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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held on Monday, April 2, 1973, at 3:00 o'clock p.m., in the Council Chamber, City Hall, with Mayor John M. Belk presiding, and Councilmembers Fred D. Alexander, Ruth M. Easterling, James D. McDuffie, Milton Short, James B. Whittington and Joe D. Withrow present.

ABSENT: Councilman Sandy R. Jordan. Mayor Belk advised that Councilman Jordan is in the hospital for an operation on his hand.

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INVOCATION.

The invocation was given by Councilman Joe D. Withrow.

APPROVAL OF MINUTES AS AMENDED.

Upon motion of Councilman Alexander, seconded by Councilman Withrow, and unanimously carried, the minutes were approved for the meeting on March 26, 1973, with the following addition as requested by Councilman Short:

Page 351 - Line 30: Add the following as first four paragraphs under the contract with Urban Institute as explanation:

"Mr. Branscome, Assistant to the City Manager, stated there are people in city government who have a basic handle on the establishment of objectives which can be evaluated later on. But there are two problems. One is having enough people available in the short time we have to prepare the objective budget for next year in an effort to make it a better objective budget. Two, we do not have the experience and the detailed background that the Urban Institute has. We do have some people who are generally qualified but we do not have enough manpower and the people who have the detailed background these people have. In addition to helping with specific objectives, they will help train the city's staff to give guidance and assistance so that we will be better prepared next year. He stated the contract covers four-man months, plus all the associates' travel expenses, and everything else they have.

Mr. Branscome stated in all due respect to those involved in our objective budget, we recognize that our objective budget this year was not as good as it could have been; but it was a first step and a good step. Now we are looking to make it even more helpful and even more useful in the future and we need to refine it. We need to state our objectives in a better fashion and in a more specific fashion. As far as this type of work is concerned, the City of Charlotte has as many experts and is as far along, if not further, than most any other city in the country; but we are looking for additional staff people, additional staff time, and a little more detailed perspective, and a little more experience, from this Institute that has worked in this area.

Mr. Burkhalter, City Manager, stated this is a contractual organization that has expertise, and there are very few cities that could afford to use them under any circumstances. No one in this city would agree to pay the individuals they have, what they would have to be paid, to get this kind of service. These people are program oriented and know how to put this information into a total picture. This is being used to give us a program, and everybody else in the country can, and hopes to use it to some extent. He stated staff is trying to prepare the Council so it can make intelligent decisions on how it is going to distribute some seven to fifteen million dollars in federal money that is coming in for programs that exist today and some that do not exist. When the Charlotte Area Fund program closes in this city, we will have major problems; we will have major problems when the

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Model Cities program closes; and there will be major decision to make. Staff is trying to beef up the capacity to get this information available to Council and to use the best brains it can to do it on a short scheduled time; and time is running out. He stated this program is paid for 3/4 by the federal government; and they have agreed this is a proper way to ascertain what our needs are in helping to determine our objectives. These objectives are much broader than we have been accustomed to, and much broader in the area that we will have to select and get the information we have not been accustomed to doing at all.

Councilman Short stated he feels the experts we have like the Systems Corporation and so forth are largely operational, and what we are seeking here is a sort of thinking operation, and it seems to him for insurance for the investments we have made in IMIS, in evaluation, and in the new budgetary system, it would be good to have this kind of management assistance."

HEARING ON AMENDMENT NO. 5 TO THE REDEVELOPMENT PLAN AND THE FEASIBILITY OF RELOCATION FOR NEIGHBORHOOD DEVELOPMENT PROJECT NO. N. C. A-3: RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA APPROVING AMENDMENT NO. 5, REDEVELOPMENT PLAN AND THE FEASIBILITY OF RELOCATION FOR NEIGHBORHOOD DEVELOPMENT PROJECT NO. N. C. A-3: RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA AUTHORIZING THE FILING OF AN AMENDATORY NEIGHBORHOOD DEVELOPMENT PROJECT APPLICATION FOR PROJECT NO. N. C. A-3.

The public hearing was held on Amendment No. 5 to the Redevelopment Plan and the Feasibility of Relocation for Neighborhood Development Project No. N. C. A-3.

Mr. Vernon Sawyer, Executive Director of the Redevelopment Commission, stated the original plan approved for the Downtown Project, which is a neighborhood development program project, set the activity year dates as July 1, 1970, ending June 30, 1971. Once that original activity year was established, those dates have held in succeeding years. They are now recommending to Council the amendment for the fourth year. Since the original plan was approved, the amendments have consisted primarily of financial changes. These changes are necessary year by year to accommodate the peculiar annual financing arrangement of the neighborhood development program. Every year since the beginning year, which was 1970-71, they have recommended amendments to add the new year's money - both federal money and the city money - money that is going to finance that particular year's project activities. During the next year they have planned that the project activities already under way will be continued and completed.

He stated the things they have under way and need to be continued to completion are: (1) completing the project improvements; (2) completing the relocation of businesses; (3) completing the demolition and site clearance; and (4) completing the sale of the land.

Mr. Sawyer stated to finance these activities they are planning for a federal grant of \$1,700,516, and recommending that Council approve a local matching grant in the amount of 1/3 of that which is \$503,758. Of these amounts, the city's \$503,758 is broken down between the amount of \$382,891 in the form of site improvements; and \$120,867 in cash; of which \$28,091 will be in the form of tax credits.

He stated this year added to the previous three years presents a cumulative total project cost figure that is very favorable to the city. The total expected net cost projected to the end of next year (June 30, 1974) will be \$10,547,791. The federal government through HUD will appropriate \$7,031,861 of that. The city's 1/3 share will be \$3,515,930. Of this three and half million dollars, the credit from the civic center is \$2,675,000 or 25% of the development costs of the civic center. That brings it down to \$840,930 that the city will contribute in addition to the credit derived from the civic center. Of this amount the other credits the city is getting for work that has been or will be accomplished is \$500,000, leaving approximately \$340,000 in cash the city will have put in at the end of next year to finance the entire downtown project.

