like wastewater; it does not mention the fact that we have been required by the federal government to raise the level of treatment not from 85 to 90 percent, but to 95 percent. It does not mention the fact that in the areas bordering us and recently taken over, they have eliminated some 20 substandard sewage treatment facilities being operated by others than the city; it does not take into consideration that prior to 1970, the Utilities Department did not have the Engineering Department's sewers and facilities department; we did not have the County. There have been many changes since 1971.

Councilman Harris stated Council has a copy of the revenues in the agenda today; but they do not have anything on expenses to go along with it. He asked if the expense ratios shown on the report are accurate - it is talking about \$14.375 million of revenue? Mr. Dukes replied he does not have his copy but as he remembers we will be a little over the budget approved last year. That as he recalls it was right at \$12.0 million. In the 1974-75 year now, he can estimate that he will be just a little over, and will not be in too much trouble except for the power funds. He stated Mr. Fennell should be commended for being able to keep the water rates this low for this long by using our finances in such a good manner. He has been able to delay the increase.

Councilman Harris asked the effect on the income if the lid is taken off the apartments? Mr. Fennell said it would be between three and four hundred thousand dollars.

Councilman Harris stated this is the first time he has seen the proposed amendment to the extension policy. That he has heard a lot of comments today that these citizens have not seen it also. Mr. Dukes replied the extension policy was given to the CFC, and in their report to City Council they recommend that these changes be made in the extension policy. This amendment would do two things. It would put the cost where they think it should be, on the home being developed, if you are buying individually or collectively in a subdivision. If you build in a new location and need water and sewer, the alternatives are to drill a well and provide a septic tank. They are suggesting instead of doing this that they take these monies and they in the utility department use it to extend the sewers in these streets.

With the existing policy if a man lives on a sewer or a water main, the only thing he does is pay a service connection fee. Just what it costs the city to connect his pipes to the city's system. But if a man lived down the street a block away, the only way to get to that sewer under the existing policy is to pay for the extension of that water line from the city line to the house. Sometimes it cost more to make the extension than the house is worth. It is totally unfair. He stated they are suggesting that this be put together; there are many streets now with no homes on it, and sewers are there. If everyone would pay a tapping privilege fee they could build it to a point to make the connections feasible. There would have to be some limits.

Mr. Dukes stated they are also proposing that the refunds be eliminated. They find this very difficult to budget around and to live with. They have tried to eliminate it except the most needed cases. They would eliminate them all with the exception of a developer constructing a portion of the city's system which would normally be constructed with bond funds,

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such as outfall, or a trunk or something of that nature. They will be allowed to do this with the understanding that the only money they will be entitled to is 35 percent of the money that line or sewer makes; at the end of 15 years if he does not have the money, the city quits. It would tend to make everyone look at extensions very, very, hard before making one. It would give the Council the privilege of making the big extensions where they should be rather than allowing people to make the extension where it is convenient to them. At present we refund for street mains and collectors.

Councilman Short suggested that the extension policy be discussed at another public hearing as the rates and this is too much on the same day. Councilman Harris stated he has to think about them together.

Councilman Whittington stated he would hope if any of the home builders, Mr. Grier or Mr. Johnson would like to ask any questions of the staff they would be allowed to do so now.

Following was a discussion between the representatives in the audience and Mr. Fennell and Mr. Dukes.

Mr. Spangler stated all they are asking is for an opportunity to study this and have an opportunity to come back and talk to Council instead of acting on it today - on the water and sewer extension policy.

Councilman Withrow stated at the last meeting it was mentioned that the Home Builders should meet with staff. That Council is accountable to the people of Charlotte, and he knows everyone wants to pay their fair share. What he does not understand is when a group of citizens come to Council and say they cannot get the information needed for the private citizen to make an analogy of the rates we are charging.

He suggested that the Home Builders Association appoint one member, and the heavy user or industrial user appoint one member and have a representative of the home owners, and one member from the CFC sit down without the Council and meet with staff and come back to Council with some correct figures so that Council can make a decision that will be fair to everyone in Charlotte. He stated he thinks that everyone in the City of Charlotte who wants information from the public sector should be able to get the information.

Mr. Grier stated part of the problem is as mentioned by Mr. Withrow in not being able to get the information or to understand it. Sometimes it comes in tons sometimes in feet, and sometimes in gallons. There is a basic policy decision the Council will have to decide that goes beyond and is probably more important than the business of receiving information. That is the question of whether the very large sum of money on debt service, creditable to annexation, and the contract the city has made with the county by which it agreed to pay the county the cost of the county bonds is to be raised by the revenues. That really is the cause of the deficit. If you eliminate the costs of those things, the existing rates would continue to produce surplus as they have each and every year. If those expenses are going to be included in part in something else; if they are not going to be included at all, that is still another thing. No amount of conversation between Mr. Dukes and various people will resolve that question. It is a policy question for Council to decide, and until it is decided, you cannot get anywhere in setting up a rate schedule.

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Councilman Whittington stated Council has done exactly what it said it would do in giving all these people an opportunity to be heard. If they want to be heard more, he would hope they would call on Council between now and the time the decision is made. That he thinks Council should now take this information and say it will make a decision on these rates at the next Council Meeting or in 30 days as the motion by Mr. Harris mentioned several weeks ago. Then everyone will know when this will come about. He stated another part is the people who are concerned with the extension policy. They should have some input with City Council on the extension policy before making a decision on that. That he would suggest without a motion that we continue as we were and made a decision on the 28th of April on these decisions - rates and extensions.

Mr. Crosland asked if they could have more time. That they would like a little more time on the extension policy. It takes time to really prepare themselves properly. Councilman Harris stated if they could meet with Mr. Dukes and Mr. Fennell and get the facts that should help. That if they meet with them directly, the two weeks will be plenty of time. There are some other things that need to be resolved and they should look at the CFC Composition; but that is down the road a piece.

