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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held on Monday, December 13, 1971, at 8:00 o'clock p.m., in the Board of Education Meeting Room, Educational Building, with Mayor John M. Belk presiding, and Councilmen Fred D. Alexander, Patrick N. Calhoun, James D. McDuffie, Milton Short, James B. Whittington, and Joe D. Withrow present.

ABSENT: Councilman Sandy R. Jordan.

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INVOCATION.

The invocation was given by Councilman Milton Short.

MINUTES APPROVED.

Upon motion of Councilman Alexander, seconded by Councilman Calhoun, and unanimously carried, the minutes of the last meeting on Monday, December 6, 1971, were approved as submitted.

COUNCILMAN JORDAN ABSENT DUE TO CONFLICTING BUSINESS ENGAGEMENT.

Mayor Belk advised Councilman Jordan is absent tonight because of a conflicting business engagement.

APPRECIATION EXPRESSED TO STATION WTVI FOR TELEVISIONING SESSION OF COUNCIL MEETING AND INTRODUCTION OF COUNCIL MEMBERS AND CITY DEPARTMENT HEADS AND EMPLOYEES.

Mayor Belk stated the meeting tonight is being televised by Station WTVI, Channel 42, and expressed the appreciation of Council for having this televised meeting so that city government can communicate better with the people, and let them have an opportunity to see the operations of the Council.

He then introduced each member of the Council, City Attorney, City Manager, City Clerk and all City Department Heads and employees who were present for the meeting.

POLICE DEPARTMENT CONGRATULATED ON RECEIVING THE SERTOMA CLUB DISTINGUISHED SERVICE AWARD.

Mayor Belk stated at a luncheon today, the Sertoma Club awarded the Charlotte Police Department its annual distinguished service award. That usually this award goes to an individual. The Club had to write to the home office for permission to make this award. He thanked the members of the Club who made the award, and stated we are very proud of the job that is being done by this Department under the leadership of Chief Jake Goodman. That our police officers are better trained than ever; that the public demands better performance than ever before.

REPORT BY CHIEF GOODMAN ON CRIME INDEX.

Chief Goodman, Charlotte Police Department, presented a chart showing the crime index trend since 1968, and stated it shows an uprise continuously until 1970 when the new district system was started. When the new system was started it was at its peak and then it began its downward trend. He also presented a

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chart indicating the traffic deaths for the same period and stated traffic deaths have been cut way down. That this is the results of the dedicated work of the many fine officers in the Charlotte Police Department, and the backing and support received from the present governmental officials and the public.

Mayor Belk stated we are proud of the fine work the Department is doing. He stated during the holiday season everyone should be especially cautious in traffic; that December is a critical month, and it is a time for everyone to be happy and to be with their family rather than a time of sadness.

**AGREEMENT BETWEEN THE CITY OF CHARLOTTE AND MECKLENBURG COUNTY GRANTING COUNTYWIDE JURISDICTION TO THE CITY POLICE OFFICERS ASSIGNED TO THE ALCOHOLIC SAFETY ACTION PROJECT.**

Motion was made by Councilman Whittington, seconded by Councilman Short, and unanimously carried, approving the subject agreement.

**REVISION IN THE EMERGENCY EMPLOYMENT PROGRAM TO PERMIT HIRING OF ADDITIONAL TEACHERS UNDER THE CONTRACT WITH THE BOARD OF EDUCATION, DEFERRED FOR ONE WEEK.**

Councilman Alexander stated the subject item is the same item to which he raised questions some few meetings ago and asked that someone from the education staff come to Council and discuss the justification of hiring regular teachers with this emergency employment money instead of filling positions which were eliminated because of the loss of funds of the ESA program. That he felt this money should be used first to see if it could not be handled in such a way as to keep in employment community aids, guidance counselors and teachers on that level. He had understood these teachers were doing much to keep things calm in the school room and were able to relate to students in the many areas of the school activities.

He stated he cannot see where emergency funds such as this should be used for special education teachers and librarians and normal teaching responsibility which should come from the regular school budget. This money should be spent to give us as much yardage as we can get to relieve the present situations in the schools. That he still feels this, and he cannot vote for this program until someone comes to discuss this with Council.

Councilman Whittington stated the public is not aware that both Mr. Alexander and he served with Mayor Belk as a member of the Mayor's Community Relations Committee. During all the problems we have had with the schools, the Committee has found there has been a great need for teacher's aids and counselors. He stated at a meeting last week of the Dilworth Improvement Association, citizens of the community and business community were arranging money out of their own pockets to keep the aid at Dilworth School to assist the regular teachers; they were paying this aid's salary through January. He suggested that Council not take any action on the revisions in the program until the next Council Meeting and someone from the staff of the school system be requested to be present to explain this.