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No opposition was expressed to the amendment.

Motion was made by Councilman Whittington, seconded by Councilman Short, and unanimously carried, adopting a resolution of the City Council approving Amendment No. 5, Redevelopment Plan and the Feasibility of Relocation for Neighborhood Development Project No. N. C. A-3.

The resolution is recorded in full in Resolutions Book 9, beginning at Page 76.

Councilman Alexander moved adoption of a resolution of the City Council authorizing the filing of an amendatory Neighborhood Development Project Application for Project No. N. C. A-3. The motion was seconded by Councilman Short, and carried unanimously.

The resolution is recorded in full in Resolutions Book 9, at Page 80.

RESOLUTION CALLING FOR A PUBLIC HEARING ON APRIL 30 ON THE CENTRAL PIEDMONT COMMUNITY COLLEGE CAMPUS MASTER PLAN.

Upon motion of Councilman Whittington, seconded by Councilwoman Easterling, and unanimously carried, the subject resolution was adopted calling for a Public Hearing on April 30 on the Central Piedmont Community College Campus Master Plan.

The resolution is recorded in full in Resolutions Book 9, at Pages 81-82.

RESOLUTION FIXING DATE OF PUBLIC HEARING ON MONDAY, APRIL 30, 1973, ON PETITION OF REDEVELOPMENT COMMISSION TO CLOSE A PORTION OF BURTON STREET.

Motion was made by Councilman Alexander, seconded by Councilman Withrow, and unanimously carried, adopting the subject resolution fixing date of public hearing on Monday, April 30, 1973, on petition of Redevelopment Commission to close a portion of Burton Street.

The resolution is recorded in full in Resolutions Book 9, at Page 84.

RESOLUTION FIXING DATE OF PUBLIC HEARING ON MONDAY, APRIL 30, 1973, ON PETITION OF REDEVELOPMENT COMMISSION TO CLOSE PORTIONS OF BURTON STREET AND WEARN STREET.

Councilman Withrow moved adoption of the subject resolution fixing date of public hearing on Monday, April 30, 1973, on petition of Redevelopment Commission to close portions of Burton Street and Wearn Street, which motion was seconded by Councilman Short, and carried unanimously.

The resolution is recorded in full in Resolutions Book 9, at Page 83.

Councilman Alexander stated in closing out these streets in Greenville he asked if any consideration has been given to re-naming the new streets, some of the same names that exist, especially on the older streets like Johnson, Burton, and Snowball? Mr. Sawyer, Director of Redevelopment Commission, replied many of them are retaining their same names as far as their recommendation goes. He stated their recommendations to the Planning Commission are on the plat. Some of the streets are realigned and are new streets, but they are generally in the same vicinity of the old street, so it carries the same name. Councilman Alexander stated he thinks we should keep these old names as they mean a lot to the people.

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CONTRACT WITH CHARLOTTE MEMORIAL HOSPITAL FOR SICKLE CELL ANEMIA PROGRAM DEFERRED FOR ONE WEEK.

Councilman Alexander stated he had asked that the subject contract be deferred last week so he could get some additional information and talk to Dr. Lowe and his group. He stated he has not had a chance to go through the contract which was just handed to him. That he had a call from Dr. Lowe this morning and he has not finished talking with one of the persons he wanted to talk to at Memorial Hospital. He stated he would like to ask that this be deferred again.

Councilman Alexander moved that the subject contract be deferred for one week. The motion was seconded by Councilman Withrow, and carried unanimously.

CONTRACT FOR TECHNICAL OR PROFESSIONAL SERVICES BETWEEN THE CITY OF CHARLOTTE MODEL CITIES DEPARTMENT AND OPEN HOUSE, INC., APPROVED, AND ORDINANCE AMENDING THE 1972 MODEL CITIES BUDGET ORDINANCE, PROVIDING FOR A SUPPLEMENTAL APPROPRIATION TO CLOSE OUT THE OPEN HOUSE THERAPEUTIC COMMUNITY PROJECT ADOPTED.

Motion was made by Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, approving the contract with Open House, Inc., amending the contract price by increasing the price by \$2,162.48, and adopting Ordinance No. 760-X Amending Ordinance No. 363-X, the 1972 Model Cities Budget Ordinance providing a supplemental appropriation in the amount of \$2,162.48 to close out the Open House Therapeutic Community Project.

The ordinance is recorded in full in Ordinance Book 20, at Page 42.

ORDINANCE NO. 761-X AMENDING ORDINANCE NO. 520-X, THE 1972-73 BUDGET ORDINANCE, AUTHORIZING A WATCHMAN POSITION FOR THE MINT MUSEUM TO BE FUNDED FROM THE CURRENT CITY APPROPRIATION FOR THE MINT MUSEUM.

Upon motion of Councilman Whittington, seconded by Councilman Short, and unanimously carried, the subject ordinance was adopted authorizing a Watchman Position for the Mint Museum, to be funded from the current city appropriation for the Mint Museum.

The ordinance is recorded in full in Ordinance Book 20, at Page 43.

CONTRACT WITH A-1 HANDI MINI STORAGE, INC. FOR CONSTRUCTION OF SEWER MAIN, APPROVED.

Motion was made by Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, approving the subject contract between the City of Charlotte and A-1 Handi Mini Storage, Inc. for the construction of approximately 215 linear feet of 8-inch sewer main in South Boulevard, to serve 4337 South Boulevard, inside the city, at an estimated cost of \$1,551.00. The applicant has deposited 100% of the estimated cost and refund is as per agreement.

ENCROACHMENT AGREEMENTS WITH THE STATE HIGHWAY COMMISSION, AUTHORIZED.