Mayor Belk stated there is a motion on the floor. He asked Councilman Short what he would like to do. Councilman Short replied he thinks his motion is good and was based on a great deal of study; but he feels Council should have the additional time and he would withdraw his motion. Councilwoman Locke withdrew the second to the motion.

Councilman Withrow stated he would like to move that Council proceed as he outlined - that the Home Builders appoint one person, the industrial users appoint someone, and a representative of the homeowners be appointed, and meet with a member of the CFC and get together on the rate and the extension and come back within a week.

Councilman Withrow moved that Council consider the rates at the next meeting, and the representatives he has stated meet and come back with a recommendation on the extension policy. The motion was seconded by Councilman Short.

Councilman Whittington stated he has no quarrel with what Mr. Withrow is suggesting; but Mr. Grier has made it perfectly clear that it is a policy decision and it has to be made by Council and it will affect the rates. Second Mr. Crosland said they should be considered together and asked for more time; and Mr. Harris suggested two weeks. That he thinks Council should be together on this.

Mayor Belk called for the vote on the motion to consider the rates at the next meeting.

The vote was taken and carried by the following vote:

YEAS: Councilmembers Withrow, Short, Gantt and Williams.  
NAYS: Councilmembers Harris, Locke and Whittington.

MEETING RECESSED AND RECONVENED.

Mayor Belk called a recess at 4:15 p.m., and reconvened the meeting at 4:27 p.m.

MAYOR PRO TEM LEAVES MEETING.

Mayor pro tem Whittington left the meeting during the next presentation and was absent for the remainder of the session.

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PRESENTATION ON REGIONAL TRANSPORTATION PLAN BY TED NORMAN, ARCHITECT.

Mr. Ted Norman, Architect, stated he is proposing a private enterprise proposal to provide the transportation needs for Charlotte with the sponsorship of the City of Charlotte. The proposal takes into consideration not only the transit needs of the Charlotte area, but the regional transportation needs. In determining the locations of their proposal, they studied population, trip ins, available transits, and available transit routes which would be available at a minimum cost to the project; overlapping where people live and where they work and the need for providing the transportation system, they came up with a proposal which was outlined on a board. It indicates the PRT System and rail systems which work together for a total network connecting seven counties. The PRT System is a system which is primarily for use by the Charlotte area. Nineteen stations would be incorporated within the city area. These stations would be providing the transportation locations for the distribution of the people of Charlotte.

He stated their proposal is private enterprise, and they wish to secure federal funding. To secure federal funding, they will have to have designated sponsors. The proper designated sponsor would be the county government or the major municipalities within the area serviced. They are saying today they can provide this service and make the 20 percent private enterprise investment if they can secure the 80 percent funding, which are available, from federal grants and other grants which are available to them. The clients wish to proceed on this proposal with the Council's blessings and with their acceptance of the whole order of the proposal.

The total proposal indicates connecting such cities as Mint Hill, Pineville and Gastonia on a PRT System. This system is a small unit called Personal Rapid Transit, because it deals with small numbers instead of trains. They are talking in ranges of four to ten passengers per unit. These units will work on a magnetic production system or electrical current. The efficiency of the system is highly desirable when compared with other modes of transportation. The proposal also takes into consideration locations at Catawba River and Lake Norman which would also include boat docks for people to get on to the transportation system from their homes by boat to the transit centers.

Mr. Nordman stated the main transit system which would connect the rail system, MRT, is at the Trade Towers location which has been designated as the transportation center location. They are proposing a promenade level to connect around the civic center with the PRT station just below the Plaza. They also propose within the total project, a hotel and a shopping center on the upper plaza level. This would be totally by private enterprises. The federal funding would be incorporated within the transit center parking facility on the far end.

The transportation center incorporates the three modes. If you live in a certain area and wished to get on the transit system, you would request from a station a wish to get on the system, and the bus will respond and come to your house, take you to the next station. This gives the personal transportation. If your destination was Salisbury, you would come to Trade Towers and you would get on the rail system, directly below the PRT Station, and go out on the rail line which would connect to the system.

This is a total system of transportation. They are dealing with more than buses, and they are working on a personal basis with people that need assistance. They envision that the system would be a profitable venture with the 20 percent investment of private enterprise. It also takes into

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consideration operating expenses with 10 percent profit range within the computerized programming of fares. The 80 percent funds, if they can get them through federal grants, would not cause any taxation from the people of Charlotte or from people it serve. They would be able to operate and sustain themselves on the cash flow with the understanding of the 20 percent investment.

Mr. Nordman stated they have not gotten to the point of completing the feasibility study; they would still have to complete that study in accordance with the federal funding. From that point with the sponsorship they can apply for federal funding. They need the sponsorship to study the program.

He stated he sees this as a very viable situation which we can go into now. The total system of the seven counties involved, has a total population of 1.0 million people. These facts are in Volume II, which is what was anticipated in the cash flow figures.

Mr. Harry Stewart, Charlotte Development Corporation, stated since Mr. Nordman has chosen this particular block as the site, he would like to make a few comments. This parcel of real estate has had a lot of publicity in the last few years and perhaps some are not aware of its status as a piece of real estate. The present status of that piece of property, east of the railroad tracks, of approximately one acre, through the north-south dimension of the block closest to the railroad track, is owned by North Carolina Railroad, which is a stock corporation owned 75 percent by the State of North Carolina. The land is on long term lease to Southern Railroad, and they, the Charlotte Development Associates, have a commitment from Southern Railroad to lease that land, and this is an exclusive commitment. In May of 1970, the Civic Center was very much in the forefront and one of the criticisms at that time was the lack of parking space. In May of 1970, across the hall, one of his associates in a press conference offered that if, to get out of the parking bind, that piece of the parcel could be used by the City, they would be willing to discuss it with the city. That offer sits in that condition until this time. That parcel was a part of the redevelopment, of the three block downtown plan; it was at that time, and still is. The status of the ownership has not changed during the entire period of time.