Councilman Whittington moved that the item be deferred and put back on the agenda for December 20, and that the City Manager be requested to have someone from the school staff present at that time to give Council the answers to the questions. The motion was seconded by Councilman Alexander, and after further discussion, the vote was taken and carried unanimously.

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REDESIGN OF TRAFFIC CONTROLS AT INTERSECTION OF SHANNONHOUSE DRIVE AND THE PLAZA, AUTHORIZED.

Mr. Herman Hoose, Traffic Engineer, reported a traffic survey has been made at the intersection of Shannonhouse and The Plaza on the request for traffic signals.

He stated Shannonhouse Drive is a residential street approximately nine blocks in length, running from Galway Drive to The Plaza and also serves Shannon Park. The survey was made on May 3, 4, 6 and 7, 1971 by the Traffic Engineering Department and includes traffic volume counts, speed volume and pedestrian counts, a physical survey of the intersection, and accident count during school period and during period when school was not in session. The survey ran from 7 A.M. to 7 P.M. with the total traffic volume of 8,992 vehicles. The Plaza traffic volume was 8,145 vehicles, or 91.3% of the total, with 785 vehicles or 8.7% traveling on Shannonhouse Drive. This is an average of 65 vehicles per hour entering The Plaza from Shannonhouse Drive.

During the 7:30 to 9:30 A.M. peak, 197 vehicles entered The Plaza from Shannonhouse Drive. The waiting time for vehicles to enter during this period was 5.1 seconds for right turns, and 21.6 seconds for left turns. During the p.m. peak hours of 4:30 to 6:30 P.M., 106 vehicles entered The Plaza from Shannonhouse Drive. The waiting time to enter during this period was 3.4 seconds for right turns, and 19.5 seconds for left turns.

During the school period of 8:15 to 8:45 a.m., when a school guard is on duty, when the children are going to school, 41 vehicles entered the Plaza from Shannonhouse Drive. During the school period of 2:45 to 3:15 p.m., when the children are leaving school, 33 vehicles entered The Plaza from Shannonhouse Drive.

The accident record since 1968 to October 31, 1971 was two accidents. One happened at 3:00 o'clock in the afternoon and one at 7:00 a.m. in the morning.

Mr. Hoose stated The Plaza is No. 3 on the Major Road System Project Priority list submitted to the State and the City Council and approved. At this time no definite date has been established for its construction and widening.

The pedestrian counts show a total of 10 adults and 121 school children using this intersection during the 12-hour survey period; 97 children and 4 adults cross The Plaza where a school guard is on duty. This is a 35 MPH zone except during school hours. During the time the speed check was taken, the 85 percentile showed 38 MPH; the speeds taken during the school hours when the flashers were operating averaged from 23 to 28 MPH. This particular school zone is about seven blocks long.

He stated there seems to be two points of interest. One of school safety and one the length of time to enter the Plaza from Shannonhouse Drive. Their survey shows there would be breaks in traffic approximately every 21-1/2 seconds so that vehicles can get out of that intersection. During the peak period, traffic is moving slow around The Plaza. This is caused because you slow the traffic to 25 MPH which causes less gaps in traffic. The faster the speed, the more gaps. When you slow the speed, you create a condition that does not allow as many gaps.

Mr. Hoose stated the Traffic Engineering Department recommends that no signal be installed at this intersection, but that some changes be made in construction to improve the physical layout of the intersection. They would like to widen Shannonhouse Drive to three lanes. At present it is 25 feet wide; they would like to put in one extra lane for inbound traffic, left turns and right turns. At the same time they would like to widen The Plaza on the south and north side to set up one left turn lane into Shannonhouse Drive. There is only one piece of right of way required which would permit the installation of a 60-foot radius. At present there is a short ten foot radius. He stated they feel this construction would expedite the movement of traffic and will cut down the waiting time for vehicles to enter The Plaza from Shannonhouse Drive. The total cost including the right of way, labor and materials is \$1,460.

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Councilman Short asked how long you would have to wait on a red light if a traffic signal was located at this intersection, and Mr. Hoose replied it would probably be a 52 second wait.

Councilman McDuffie stated Mr. Hoose has stated that the school zones slow the speed of vehicles so there are fewer gaps in the traffic; that is the problem. That the city is handicapped by the lack of funds to widen the streets, and the only alternative seems to be to provide some relief so these cars can get out of the side streets onto the Plaza.

Councilman McDuffie moved the appropriation of the necessary funds to install the traffic signal at this intersection. The motion was seconded by Councilman Whittington.

Councilman Whittington stated there are several hundred homes in this area, and the only way to get from Shamrock Hills into Charlotte is to get on Tipperary and try to get into Shamrock, turn left on Shamrock onto Sharon Amity or turn right on Shamrock into Eastway. Anyone who lives on the right hand side of The Plaza between the Golf Course and Milton Road has three ways to get out, and one place is just about as bad as the other. He stated he thinks the subdivision ordinances approved by the Planning Commission, the builders, the City Council, the traffic engineer and the engineering departments are responsible for some of the plight of the people out there. For that reason we should give them some help in the form of a traffic signal or some means to give them help temporarily until a permanent situation can be developed.