Councilman Whittington moved approval of the following encroachment agreements with the State Highway Commission, which motion was seconded by Councilman Short, and carried unanimously:

- (a) Encroachment Agreement permitting the City to construct an 8-inch sanitary sewer line within the right of way of West Sugar Creek Road, for sanitary sewer to serve Gulf Oil Company

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- (b) Encroachment Agreement permitting the City to construct a 6-inch C.I. water main within the right of way of Independence Boulevard, west of Cedar Street, for a distance of approximately 300 feet.
- (c) Encroachment Agreement permitting the City to construct a 54-inch sanitary sewer line within the right of way of U.S. #521 for Crossover Outfall Sewer at U. S. #521 (Pineville Road).

RESOLUTION PETITIONING THE MECKLENBURG COUNTY BOARD OF COMMISSIONERS TO REQUEST THE NORTH CAROLINA STATE HIGHWAY COMMISSION TO ABANDON PORTIONS OF STREETS TO ACCOMMODATE CONSTRUCTION OF NEW NORTH-SOUTH PARALLEL RUNWAY AT DOUGLAS MUNICIPAL AIRPORT.

Motion was made by Councilman Alexander, and seconded by Councilman Whittington to adopt a resolution petitioning the Mecklenburg County Board of Commissioners to request the North Carolina State Highway Commission to abandon portions of N. C. 160, S.R. 1196 (Nannie Price Road), S.R. 1182 (Warren Road), S.R. 1204 (Berryhill Lane), and S.R. 1191 (Old Dowd Road), to accommodate the construction of the new North-South Parallel Runway at Douglas Municipal Airport.

Councilman Whittington stated there were some people in the meeting earlier and they have been told they would be allowed to remove their personal effects before this road is closed. Mr. Birmingham, Airport Manager, replied all the people have been relocated in these portions of the road. The people Mr. Whittington refers to are concerned about Old Dowd Road; that the airport is providing an access road around the end of the runway.

The vote was taken on the motion and carried unanimously.

The resolution is recorded in full in Resolutions Book 9, at Pages 85-86.

MAYOR AUTHORIZED TO EXECUTE AN AGREEMENT ACCEPTING THE INTERGOVERNMENTAL PERSONNEL ACT (IPA) GRANT TO SUPPORT PART OF THE COST OF ESTABLISHING AND OPERATING A SPECIAL EQUAL EMPLOYMENT OPPORTUNITY PROGRAM: AND ORDINANCE NO. 762-X AMENDING ORDINANCE NO. 530-X, THE 1972-73 BUDGET ORDINANCE ESTABLISHING A BUDGET FOR THE EQUAL OPPORTUNITY PROGRAM.

Councilman Short asked what would be some of the content of a training course on equal opportunities? He asked if it is a law course? Mr. Earle, Personnel Director, replied applied law is what we are talking about. They want to provide meaningful information to each of the department heads, those with supervisory responsibilities right on down the line as to the "do's and don'ts" permitted under the new EEOC act as it applies to us. This is one portion of our program. Other parts of the request involve the preparation of in-house affirmative action programs. At present we are required to have an affirmative action plan for the airport. The LEAA produces this kind of requirement as a basis of a recipient of LEAA funds. Other departments and agencies of the city government are also subject to this requirement depending upon the way in which grant funds are applied. We have had an equal employment review of the planning department because of the federal grant it has. In summary, this is an opportunity to prepare the programs that we will have to prepare, and to train the people in the application.

Councilman Alexander asked if one of the positions will be filled by a black out of the two that are being established? Mr. Earle replied no decision has been made on that; no one is under consideration for these positions at this point in time. Councilman Alexander stated he is saying with the two positions being set up if one will be a black employee; not who he will be but will it be a black employee? Mr. Earle replied he would be reluctant to make a commitment because he thinks the qualifications are important. Councilman Alexander stated this is going into an equal employment opportunity proposal here, and will be establishing guidelines for personnel and such, and it will enhance the value of our motives if one of these positions is filled by a black. That he would be reluctant to establish a position like this unless it is tied in in that fashion.

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Mr. Earle stated a portion of the cost of this program is in the form of in-kind contributions which means the minority group will be involved in one fashion or the other.

Councilman Alexander stated he wants to vote for this, but he wants to vote for it with a clear understanding that one of these two positions will be filled by a black.

Mr. Earle stated this is a one year grant, and they will have to make a very careful judgment as to the background, the training, qualifications and abilities of the top position to do the job; there is no reason why either one, or both of these positions cannot be black if they can find the qualified people.

He stated he would not like to stand here and give an absolute guarantee that he will hire a black, white or red. That he thinks the concern would be to get the job done. If it can be done better with a qualified black, then this is the way they will go.

Councilman Alexander stated the question in his mind is not whether he can do it with a better qualified black or white; but that one of these two positions be open for a black employee and that a competent black person be found to fill that position. Mr. Earle replied he can guarantee the stenographic position but he is not certain about the other position.

Councilman Alexander stated he thinks it is important that the record show it was Council's intention and purpose in passing the approval of the establishment of these two positions that this would take place, especially for the purpose of the work they are to be set up in. Mr. Earle stated the whole purpose of this program is to set up a plan for the recruitment and employment of minority group members. He stated they can do their best to fill this with a person who can do the job the best way.

Councilman Withrow stated you have to have a qualified person to fill the position; and it should be left up to Mr. Earle. If he has a qualified black then he should put him on but he does not think Council should hold his feet to the fire and tell him to put a black on regardless of whether he is qualified or not.

Councilman Alexander stated he is saying that one of these two positions be manned by a qualified black person. Mayor Belk stated he thinks he is obligated to find a qualified black person if he possibly can.

Councilman Alexander stated his vote for this carried with it the understanding that efforts will be made to find a qualified black to fill one of these two newly created positions as established in this item.

Councilman McDuffie moved approval of the agreement and the ordinance as stated on the agenda. The motion was seconded by Councilman Whittington.

Councilman Alexander asked that the record show that he expressed a personal request that it be written into the minutes that his vote yes is with his personal understanding of the discussion just held.

The vote was taken on the motion and carried unanimously.

The ordinance is recorded in full in Ordinance Book 20, at Page 44.