At one time the City came and asked the railroad for air rights from the civic center across the tracks. A logical question was what are you going to tie it to. The air rights question was deferred and they pursued the acquisition of the land. When they got into the land acquisition, they went to the railroad and wanted to buy it; and the railroad said they did not own it. They then talked to the railroad about the possibility of purchasing Southern's leasehold. That has proceeded to the point that the redevelopment people have agreed on a price for the purchase of the leasehold. That purchase was made in the face of condemnation, and for that reason only. That they, CDC, have always wanted to develop that piece of property and they still do.

After the agreement on the purchase of the leasehold was worked out, the redevelopment people then decided they should acquire the fee from the North Carolina Railroad. As far as he knows no overture has been made to North Carolina Railroad; nor has any deal been closed to purchase the air rights. The title of the property is still as it has always been.

Mr. Stewart stated they took the position then and they take the position now, that the piece of property should not be taken from a developer and sold to another developer for some purpose if the first developer can produce the product at a competitive situation. The redevelopment people felt in order to make the best use of the property it would be handled as an

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entire block, and they have attempted to do that. He stated if they have a good use for it and can develop something for the city and can work out some satisfactory lease they could get it financed and get it done. They have been unsuccessful in financing some other uses.

The city had much interest in the block as a transit center until it was removed from the bond package. The stimulateous to acquire the land seems to have kind of dropped since it will not be used for a transit center. He stated he has heard Mr. Nordman and he has heard three other proposals from architects on the use of that piece of land. He never knew of any of them ahead of time.

Mr. Stewart stated he leaves it on the basis that they would have no objections as developers and owners if they are allowed to remain as owners. They would work with Mr. Nordman or anyone else that has a plan. If there is some way to make use of the land for the city, they will be delighted to do so.

RESOLUTION DELCARING THE RESULTS OF THE SPECIAL BOND REFERENDUM HELD ON APRIL 8, 1975, AND THE SPECIAL TAX REFERENDUM HELD ON APRIL 8, 1975.

The City Clerk presented the results of the canvass of the returns of the special referendum held on April 8, 1975.

Motion was made by Councilwoman Locke, seconded by Councilman Harris, and unanimously carried, adopting the following resolution:

"RESOLUTION DECLARING THE RESULTS OF  
THE SPECIAL BOND REFERENDUM HELD ON  
APRIL 8, 1975

BE IT RESOLVED by the City Council of the City of Charlotte.

Section 1. The City Council of the City of Charlotte, having received from the Mecklenburg County Board of Elections a certified copy of the proceedings of said Board of Elections taken on April 10, 1975, evidencing said Board's determination of the results of the canvass of the returns of the special bond referendum held in the City of Charlotte on April 8, 1975, does hereby declare and certify the results of said referendum to be the results which are set forth in the following statement of the results of said referendum, which statement has been prepared by said City Council:

STATEMENT OF THE RESULTS  
of the  
SPECIAL BOND REFERENDUM  
held in the  
CITY OF CHARLOTTE, NORTH CAROLINA  
on April 8, 1975

At a special bond referendum held in the City of Charlotte on April 8, 1975, 124,485 voters were registered and qualified to vote.

At said referendum 14,654 votes were cast for the order adopted February 10, 1975, authorizing the City of Charlotte, North Carolina, to contract a debt, in addition to any and all other debt which said City may now or hereafter have power or authority to contract, and in evidence thereof to issue Airport Bonds in an aggregate principal amount not exceeding \$55,000,000 for the purpose of providing funds, with any other available funds, for enlarging and improving Douglas Municipal Airport, including the construction of a new passenger terminal, the construction

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of ramps, taxiways, access roads and parking facilities, the relocation of certain existing instrument facilities, and the acquisition of any necessary land and equipment therefor, and authorizing the levy and collection of a sufficient tax for the payment of the principal of and the interest on said bonds, and 17,133 votes were cast against said order, and a majority of the qualified voters of said City who voted thereon at said referendum having voted, not in favor of the approval of said order, said order was thereby defeated and is not in force and effect.

At said referendum 16,508 votes were cast for the order adopted on February 10, 1975, authorizing the City of Charlotte, North Carolina, to contract a debt, in addition to any and all other debt which said City may or hereafter have power or authority to contract, and in evidence thereof to issue Public Transportation System Bonds in an aggregate principal amount not exceeding \$2,500,000 for the purpose of providing funds, with any other available funds, for purchasing the existing privately-owned bus system, acquiring new equipment therefor and installing certain improvements, including shelters for passengers, and authorizing the levy and collection of a sufficient tax for the payment of the principal of and the interest on said bonds, and 15,209 votes were cast against said order, and a majority of the qualified voters of said City who voted thereon at said referendum having voted in favor of the approval of said order, said order was thereby approved and is in force and effect.

At said referendum 15,921 votes were cast for the order adopted on February 10, 1975, authorizing the City of Charlotte, North Carolina, to contract a debt, in addition to any and all other debt which said City may now or hereafter have power or authority to contract, and in evidence thereof to issue Sidewalk Bonds in an aggregate principal amount not exceeding \$1,500,000 for the purpose of providing funds, with any other available funds, for constructing and reconstructing sidewalks in said City, including the acquisition of any necessary land and rights of way, and authorizing the levy and collection of a sufficient tax for the payment of the principal of and the interest on said bonds, and 15,659 votes were cast against said order, and a majority of the qualified voters of said City who voted thereon at said referendum having voted in favor of the approval of said order, said order was thereby approved and is in force and effect.

At said referendum 14,989 votes were cast for the order adopted on February 10, 1975, authorizing the City of Charlotte, North Carolina, to contract a debt, in addition to any and all other debt which said City may now or hereafter have power or authority to contract, and in evidence thereof to issue Recreation Facilities Bonds in an aggregate principal amount not exceeding \$500,000 for the purpose of providing funds, with any other available funds, for constructing bicycle trails in said City and acquiring any necessary land and rights of way therefor, and authorizing the levy and collection of a sufficient tax for the payment of the principal of and the interest of said bonds, and 16,138 votes were cast against said order, and a majority of the qualified voters of said City who voted thereon at said referendum having voted not in favor of the approval of said order, said order was thereby defeated and is not in force and effect.