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AGREEMENT WITH SOUTHERN BELL TELEPHONE & TELEGRAPH COMPANY FOR RELOCATING UNDERGROUND CONDUIT AND CABLE FACILITIES IN THE GREENVILLE URBAN RENEWAL AREA, APPROVED.

Upon motion of Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, the subject agreement was approved between the City of Charlotte and Southern Bell Telephone & Telegraph Company for relocating underground conduit and cable facilities in the Greenville Urban Renewal Area, in the amount of \$99,151.00.

Councilman McDuffie stated in putting these lines underground some of the poles end up on the corners, and they are hit by trucks. That some effort should be made to move the poles to the back of the sidewalks to prevent them from being knocked down when trucks turn the corners.

ORDINANCE NO. 763-X AFFECTING HOUSING DECLARED UNFIT FOR HUMAN HABITATION UNDER THE PROVISIONS OF THE CITY'S HOUSING CODE BY ORDERING THE DWELLING AT 623-627 JACKSON AVENUE TO BE VACATED, DEMOLISHED AND REMOVED.

After viewing the pictures of the dwelling, motion was made by Councilman Whittington, seconded by Councilwoman Easterling, and unanimously carried, adopting the subject ordinance affecting housing declared unfit for human habitation under the provisions of the City's Housing Code by ordering the dwelling at 623-627 Jackson Avenue to be vacated, demolished and removed.

The ordinance is recorded in full in Ordinance Book 20, at Page 45.

RESOLUTION AUTHORIZING THE REFUND OF TAXES WHICH WERE LEVIED AND COLLECTED THROUGH CLERICAL ERROR AGAINST NINE TAX ACCOUNTS.

Councilman Whittington moved adoption of the subject resolution authorizing the refund of taxes in the total amount of \$2,370.18, which were levied and collected through clerical error against nine (9) tax accounts. The motion was seconded by Councilman Alexander, and carried unanimously.

The resolution is recorded in full in Resolutions Book 9, at Page 87.

APPROVAL OF SETTLEMENT IN THE CASE OF CITY V. LILLIAN FREEMAN HUDSON, ET AL, FOR PARCEL 139, FOR AIRPORT EXPANSION PROJECT.

Upon motion of Councilman Alexander, seconded by Councilman Short, and unanimously carried, settlement was approved in the case of the City v. Lillian Freeman Hudson, et al, for Parcel 139, Airport Expansion Project, in the amount of \$312,000.00.

Council was advised there are 46 acres of land involved containing eight houses.

PROPERTY TRANSACTIONS AT DOUGLAS MUNICIPAL AIRPORT, AUTHORIZED.

Motion was made by Councilman Whittington, seconded by Councilman Short, and unanimously carried, authorizing the following property transactions at Douglas Municipal Airport:

- (a) Acquisition of 120' x 183' x 120' x 170' of property on Pinellas Drive, with a one-story brick residence, from Melvin B. Wallace & wife, Frances, at \$26,000.00.

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- (b) Acquisition of 330' x 530' x 512' x 329' x 176' of property on Byrum Drive, from Melvin B. Wallace, and wife, Frances P., at \$17,200.00.
- (c) Acquisition of 275' x 245' x 363' x 280' of property on Pinellas Drive, from Melvin B. Wallace and wife, Frances P., Walter R. Wallace and wife, Betty M., at \$8,400.00.

PROPERTY TRANSACTIONS, AUTHORIZED.

Councilman Short moved approval of the following property transactions, which motion was seconded by Councilman Whittington, and carried unanimously:

- (a) Acquisition of approximately 8' x 33' of easement at 6837 Ronda Avenue, in Stonehaven Development off Rama Road, from Howell Frank Snodgrass and wife, Arian, at \$35.00, for Trunk to Eliminate Stonehaven Lift Station.
- (b) Acquisition of approximately 6' x 35' of easement at 6845 Ronda Avenue, in Stonehaven Development off Rama Road, from John W. Youngblood and wife, Priscilla D., at \$35.00, for Trunk to Eliminate Stonehaven Lift Station.
- (c) Acquisition of 25' x 240.69' of easement at 6857, 6863, 6901, 6909 Ronda Avenue, in Stonehaven Development off Rama Road, from Harry H. Gibson and wife, Louise B., at \$241.00, for Trunk to Eliminate Stonehaven Lift Station.
- (d) Acquisition of 15' x 178.02' of easement at 1400 Piccadilly Drive, in Stonehaven Development off Rama Road, from Westminster Company, Inc., at \$175.00, for Trunk to Eliminate Stonehaven Lift Station.
- (e) Acquisition of 15' x 3,478.47' of easement at 8300 Monroe Road, from Westminster Company, Inc., at \$4,075.00, for Trunk to Eliminate Stonehaven Lift Station.
- (f) Acquisition of 25' x 1,042.80' of easement at 6520 Pence Road, in Hickory Grove Section, from Estate of Ella Teeter Baker, at \$1,050.00, for McAlpine Creek Outfall Extension Project.
- (g) Acquisition of 25' x 1,162.94' of easement at 6400 Trysting Road, near Hickory Grove, from Oren B. Campbell, and wife, Julia F., at \$1,356.00, for McAlpine Creek Outfall Extension Project.
- (h) Acquisition of 25' x 200.19' of easement at 8200 Albemarle Road, from Nancy A. Starrette and husband, W. H., at \$300.00, for McAlpine Creek Outfall Extension Project.
- (i) Acquisition of 30' x 4,479.26' of easement at 10331 Nations Ford Road, from Blythe Brothers Company, Inc., at \$4,580.00, for Kings Branch Outfall Sanitary Sewer Construction Project.
- (j) Acquisition of 30' x 1,328.99' of easement at 10331 Nations Ford Road, from Blythe Brothers Company, Inc., at \$1,300.00, for Kings Branch Outfall Sanitary Sewer Construction Project.
- (k) Acquisition of 30' x 735.60' of easement at 10331 Nations Ford Road, from Blythe Brothers Company, Inc., at \$735.00, for Kings Branch Outfall Sanitary Sewer Construction Project.

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- (l) Acquisition of 15' x 69.95' of easement on Arrowood Road, near N. C. Highway #160, from Carowinds, Inc., at \$1.00, for Arrowood-Southern 15-foot Sanitary Sewer Right of Way Project.
- (m) Acquisition of 15' x 1,790.70' of easement on Arrowood Road, near N. C. Highway #160, from Arrowood-Southern, at \$1.00, for Arrowood-Southern 15-foot Sanitary Sewer Right of Way Project.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO STATEWIDE STATIONS, INC. AND CARL CHRISTIAN, LESSEE, LOCATED AT 5238 PINEVILLE ROAD, IN THE CITY OF CHARLOTTE, FOR THE TYVOLA ROAD EXTENSION PROJECT.

Upon motion of Councilman Whittington, seconded by Councilman Alexander, and unanimously carried, the subject resolution was adopted authorizing condemnation proceedings for the acquisition of property belonging to Statewide Stations, Inc. and Carl Christian, Lessee, located at 5238 Pineville Road, in the City of Charlotte, for the Tyvola Road Extension Project.

The resolution is recorded in full in Resolutions Book 9, at Page 88.

SPECIAL OFFICER PERMITS AUTHORIZED.

Motion was made by Councilman Withrow, seconded by Councilman Whittington, and unanimously carried, approving the following applicants for a Special Officer Permit for a period of one year:

- (a) Issuance of permit to Porter Worthy Gregory for use on the premises of Associated Grocers Mutual of Carolinas, Inc., 701 Lawton Road.
- (b) Issuance of permit to Otis George Morris for use on the premises of Associated Grocers Mutual of Carolinas, Inc., 701 Lawton Road.
- (c) Renewal of permit to David S. Perry for use on the premises of Northwood Park, Greentree & Eastbrook Woods.
- (d) Issuance of permit to George Franklin Suddreth for use on the premises of Associated Grocers Mutual of Carolinas, Inc., 701 Lawton Road.

CITY MANAGER REQUESTED IN ANSWERING LETTERS FROM CITIZENS TO INDICATE THAT HE IS ANSWERING FOR COUNCIL.

Councilman McDuffie requested the City Manager in answering letters from citizens to indicate on the letter that he is answering for the Council, and that a copy of his answer has gone to Council.

CITY MANAGER, CITY ATTORNEY AND STAFF REQUESTED TO TAKE A SECOND LOOK AT THE DAMAGE TO RESIDENT AT 3745 EASTWAY DRIVE AND REPORT BACK TO COUNCIL.

Mrs. Bertha U. Funderburk, 3745 Eastway Drive, stated her claim for damages to her house has been denied by Council; that she is asking for compensation for the damage that has been done to her property; the city has come almost to her front door; a stake is located within two feet of the left side of her front porch now. She stated she has cracks in her walls and in the ceilings; that this did not appear until after the road construction on Eastway started. That her front porch is tile, and it is broken all the way across, and then broken in other blocks.

Mrs. Funderburk stated she is asking for compensation for this damage. That she did not have any of these problems until after the construction work started.

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Mr. Underhill, City Attorney, stated this claim was sent to Council and acted upon by Council on March 19. That Mrs. Funderburk lives at 3745 Eastway Drive. She seeks compensation for damage to her house as she has stated. He stated there are two possible things the damage can be attributed to. The City in mid-September installed a water line in close proximity to Mrs. Funderburk's house. In addition, the State Highway Commission, through its contract is in the process of widening Eastway Drive in front of Mrs. Funderburk's house. So there is both.

After further discussion, Councilman Whittington requested the City Manager to look at this particular house and location again and give Council a first hand report at the next Council Meeting so that Council will have pictures and other information and can take a second look at this. Councilman Short requested that a conference also be held with the State Highway Commission.

Mr. Underhill stated the State is aware of this claim; they have been given copies of the claim. Mr. Gordon from the Highway Commission, together with people from the city's engineering division, and the city's right of way division, investigated the damage. He stated he will get back with the State and review with them their findings also. With the construction going on by both the city and the state it would be advisable to have such a meeting.

Council advised Mrs. Funderburk that someone would be in touch with her again.

COMMENTS REGARDING DIFFICULTY IN GETTING ASSISTANCE ON SUNDAY AFTERNOON WHEN YOU HAVE CAR TROUBLES.

Councilwoman Easterling called attention to the fact that there is a problem getting assistance when you have car troubles at five o'clock on Sunday afternoon. That she has concern for a visitor who might have the same difficulty she had this past weekend.

CITY MANAGER REMINDED ABOUT SIGNS PROHIBITING PEDESTRIANS ON INTERSTATES.

Councilman McDuffie reminded the City Manager to contact the State about placing signs along interstates about no pedestrians being allowed on the interstate.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE COMMITTING THE CITY TO EXPEND BOND FUNDS ON CERTAIN DESIGNATED PROJECTS.

Councilman Whittington read the subject resolution and moved its adoption. The motion was seconded by Councilman Short, and carried unanimously.

The resolution is recorded in full in Resolutions Book 9, at Page 89.

NOMINATION TO AUDITORIUM-COLISEUM-CIVIC CENTER AUTHORITY.

Councilman Alexander placed in nomination the name of Mr. Matt Snorton to the Auditorium-Coliseum-Civic Center Authority for a term of five years, to fill the expiring term of Larry A. Tomlinson. He stated Mr. Snorton is Vice-President of the North Carolina National Bank.

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COMMENTS ON UPCOMING BOND ELECTION FROM VARIOUS CITIZENS.