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Section 2. The City Clerk shall file the foregoing statement of the results of said referendum in her office and shall publish such statement once in The Charlotte Observer. A statement substantially in the following form shall be appended to the copy of the foregoing statement which is published:

Any action or proceeding challenging the regularity or validity of this bond referendum must be begun within 30 days after (date of publication).

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City of Charlotte

Section 3. This resolution shall take effect upon its passage."

Councilwoman Locke moved adoption of the following resolution, which motion was seconded by Councilman Williams and carried unanimously:

"RESOLUTION DECLARING THE RESULTS OF  
THE SPECIAL TAX REFERENDUM HELD ON  
APRIL 8, 1975

BE IT RESOLVED by the City Council of the City of Charlotte:

Section 1. The City Council of the City of Charlotte, having received from the Mecklenburg County Board of Elections a certified copy of the proceedings of said Board of Elections taken on April 10, 1975, evidencing said Board's determination of the results of the canvass of the returns of the special tax referendum held in the City of Charlotte on April 8, 1975, does hereby declare and certify the results of said referendum to be the results which are set forth in the following statement of the results of said referendum, which statement has been prepared by said City Council:

STATEMENT OF THE RESULTS  
of the  
SPECIAL TAX REFERENDUM  
held in the  
CITY OF CHARLOTTE, NORTH CAROLINA  
on April 8, 1975

At a special tax referendum held in the City of Charlotte on April 8, 1975, 124,485 voters were registered and qualified to vote.

At said referendum 12,234 votes were cast for the proposition adopted on February 10, 1975, authorizing the City of Charlotte, North Carolina, to levy annually a property tax without restriction as to rate or amount for the purpose of providing funds for the operation and maintenance of the public bus and transportation system in the City of Charlotte, and 19,201 votes were cast against said proposition, and a majority of the qualified voters of said City who voted thereon at said referendum having voted not in favor of the approval of said proposition, said proposition was thereby defeated and is not in force and effect.

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Section 2. The City Clerk shall file the foregoing statement of the results of said referendum in her office and shall publish such statement once in The Charlotte Observer. A statement substantially in the following form shall be appended to the copy of the foregoing statement which is published:

Any action or proceeding challenging the regularity or validity of this tax referendum must be begun within 30 days after (date of publication).

City Council of the  
City of Charlotte

Section 3. This resolution shall take effect upon its passage."

ORDINANCE NO 582-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE AMENDING THE ZONING MAP BY CHANGING THE ZONING OF PROPERTY AT 3731 NORTH SHARON AMITY ROAD, ON PETITION OF REGINA C. WRIGHT.

Councilman Gantt moved adoption of the ordinance changing the zoning from R-9 to O-6 of property at 3731 North Sharon Amity Road, as recommended by the Planning Commission. The motion was seconded by Councilman Williams, and carried by the following vote:

YEAS: Councilmembers Gantt, Williams, Harris, Locke and Withrow.  
NAYS: Councilman Short.

The ordinance is recorded in full in Ordinance Book 22, at Page 12.

ORDINANCE NO. 583-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE BY AMENDING THE ZONING MAP CHANGING THE ZONING OF PROPERTY LOCATED IN THE GREENVILLE URBAN RENEWAL AREA AND BOUNDED BY THE NORTHWEST EXPRESSWAY, INTERSTATE HIGHWAY 77 AND THE SEABOARD RAILROAD.

Motion was made by Councilman Harris, seconded by Councilman Withrow and unanimously carried, adopting the subject ordinance changing the zoning from R-6 MF and I-2 to I-1 and I-2 as recommended by the Planning Commission.

The ordinance is recorded in full in Ordinance Book 22, at Page 13.

SPECIAL USE PERMITS FOR SOCIAL CLUBS FOR GLEN HOLLOW APARTMENTS AND CHIMNEYS APARTMENTS APPROVED.

Councilman Harris moved approval of special use permits for Glen Hollow Apartments and the Chimneys Apartments, as recommended by the Planning Commission. The motion was seconded by Councilman Withrow, and carried unanimously.

ORDINANCE NO. 584 AMENDING CHAPTER 11, ENTITLED "LICENSES" OF THE CITY CODE AND RE-ADOPTING IT AS THE REVENUE ORDINANCE OF THE CITY OF CHARLOTTE FOR 1975-76.

Councilman Short stated in reference to the child care section, in the subject ordinance, it was previously set at \$1.00 as a way of locating them, rather than a way of raising revenue. He asked if there was no charge for those that handled six children or less? Mr. Griffin of the Tax and License Department, replied less than six children there was no

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charge at all. Six or more it was \$1.00 regardless of the number of children. Councilman Short stated the reason for that extremely low charge was because of the 'grandmother' type of operation, and it was to keep from hampering them and their operations.

Councilwoman Locke stated she is concerned about that tax as she was before. This would up the price for child care. Also the State requires a two dollar tax, and it is not brought back into the city. Some way this tax for the state should be redistributed back to the local government. This probably would take an act of the general assembly. That she will have to vote against this section on the child care center.

Mr. Griffin stated between Central Avenue and Eastway Drive there are five day care centers. One is on the tax books at present at \$71,000; there are three other houses that have been changed to take care of children; they are no longer residents. There is another one a block from Eastway Drive and the Plaza that will be on the tax books for 1975 at a little over \$100,000. They feel operations of this type are businesses, and they are competitive businesses and that \$1.00 is not enough. They feel each of these places should be licensed. Councilwoman Locke stated if they did not have to pay the State she would agree. As it is the parent pays for it, and she cannot vote for it.

Councilman Gantt stated it seems to him the amount of money we are likely to raise is not that significant. That he is concerned, not so much about the day care centers Mr. Griffin has mentioned, but about the number of churches in the community that are in this business. Mr. Griffin replied they are exempt under the State; also the ones operated by the Social Services Department.