Mr. Howard Campbell, Northwest Community Action Association, stated the Association does not find it "amusing" nor ridiculous when any situation occurs that has a direct bearing on the black community. It is publicly known that the Model Cities, a predominately black-oriented program, is pushing the April 10 bond referendum. That they who live in the black community have often heard this, and they now have read a memorandum which documents this. "The Citizens Participation Staff instructs you are working for the passage of the transportation bond issue". This cannot be more clear. Further on this past Thursday night, the residential council, the primary governing body of the Model Cities residents, met and one of the prime topics of discussion was the April 10 bonds, and this meeting was monopolized by pro-bond information. He stated they believe in and support the Model Cities Program, but protest it leadership's insistiveness to the real needs of model neighborhood residents when he deliberately waives from the delivery of needed programs to promote highly political issues like the pending bond referendum.

Mr. Campbell stated they demand that the City Council instruct Dr. Travland to cease and desist from pushing the bond issue. The real issue is the bond referendum and its affect on the black community. Why, through urban renewal programs and bond referendums, does not the black community reap any kind of benefits. Rather these communities are destroyed one by one. For example, Brooklyn, Greenville, McCrory Heights and others. Now there is a distinct parcel of University Park being destroyed as long as the widening of LaSalle Street is included in the capital improvement plan. Why are the specific streets to be widened not named on the ballot for this bond referendum? This breeds distrust. It is a fact that the two present road projects - Remount Road and Oaklawn Avenue, which are in the black community, go directly through and adversely affect residential neighborhoods. He stated they are being told by elected city officials this is progress. But they of the Northwest Community Action Association, say no. He asked if they are still asking them to support the April 10 bond referendum and get gravel sidewalks, and have their total community destroyed; help white brothers to continue to get large contracts through their taxes and refuse to train blacks to build roads? To see a Model Cities Program designed to help citizens take away funds to support political whims of the power structure. He stated they demand that City Council instruct Dr. Travland to cease and desist from pushing the bond issue through the Model Cities Program and staff.

Councilman McDuffie stated he believes that most of us are in favor of citizen participation in government, and that these people and others that have come here are to be commended for calling attention to the city their grievances. On the basis of that he would like personally to say that he appreciates every citizen that takes the time to come down to government.

Councilman McDuffie moved that since Model Cities employees come under the jurisdiction of the City Manager, that Council ask the City Manager and the City Attorney to look into the matter mentioned here and to take any appropriate action. The motion was seconded by Councilman Short, and carried unanimously.

Mr. Bob Helm, CCAT, stated they were under the impression that items on the bonds were going to be discussed today by Council. They had read a newspaper article that there might be some discussion with reference to the items which passed just before their group was recognized. That this sounds very good, but as he understands it according to Mr. Burkhalter, the resolution just passed is in no way binding on the Council and is a resolution which, if Council so desired, next week or the following week, pass another resolution to nullify.

That the resolution itself does not affect the fact that the items on the bond are still in five different lumps and are not tied into specific projects and Council could, if the items were approved, spend the money on whatever project they felt was in that broad context or whatever road widening they would want.

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Mr. Helm stated this is one of the things the citizens have grave questions about; why they don't get to vote on a particular item, why they have to vote on categories. That this was brought out two weeks ago by Council's action on Ordinance No. 749-X, transferring funds from the Civic Center Improvement Account, which he understands was a street improvement, to the Sharon Road Culvert Account to provide sufficient funds to award a construction contract and to cover the estimated contingencies, engineering, inspection and outstanding right of way purchases. He stated this question comes up because in 1969, when this item was on a bond issue as part of the street improvements having to do with the Civic Center, and people voted for it, thinking they were voting for a Civic Center and the street improvements that were necessary to go along with the Center, but now they find out that the monies that they voted, when they voted for that package, are now being used to put a culvert on Sharon Road, a four-lane culvert which the people out there are being told is going to be under a two lane bridge and the people in that area have been opposing this four lane culvert. That they find that funds they voted for in one place are being used in another place which was never mentioned.

He stated this is the question his group is raising regarding voting for funds for one project and having them used three or four years later for something entirely different; something that was never mentioned at the time. That, in reality, the people are not voting on projects at all. They are just voting monies which can be transferred by ordinance to another area.

Mr. Helm stated there have been incidences of this happening in the past and there are people here today who are familiar with these incidences many different times and he would like at this time to ask Mr. Paul Horne to explain one of these incidences to Council.

Reverend Paul Horne stated he appreciates Council giving him a chance to speak on this issue. That it deal with the issue of making a resolution and then the resolution being of no value as far as validity is concerned. He stated he ran into this several times when he was working with Council on the trash issue. That if a resolution like this has no validity, it is fruitless to even pass it. He stated you are asking the people to approve this bond issue for road improvements, and yet the resolution is just a way of getting around the real issues. That the people are not going to take this type of thing and give it to Council to spend nilly-willy.

Reverend Horne stated when Councilman Short spoke to their group, he distinctly told them these areas which would be in the bond issue would not be necessarily the areas in which the money will be spent. The general area, yes, but not in any specific improvement. That he asked Councilman Short about the \$150,000 for sidewalks and Councilman Short replied these were the areas where the children were in danger in walking to school. He stated there is not a sidewalk within two blocks of a lot of schools except for the gravel one. That most of the children have to walk in the middle of the street because there is not room on the gravel for them to walk.

He stated these are just some of the things he would like to point out. That resolutions have been passed and then have been changed two or three weeks later. He stated they feel the resolution which Council just passed was just another exercise in futility.

Mayor Belk asked Mr. Helm if he lives in the city and Mr. Helm replied no, but he has the advantage of having to pay for whatever Council happens to pass because taxation not only affects city residents but anyone who shops in the city, buys gasoline in the city, and soforth. That the question today is in reference to the items in the resolution.

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Mr. Helm stated Mr. Coleman's group has just presented a proposal which was very neatly sidestepped because it will not be handled until after the election. That the problem of how the items are listed on the bond is of paramount importance in spite of the resolution which Council passed today, which Council knows is meaningless because it can be changed and probably will be.

Mr. Helm stated information on the bond is rather difficult to get to disseminate to people. That things like the Independence Expressway \$4,000,000, which is the city's portion of it; they have been given the information from the press that this \$4,000,000 would go to the State Highway Commission; then another time, it said it would go to HUD and then another time it said it would go to a private loan which the Redevelopment Commission had taken out. Then, still another time, in a letter to Mr. Coleman it said the money would go to the Charlotte Redevelopment Commission Fund. That it is not clear to the citizens where the \$4,000,000 will go.