After further discussion, Councilwoman Locke moved that Section 3 of the proposed ordinance, in reference to day care centers be deleted. The motion was seconded by Councilman Harris, and carried unanimously.

Councilman Short moved adoption of the ordinance as amended. The motion was seconded by Councilwoman Locke.

Councilman Williams asked how much of an increase is under Section 2 relating to soft drink bottlers? Mr. Griffin replied prior to last year the city licensing was based on that levied by the state on the number of spouts - high pressure and low pressure - each manufacturer had. This section will put these producers in the same classification as other manufacturers. They do not know how much revenue it will produce; they do know it will produce more.

The vote was taken on the motion and carried unanimously.

The ordinance is recorded in full in Ordinance Book 22, beginning at Page 14.

ORDINANCE NO. 585-X ORDERING THAT A LIEN BE PLACED ON THE WHITE HOUSE INN PURSUANT TO SECTION 5-6( e) OF THE CODE OF THE CITY OF CHARLOTTE, SAID BUILDING BEING THE PROPERTY OF THE CHARLOTTE VENTURE CORPORATION, C/O WHITE HOUSE INNS, INC., 70 HOUSTON STREET N.E. ATLANTA, GEORGIA 30303.

Motion was made by Councilman Harris, seconded by Councilwoman Locke, and unanimously carried adopting the subject ordinance, which is recorded in full in Ordinance Book 22, at Page 17.

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ORDINANCE NO. 586 AMENDING CHAPTER 5 OF THE CODE OF THE CITY OF CHARLOTTE RELATING TO CERTIFICATE OF OCCUPANCY.

After explanation by Superintendent of Inspection Department, Councilman Harris moved adoption of the subject ordinance. The motion was seconded by Councilman Williams, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 22, beginning at Page 18.

SETTLEMENT FOR THE ACQUISITION OF LAND BELONGING TO HAWLEY HUNTER, ET AL, FOR A SANITARY SEWER EASEMENT.

Motion was made by Councilman Harris, seconded by Councilman Williams, and unanimously carried, approving the settlement for the acquisition of land belonging to Hawley Hunter, et al, for a sanitary sewer easement, in the amount of \$4,500.00, as recommended by the City Attorney.

RESOLUTION AUTHORIZING REFUND OF TAXES COLLECTED THROUGH CLERICAL ERROR AND ILLEGAL LEVY.

Councilwoman Locke moved adoption of the subject resolution authorizing refund of taxes collected through clerical error and illegal levy against twenty-six tax accounts, in the amount of \$5,038.89. The motion was seconded by Councilman Harris, and carried unanimously.

The resolution is recorded in full in Resolutions Book 10, at Page 392.

RESOLUTIONS AUTHORIZING CONDEMNATION PROCEEDINGS.

Motion was made by Councilman Williams, seconded by Councilwoman Locke, and unanimously carried, adopting a resolution authorizing condemnation proceedings for the acquisition of property belonging to Civil Realty, Inc., a corporation; Arnold M. Stone, Trustee; and American United Interiors, Inc., located at Collins Street (rear of 3553 Lake Road), in the City of Charlotte, for the Annexation Area II (7) Sanitary Sewer Collector Main Additions Project.

Councilwoman Locke moved adoption of a resolution authorizing condemnation proceedings for the acquisition of property belonging to C. H. Black and wife, Ruby B. Black, located on Atlas Drive (off Statesville Road), in the City of Charlotte, for the Annexation Area II (7) Sanitary Sewer Additions Project. The motion was seconded by Councilman Williams, and unanimously carried.

Councilman Gantt moved adoption of a resolution authorizing condemnation proceedings for the acquisition of property belonging to Jack D. Dunn and wife, Elizabeth W. Dunn; and Charles Joe Dunn and wife, Doris S. Dunn, located at 3123 Cresthill Drive (off Idlewild Road), in the City of Charlotte, for the Annexation Area I (4) Sanitary Sewer Additions Project. The motion was seconded by Councilman Williams, and carried unanimously.

Upon motion of Councilman Withrow, seconded by Councilman Williams and unanimously carried, a resolution was adopted authorizing condemnation Proceedings for the acquisition of property belonging to Jean A. Hersman; Thomas C. Ruff, Trustee; and First Citizens Bank and Trust Company, located at 924 Tyvola Road, in the City of Charlotte, for the Tyvola Road Relocation.

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COUNCILMAN WITHROW EXCUSED FROM VOTING ON NEXT ITEM.

Councilman Short moved that Councilman Withrow be excused from voting on the next item due to a conflict. The motion was seconded by Councilman Williams and carried unanimously.

Motion was made by Councilman Short, seconded by Councilman Williams, and unanimously carried, adopting a resolution authorizing condemnation proceedings for the acquisition of property belonging to David E. Withrow and wife, Marilyn W. Withrow; Florence H. Withrow; George S. Goodyear, Trustee; and the Mutual Benefit Life Insurance Company, located at 5416-A, 5416-B and 5416-C Park Road, in the City of Charlotte, for the Tyvola Road Relocation Project.

Upon motion of Councilwoman Locke, seconded by Councilman Williams and unanimously carried, a resolution was adopted authorizing condemnation proceedings for the acquisition of property belonging to Renfrow Development Company, Inc., located at 1001 Tyvola Road, in the City of Charlotte for the Tyvola Road Relocation Project.

The resolutions are recorded in full in Resolutions Book 10, beginning at Page 395, and ending at Page 400.

PROPERTY TRANSACTIONS AUTHORIZED.

Councilman Gantt moved approval of the following property transactions which was seconded by Councilwoman Locke, and carried unanimously:

- (a) Option on 1.05' x 229.93' x 2.00' x 230.04' of property, plus a construction easement and drainage easement, at 4019 Randolph Road, from Bascom V. Belk, Jr. and wife, Harriet C., at \$450.00, for the Randolph Road Widening.
- (b) Right of Way Agreement on 2.28' x 77.25' x 27.15' x 21.42' x 94.42' of property, plus a construction easement and drainage easement, at 5031 Randolph Road, from Wirt T. Neale and wife, Virginia C., at \$300.00, for the Randolph Road Widening Project.
- (c) Option on 23.44' x 33.99' x 253.55' x 2.00' x 274.99' of property, plus a construction easement, at 100 Meadowbrook Road (corner of Randolph Road and Meadowbrook Road), from William G. Waggoner and wife, Virginia N., at \$1,650.00, for the Randolph Road Widening Project.
- (d) Option on 18.36' x 83.59' x 20' x 85' of property at 918 Tyvola Road, from Horace E. Lutz and wife, Jill D., at \$1,500.00, for Tyvola Road Relocation.
- (e) Acquisition of 50' x 150' x 50' x 150' of property (total take) at 1715 Statesville Avenue, from Arthur John Hoover and wife, Geneva P. Hoover, at \$16,145.00, for Statesville Avenue Widening Project.
- (f) Option on 30.02' x 50.0' x 30.01' x 50.0' of property at 1717 Statesville Avenue, from Hebrew Cemetary Association, Inc., at \$1,875.00, for Statesville Avenue Widening Project.
- (g) Option on 8.67' x 185.22' x 30.38' x 33.39' x 164.40' of property, plus construction easement, at 1100 Coddington Place (corner of Randolph Road), from Bertha M. Parker (widow), at \$2,050.00, for Randolph Road Widening.

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- (h) Right of Way Agreement on 27.72' x 58.63' x 6.04' x 58.21' x 27.72' x 6.10' of property, plus a construction easement, at 2715 Sharon Amity Road, from George W. Lee and wife, C. M. Tong, at \$1,400.00, for Sharon Amity Road Widening Project.
- (i) Option on 9.09' x 114.29' x 3.14' x 113.34' of property at 2500 South Boulevard, from Exxon Corporation, at \$4,750.00, for Remount Road Widening Project.
- (j) Option on 6.10' x 201.67' x 6.16' x 202.00' of property, plus a construction easement, at 3730 North Sharon Amity Road, from Granville Townhouse Apartments, at \$1,250.00, for Sharon Amity Road Widening - Section III.
- (k) Option on 6.26' x 175.55' x 6.29' x 175.66' of property, plus a construction easement, at 3814 Sharon Amity Road, from J. S. Therrell and wife, Ann M., at \$1,189.00, for Sharon Amity Road Widening - Section III.
- (l) Option on 6.29' x 175.44' x 6.32' x 175.53' of property, plus a construction easement, at 3830 North Sharon Amity Road, from E. T. Haney and wife, Alice M., at \$1,154.00, for Sharon Amity Road Widening - Section III.
- (m) Option on 6.01' x 361.51' x 48.41' x 356.85' of property, plus a construction easement, at 4701 North Sharon Amity Road, from Henry Orr and wife, Georgia J. at \$2,265.00, for Sharon Amity Road Widening Project.
- (n) Acquisition of 15' x 344.90' of easement at 3230 Rea Road (off Providence Road), from Charles Linday Byrum and wife, Alice B. Byrum, at \$850.00, for Sanitary Sewer to Serve Rea Road.
- (o) Acquisition of 15' x 276.91' of easement at 3498 North Interstate 85, from Marc H. Silverman, Trustee, at \$1,000.00, for Sanitary Sewer to serve Starita Road near Interstate 85.

ACQUISITION OF SANITARY SEWER EASEMENTS FOR ANNEXATION AREAS, AUTHORIZED.

Motion was made by Councilman Withrow, weconded by Councilman Short, and unanimously carried, authorizing the acquisition of ten (10) parcels of sanitary sewer easements for the annexed areas, as follows:

- (a) Annexation Area I (2) Sanitary Sewer Collector Mains  
5 parcels
- (b) Annexation ARea I (1 & 12) Sanitary Sewer Trunks  
3 parcels
- (c) Annexation Area I (11) Sanitary Sewer Trunks  
1 parcel
- (d) Annexation Area I (4) Sanitary Sewer Trunks  
1 parcel

MAYOR EXCUSED FROM MEETING, AND COUNCILMAN SHORT APPOINTED AS CHAIRMAN PRO TEM.

Councilman Short moved that Mayor Belk be excused from the meeting due to a conflict on the next item. The motion was seconded by Councilwoman Locke and carried unanimously.

Councilwoman Locke moved appointment of Councilman Short as Chairman pro tem during the absence of the Mayor. The motion was seconded by Councilman Harris, and carried unanimously.

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**CONTRACT WITH FEREBEE, WALTERS AND ASSOCIATES FOR FEASIBILITY STUDY FOR PARKING GARAGE IN THE CENTRAL BUSINESS DISTRICT.**

Contract with Ferebee, Walters and Associates for feasibility study for parking garage in the Central Business District, in an amount not to exceed \$23,000 was presented.

Mr. Bobo, Assistant City Manager, stated this study is needed to decide the size, configuration and the property needed. The City will study the financial needs. Councilman Harris asked if this will determine if it is needed? Mr. Bobo replied that has already been determined through a study made sometime ago by Wilbur Smith & Associates in 1970. Councilman Harris replied a lot of things have happened since 1970. Mr. Bobo replied there has been a master plan for mass transportation since that time; staff has reviewed this in light of that plan, and still feels the parking study by Wilbur Smith is good, and that it is needed. In order to keep the retail section of Downtown healthy, they feel it is necessary to build public parking.

Councilman Withrow stated this comes under the heading of transportation, and it was his understanding when he fought so long to get a transportation planner, that we would have in-house capabilities. He is not arguing against the architectural firm; but he is saying he thought we would have this in-house capabilities. Mr. Bobo replied the transportation planner did participate in this review to make this recommendation to Council to go to an architect to make the feasibility study.

Councilman Gantt asked if this firm will make the site selection, and develop the design. Mr. Bobo replied it will include an architectural contract. If Council decides later to build the garage, this would include this firm as the architect for the building. At the moment, the city is only asking for conceptual plans. If it goes no further than this, it will not exceed \$23,000 on a per diem basis. If it goes further, this will be applied to the architectural fee, and is a standard AIA fee.