He stated what they would like, since the Council has voiced its interest in the people knowing what is on the project, is people knowing what they are voting for; people having information about the different projects, so they are not just voting for a \$4,000,000 land acquisition but to really know what it is. That it is a \$32,000,000 project. The people will not vote for \$150,000 worth of sidewalks without knowing where they are located. He stated about 1960, the law was changed so that sidewalks were not required with a project. This made the developers happy; it saved them money; but it did add to the problem we have now because there are a number of projects that do not have sidewalks that should have sidewalks and now they will be put in at citizens' expense.

Mr. Helm stated they realize Council does not have the answers to all their questions; the questions on the bonds, the questions which Council wants people to know about. That he would like to have Council meet with these people at a time convenient for the people, possibly this coming Thursday night at 7:30 to answer a number of questions which they are asking and have been asking and they do not know the answers.

He passed around a list of the questions to Council that have to do with the bonds, with specific projects, things that have not been explained by the Council or the pro-bond people. That they have come up with some of the answers by digging, others came up with questions that need answers. He stated he is requesting that Council set up a meeting between the citizens and the Council this coming Thursday evening at 7:30 here at City Hall, or wherever Council would like, to answer for the people the questions they have about the bonds. That they have information going out to the citizens which is very vague and does not give specific answers.

Mr. Helm stated he is sure Council wants to give people answers and not try to use subterfuge by trying to pass a resolution which steps aside the issue and by not trying to refer it to the City Manager's Office to get lost until after the balloting so that the people can continue to work for the bonds that are on federal payrolls. To really get down to the meat of the issue and tell these people what is and what is not on the bonds and what will or will not be done with the money, what attitudes you have and do not have.

He stated he may be asking for a little more honest and forthright thing than is common in government but the word that he has gotten is that Council wants to do this; that Council wants to make sure the people have this information. They want to be honest with the people; they don't want to have the people approve \$23,000,000 for one place and then spend it in another. If Council would meet with the people and answer some of the questions which have been brought up that have not been answered, very pertinent questions, having to do with millions of dollars, projects that have changed in amounts by almost a million dollars - projects that have changed in nature - projects that have not been on Capital Improvement Plans and now are.

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Mr. Helm stated a number of things that create grave questions in people's minds as to the honesty of the bond - that it should not be this way. That if Council would resolve to set up a meeting for this coming Thursday at 7:30, he feels this would be an appropriate time to set up the meeting because they would not have to take off time from work to come to the meeting. Then Council could answer the questions which they have put forth and any other questions Council may have that their group has not even thought of.

Mr. Howard Bumgardner stated he is representing Mr. Chet Snow, President of the Charlotte Board of Realtors, who is ill today. That the Charlotte Board of Realtors has gone on record as being in favor of the April 10th Bond Referendum. He stated Mr. Snow has sent the following letter to the more than 900 members of their organization on March 26th:

'My Fellow Members:

As you know, on April 10th, we will be voting on a city bond referendum for street and traffic improvements. This vote is vitally important for every segment of the Charlotte population. As a realtor, I am sure you appreciate the impact of this particular referendum, both personally and professionally.

Better streets and roads help us to utilize our time more effectively by getting us where we want to go more quickly. This is of special concern for those of us who earn our living by making calls throughout the city; making sales instead of sitting in traffic.

More than 200 automobiles are registered in the city each week. This growth cannot be sustained without a viable street and road system. Charlotte has proved to be more prosperous than anyone ever expected it to be at this time. Last year, the assessed value of property in the city increased by over \$100,000,000. Improvements in the city traffic will allow this growth to continue and thus take the pressure off the current city tax rate.

Your vote can be the deciding factor on whether we do something about the traffic problem in our city. Bond referendums are usually decided by a very small, often vocal, group of people. Last year some of the critical improvements in this bond package lost by as few as 175 votes and yet 75% of the registered voters did not bother to even vote. Fewer than 1/2 of 1% of the registered voters have been deciding the fate of some of the most crucial issues facing our city.

You are in the position to help this critical bond vote come out in favor of keeping us moving, literally and figuratively.

I hope you will speak up for these bonds whenever you can and urge your friends and associates to give their support and their votes. A positive vote will enable us to keep our master thoroughfare plan moving for completion. The alternative is to allow the city to choke in traffic.

Cordially,

Chet Snow, President
Charlotte Board of Realtors"

Mayor Belk thanked Mr. Bumgardner for coming to Council and stated they appreciate that some people who live in our city appreciate the problems we have and the challenges and are willing to come out and say they are in favor of a better planned city so we can all enjoy the place where we live. That Council appreciates his taking a stand on this issue.

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Mr. Albert Pearson stated he feels it is a little uncalled for to congratulate an organization where a great many of the members do not live in the city and at the same time criticize another young man who is working with a group who thinks he is doing right. That he is a member of the Mecklenburg Citizens for Fair Taxation but he is not speaking for them today; that he is also a member of CCAT, but he is not speaking for them today either. That he is proud of both these organizations and there is no conflict between them but he is here today to speak as a neighbor of the Belks in downtown Charlotte.

He stated it has been called to his attention by several people that this is not a model cities issue we are talking about. This is the use of Charlotte employees in an Executive position, such as the Deputy Chief in the Fire Department who in using his car, his time, carrying the bond issue information around to the various fire stations. Not only carrying him around to the various fire stations to make his pitch but at the same time, someone who is in the Fire Department, is manipulating the movement of trucks in the Fire Department to make sure there are people there for them to talk to.

Mr. Pearson stated this is not hearsay; that he feels we should try to keep this campaign as clean as possible and as factual as possible. He feels that the Mayor and members of Council should estimate the cost of this man's time, plus the car, plus the transfer of all those trucks and charge it up to the bond issue group who have plenty of money and bill them for it. That is just one thing Council should do. Another thing is ask your City Manager to see who told this man to do this because he had to get his instructions down through the Chief of the Department, who no doubt got it from somebody else.