Mr. Bobo stated the financial feasibility will be studied by the Finance Department. This is the need for an architect to look at the property configurations as to what properties would be needed; what configuration of a building would be needed; what size of building will accommodate the number of cars. This would also involve the pedestrian mall that is planned downtown. This type of study is needed to determine now some type of costs and they will come back to Council to determine, with the finance people and the study by the architect, what will be done with it.

Councilman Williams asked if this will serve some of the purposes of those three levels that were planned for the transportation center? Mr. Bobo replied it is not related to the Civic Center at all or to the transportation center. That Wilbur Smith's study shows the need for parking for the retail sector of the downtown.

During the discussion that followed, Councilman Harris stated he would like to go to these small merchants that Mr. Bobo is talking about and ask them if they would like for the city to take some of their taxes and build a parking garage. Mr. Bobo replied the retail merchants are leaving the downtown area; we need to encourage them to stay in the downtown area, and think a parking garage for hourly parking, publicly run, or by contract, would be a way to stimulate the building and a way for retail merchants to stay in the area.

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Councilman Harris stated on one hand we are trying to encourage the development of mass transit and on the other hand we are trying, it seems to him, to encourage the cars downtown. This is being talked about between Fifth and Sixth Streets on College Street. The only way to get there is to come down College Street, which is congested already, or down Fifth or Sixth Street, one way streets. Mr. Bobo replied the architect would be studying all of this along with our own people. Councilman Harris stated the county has bought the First Baptist Church, and we have plans for the Fourth Ward. That he wonders how all of this ties together. Mr. Bobo replied it ties in with the comprehensive plan. This is located in the general area.

Councilman Withrow stated his only question is the expertise in-house, and saving \$23,000. Mr. Bobo stated this does not mean that it will cost \$23,000; this is saying it will not exceed that amount. There is in-house contributions, but an architectural firm is also needed.

Councilman Harris stated he cannot support this until he sees some feedback from the small merchants downtown. That we built the parking garage on McDowell Street on a lease back arrangement, and he does not necessarily think we need to do the same over and over again. Now we are looking at another site. Mr. Bobo replied there are no financial arrangements recommended at this time; that will be part of a later study.

After further discussion, Councilman Gantt moved approval of the contract. The motion was seconded by Councilwoman Locke.

Chairman pro tem Short asked if the motion could be amended to include the question of the feasibility of using revenue bonds for this purpose.

After further discussion, Councilman Gantt amended his motion to approve the contract with Ferebee, Walters and Associates, for a feasibility study, in an amount not to exceed \$23,000, for a publicly owned parking garage in the Central Business District provided the firm works in close conjunction with the Finance Department on the feasibility including the use of Revenue Bonds. The motion was seconded by Councilwoman Locke, and following discussion, carried by the following vote:

YEAS: Councilmembers Gantt, Locke, Williams and Short.

NAYS: Councilmembers Harris and Withrow.

COUNCILMAN GANTT EXCUSED FROM MEETING DUE TO CONFLICT.

Councilman Withrow moved that Councilman Gantt be excused from the meeting due to a conflict on the next item. The motion was seconded by Councilman Williams, and carried unanimously.

MAYOR BELK RETURNS TO MEETING.

Mayor Belk returned to the meeting at this time, and presided for the remainder of the session.

CHANGE ORDER D-1 IN CONTRACT WITH DOVER ELEVATOR COMPANY FOR BELMONT NEIGHBORHOOD CENTER.

The change order in contract with Dover Elevator Company increasing the contract price by \$2,415.00 due to hitting of rock in providing the elevator jack hole in the project, was presented.

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Councilman Harris stated he is opposed to this; that the language in the contract that says "contractor shall state the price per lineal feet for rock excavation" is clear. Councilwoman Locke stated she is also opposed.

After explanation by Mr. Bobo, Assistant City Manager, the City Attorney and Mr. Huberman, the architect, Councilman Withrow moved approval of the change order, which motion was seconded by Councilman Short, and after further discussion, the vote was called and passed as follows:

YEAS: Councilmembers Withrow, Short, Harris and Williams.  
NAYS: Councilwoman Locke.

CONTRACTS AUTHORIZED UNDER TITLE VI OF THE COMPREHENSIVE EMPLOYMENT TRAINING ACT (CETA EMERGENCY JOBS).

Motion was made by Councilwoman Locke, seconded by Councilman Harris, and unanimously carried, approving contract with Employment Security Commission of North Carolina to provide three job opportunities for three program participants to assist with the processing of unemployment insurance claims, at a cost of \$21,849.

Upon motion of Councilman Harris, seconded by Councilman Williams, and unanimously carried contract was approved with Charlotte Housing Authority to provide for ten job opportunities for ten program participants to perform landscaping and maintenance duties at various public housing projects, at a cost of \$74,614.

Councilwoman Locke moved approval of contract with Association for Sickle Cell Disease to provide for one job opportunity for a program participant to establish a data bank to aid in the detection, counseling, follow-up, referral management and prevention of Sickle Cell Disease, at a cost of \$7,716. The motion was seconded by Councilman Williams and carried unanimously

Motion was made by Councilman Harris and seconded by Councilwoman Locke to deny contract with Hezekiah Alexander Foundation for one program participant to perform housekeeping and maintenance duties at the Hezekiah Alexander Center, at a cost of \$8,013. Councilman Short made a substitute motion to approve the contract, which was seconded by Councilman Gantt. The vote was taken on the substitute motion and carried as follows:

YEAS: Councilmembers Short, Gantt, Withrow.  
NAYS: Councilmembers Harris, Williams, Locke.

Mayor Belk broke the tie voting in favor of the motion.

CONTRACT AWARDED GILBERT ENGINEERING COMPANY FOR CONSTRUCTION OF MAIN SEWERS IN ANNEXATION AREA I (2).