That we are talking about something big here; we are talking about whether we should even trust the government or not when they do these things. He stated this has happened. That this man is the Assistant Deputy Chief. In the last bond election we had a problem with a few signs a group had put out; we make believe we are correcting the situation, and then we go and sit here and create the same thing over again. Here you have fire trucks being moved to make sure there are people there. That we talk about creditability. That all these things are just a matter of opinion, you make remarks about choking the city when they are financially choking the city when you pass this bond issue, which is a bigger issue than anything.

Mr. Pearson stated he is not asking Council to act on this today, not to act on it at all, if they do not want to, but feels they should. That he will introduce Council to the man who was carrying him around if they want to know who he is but he cannot tell him who gave him his orders. Mr. Pearson asked the City Manager if he knew anything about this incident, and Mr. Burkhalter replied he did not.

Councilman Withrow stated he hated to have accusations thrown at Council which he did not have anything to do with, asking anybody who is working with the city to do anything. Then if this is true, then he thinks Council should ask Mr. Burkhalter to look into it and find out if this is true. That he feels Council should not have to sit here and have accusations thrown at them. He stated he would like to say that he has never asked any city employee to do anything like this.

Mr. Pearson stated he would like to give the man's name and ask that you check with Leo Black to see if he has done that. That this information has not come from him but from other people. That this is not an accusation, it is a statement.

Mr. Tom Sykes stated this is resolution day and he has been to resolution parties all day long. That they have been real interesting. He stated they went to the County Commissioner's meeting this morning and they adopted a resolution approving Council's resolution, approving a bond issue or approving something. That it seems funny to him that the County Commissioners, representing all the citizens of Mecklenburg County and the City of Charlotte, would reduce their creditability by endorsing a city bond issue.

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He stated now we are in the number two resolution area where we have already heard that the resolution which Council passed is not worth the paper it is written on. This he agrees with. He stated if he would pose a question to this Council at all relative to resolution day, he would ask that this Council pass a resolution that they can stand behind and that is if this bond issue is defeated, they will not impose another bond issue as long as they are in office for the same party. That it is time we called a halt to the expensive cost of elections for bond campaigns. That way we will not have to sneak around in fire trucks and fire automobiles and haul people around and get the Chamber of Commerce to make pictures for use and use engineers to go out and talk to people.

Mr. Sykes stated that people who are on the payroll should be down here working and we would be better off to forget this bond issue for once and for all if it is defeated. That this would be a better resolution and he feels it is time to get a resolution of this type passed. The resolution which was passed has no merit whatsoever because we do not know what or who the next Council will be composed of. That he feels it is time we had a resolution passed which says "folks, if we don't pass it this time, we won't ask you to pass it again".

Mr. Sykes stated he has some interesting information which states our bond indebtedness retirement in two years has risen from \$5,980,000 to \$9,980,000 and has increased some \$13,250,000 in revenues. That you get a dollar apiece for each license registered to a car in the last ten years, where has this money gone?

Mr. L. J. Coleman, 316 Scofield Road, stated he has lived at this address for sixteen years and has just finished talking with a man from HUD, and what concerns him is the \$4,000,000 that has been described almost weekly as heading in a different direction. That he hopes Council will agree that people of Charlotte deserve a little more straight shooting on this kind of thing.

He stated that Friday, Mr. Sawyer talked to Tom Ferebee and told him there were two unsold parcels in this area and that the total value of these two unsold parcels is not six million, eight million or twenty million dollars but is \$2.8 million. This includes the highway right of way plus additional property. Why are we talking about \$4 million or \$12 million on the pay back? This was told to him on Friday and was based on information from Mr. Heath of the State Highway Department who is charged with doing appraisals for the Highway Department. Mr. Heath told him that he has never been called on to go out and appraise this land; the city has never appraised this land to his knowledge. The only appraisals we have on this land is that of the Redevelopment Commission. That the Redevelopment Commission's appraisal on the total land, right of way, plus additional property, is \$2.8 million. He stated he would like to hear an explanation of this from Council. Mayor Belk stated Council will be glad to check on these figures.

Councilwoman Easterling stated each Councilmember is already scheduled to make talks for pretty much of the rest of the time until April 10th. That she knows that some of them are scheduled for Thursday night and she does not know if these particular talks can be rescheduled or not. That she is not sure how it will set to call one group and tell them we have to cancel. She would like to meet Thursday night but she does not know that they can with the other commitments that they have.

She stated she feels Mr. Helm should be told that Council does have other commitments. Mr. Helm asked if Saturday morning would be a better time?

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Councilwoman Easterling stated she takes it for granted that the expression "by hook or crook" is a humorous expression because the questions have not been sidestepped and she believes the councilmembers are just as honorable and have the interest of the city just as much as any citizen. That they are citizens, too, and they try to look at the total needs of the entire city and it is a conscientious thing that they have done today.

Councilman McDuffie stated he would like to suggest that the City Manager be authorized to talk with these people at a specific time and his staff to be available to answer these questions. Councilman Withrow stated he agrees with Councilman McDuffie. Mr. Burkhalter stated he would have someone available Thursday night at 7:30 p.m.

Councilman Alexander stated he has been called over the weekend by some of the residents of Model Cities area; that they would get in trouble by voting. That he would like to say there is no law of any kind that will keep any citizen who lives in the model cities area from voting on anything they want to, anyway they want to, and at anytime. There is nothing that keeps them from listening to whoever they want to listen to, on anything, on any issue, anytime they want to do it. He stated they should not let anyone tell them that anything will get them in trouble about their own personal activities as citizens. He stated he gives this answer now so that no citizen who lives in the model neighborhood area need feel afraid to participate in anything that is his individual right as a citizen.

ADJOURNMENT.

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



Ruth Armstrong, City Clerk