Motion was made by Councilwoman Locke, seconded by Councilman Withrow and carried unanimously awarding contract to the low bidder, Gilbert Engineering Company, in the amount of \$624,181.35, for construction of main sewers in Annexation Area I (2).

The following bids were received:

Gilbert Engineering Company	\$624,181.35
Propst Construction Company, Incorporated	668,405.91
T. A. Loving Company, Incorporated	670,886.50
Sanders Brothers	677,491.20
Dickerson, Incorporated	705,516.80
Ben B. Propst Constructor, Incorporated	710,314.20
F. T. Williams Company, Incorporated	739,256.50
Boyle Utilities, Incorporated	788,818.00
J & L Excavating	861,797.00

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C. C. HOPE, JR. APPOINTED TO THE AUDITORIUM-COLISEUM-CIVIC CENTER AUTHORITY FOR UNEXPIRED TERM.

Upon motion of Councilman Short, seconded by Councilman Harris and un-animously carried Mr. C. C. Hope, Jr. was appointed to the Auditorium-Coliseum-Civic Center Authority for the unexpired term of Sandy R. Jordan.

NOMINATION OF EDNA GASTON TO HOUSING APPEALS BOARD.

Councilman Gantt placed in nomination the name of Mrs. Edna Gaston to succeed herself on the Housing Appeals Board for a three year term.

REQUESTS FOR INCLUSION IN THE NEXT AGENDA.

- (1) Councilman Williams stated last Tuesday, the voters voted down the proposal to use ad valorem taxes to operate the bus system and voted for the purchase of the system. So we are left in the position as Joe Withrow says "having a car with no gas." Sometimes voters are smarter than people give them credit for, and maybe they are not too sophisticated and are acting on intuition. What they might be saying is to find another way, other than property taxes, to run that bus system. When he thought about it, it made some sense to him. There are other sources of revenue which might be more appropriate. One for example is the sales tax which Atlanta has. Or second with gasoline taxes. That he thought about the powell bill money we receive, some \$3.0 or \$4.0 million refund. This is restricted for street maintenance and building.

Councilman Williams stated he would like to have at the next Council Meeting on the Agenda, a resolution calling on the General Assembly to amend the powell bill law in such fashion as to permit municipalities, at its discretion, to use part of that gasoline refund to help finance public transportation, particularly the bus system.

That he will talk with Mr. Underhill, and have the resolution prepared for the next agenda.

- (2) Councilwoman Locke stated she has received a number of calls about the ordinance on pornography which Allan Bailey brought to Council recently. She asked the City Attorney if he has a report.

Mr. Underhill replied the final draft is on his desk at this time; that he plans to read it again and send it along with his comments to council this week.

Mr. Bobo suggested that Council review it when it is received and then they can decide if and when it should go on the agenda.

- (3) Councilman Short asked the status of the legislative bill on the Council's ability to create a transit authority. Mr. Underhill, City Attorney, replied that Bill was approved by Council last year and submitted to the delegation too late for them to consider submitting it in the 1974 session. There was no similar action on the part of the Council to ask that a bill of that nature be included in the 1975 package; so it is not a part of the 1975 package.

Councilman Short requested that it be placed on the agenda for the next Council Meeting.

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- (4) Councilman Short requested that the next agenda include the question of the adoption of the ordinance calling for non-partisan elections in the city's elections.
- (5) Councilman Harris requested that the question of the four-year terms be included on the agenda for the next meeting.
- (6) Councilman Harris stated each Councilmember received a copy of the report from Jerry Coffman in response to his request last week about the possibility of freezing employment in the City between now and the end of the fiscal year. He requested that it be placed on the agenda for next week to delete the 84 positions in the city at the present time. That he thinks it is very important to do this with the public to understand that Mr. Dukes has already taken it into consideration in light of the funding requirements, and has already closed the 28 positions in the Utility Department. That he thinks Council should take up this item officially.
- (7) Councilman Withrow stated he has talked to a lot of people in the building business. They are concerned about the fact that building has declined but we still have the same number of inspectors in the Inspection Department; these contractors wonder what the inspectors are doing as there are no footings being poured, and no buildings constructed. They were concerned about why the city does not go on a four-day for these people, rather than laying anyone off. They want to know what these inspectors are doing.

Mr. Bobo, Assistant City Manager, stated there are buildings being built, and certificates of occupancy are being certified; old buildings are being reviewed, and the people are needed. The Inspection Department, for a number of years, has asked for additional people, and the administration has held them close. Then the annexation took place, only a few additional inspectors were authorized. They still have work to do.

Mayor Belk requested that a report be made to Council on this. Councilman Withrow stated he thinks it would be good to have this for the televised meeting. That he is not talking about laying off.

RESOLUTION EXTENDING SYMPATHY AND HONORING THOMAS A. LITTLE.

The following resolution was requested made a part of the minutes:

"WHEREAS, it is with sincere and deep regret that the City Council learned of the death of Thomas A. Little on Sunday, April 13, 1975; and

WHEREAS, Mr. Little was appointed to the Auditorium-Coliseum Authority at its inception in 1951 and served on the authority until illness forced him to resign in 1973; and

WHEREAS, he rendered valuable civic service in that capacity giving generously of his time and efforts, and the City of Charlotte is indebted to him for his contribution and dedication to his position; and

WHEREAS, he has been a moving force in Mecklenburg County politics for the past three decades, not as an office holder, but as a participant in the campaigns of many candidates. He was known as a very warm and generous man and was quick to anonymously donate to those in need of assistance.

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NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, in regular session, duly assembled, this 14th day of April, 1975, that the Mayor and the members of the City Council, do by this resolution and public record, extend their deepest sympathy to the family of Thomas A. Little.

BE IT FURTHER RESOLVED that this resolution be spread upon the minutes of this meeting and a copy thereof be sent to his family.

RESOLVED this 14th day of April, 1975."

ADJOURNMENT.

Upon motion of Councilman Short, seconded by Councilman Withrow, and unanimously carried, the meeting adjourned.

  
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Ruth Armstrong, City Clerk