Speaking for the traffic signal installation were Mr. Charles Lamb, 1828 Shannonhouse Drive, Mrs. Peggy Ransom, of Grafton Drive, in Shannon Park, and Mr. Don Krauss, of Kensale Lane.

After further discussion, Councilman Withrow made a substitute motion to delay action on the installation of the traffic signal and give the redesign of the intersection as recommended a chance to work. The motion was seconded by Councilman Calhoun, and after more discussion, the vote was taken on the substitute motion and carried as follows:

YEAS: Councilmen Withrow, Alexander and Calhoun.  
NAYS: Councilmen McDuffie, Whittington and Short.

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

ORDINANCE NO. 318-X AMENDING ORDINANCE NO. 190-X, THE 1971 MODEL CITIES BUDGET ORDINANCE, AUTHORIZING TRANSFER OF FUNDS TO COVER COST OF PROGRAM CHANGES.

Motion was made by Councilman Short to adopt the subject ordinance covering the cost of program changes in the Model Cities 1971 Budget, as follows:

Acct. No.	Acct. Title	Approved Budget	Revised Budget
549.31	Mental Health	\$34,357	\$14,512
549.44	Teen-Age Parents	182,302	127,433
549.70	Summer Youth Employment	32,240	21,998
549.71	Vocational Work Sample	83,893	76,075
549.73	Vocational Training Supple.	20,000	5,000
549.75	Entrepreneurial Development Training Center	41,345	4,300
549.76	Business Development Center	170,188	207,233
549.80	MOTION, Inc.	135,016	100,669
549.21	A Helping Hand	0	50,000
549.49	Good Guys	0	40,000
549.50	Emergency Heating	0	10,000
549.95	Physical Improvement in the Model Neighborhood	0	30,625

The motion was seconded by Councilman Alexander.

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Councilman Short stated he would like to commend Mr. Wilson and his staff on the emergency heating project. All members of Council have attended meetings where the citizens in low income housing complained about the poor condition of the housing, and yet you say to them if anything is done, it will mean an increase in rent. These situations, particularly where the houses are awaiting the urban renewal bulldozer, are real hardship cases, and a number of people here and on City Council are attempting some way in which to help these people. Getting the Model Cities involved in this situation was a good arrangement and he hopes they can carry forward with this kind of concept.

The vote was taken on the motion, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 18, at Pages 415 and 416.

**ORDINANCE NO. 319-X AMENDING ORDINANCE NO. 176-X, THE 1971-72 BUDGET ORDINANCE AUTHORIZING TRANSFER OF FUNDS FROM GENERAL FUND CONTINGENCY ACCOUNT TO PAY FOR THE PREPARATION OF A FEDERAL GRANT PROGRAMS INDIRECT COSTS ALLOCATION PLAN BY PEAT, MARWICK, MITCHELL AND COMPANY.**

Councilman Short moved adoption of the subject ordinance authorizing the transfer of \$16,500 to pay for the preparation of a federal grant programs indirect costs allocation plan and approving a contract with the firm of Peat, Marwick, Mitchell and Company for consultant services in the preparation of the Plan. The motion was seconded by Councilman Alexander.

Councilman Whittington asked if this money can be placed in the operating budget and used for street widening, as an example? Mr. Carstarphen, Assistant City Manager, replied any funds that are recouped from this method are added directly to the general funds and then appropriated by Council. Councilman Whittington asked when this happens if the Council is advised that the money has been directed back to the general funds? Mr. Burkhalter, City Manager, replied Council would be advised that the money is available.

The vote was taken on the motion and carried unanimously.

The ordinance is recorded in full in Ordinance Book 18, at Page 417.

**RESOLUTION AUTHORIZING REFUND OF CERTAIN TAXES WHICH WERE LEVIED AND COLLECTED THROUGH CLERICAL ERROR.**

Upon motion of Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, the subject resolution authorizing the refund of taxes in the total amount of \$720.41 was adopted and is recorded in full in Resolutions Book 8, at Page 10.

**APPLICATION OF LEAA GRANT TO FINANCE STUDY FOR DEVELOPMENT OF A FIELD TRAINING FACILITY FOR THE POLICE DEPARTMENT AUTHORIZED.**

Councilman Alexander moved approval of an application for LEAA Grant in the total amount of \$22,000 to finance a study for the development of a field training facility for the Police Department. The motion was seconded by Councilman Whittington.

Councilman Whittington asked if the Police Department has a site for the facility? Chief Goodman replied the Department has several sites in mind, and they hope with this survey a recommendation will be brought to them for the best site. Councilman Whittington asked if the Chief will recommend to Council the company who will make the study, and Chief Goodman replied the next item to come to Council will be for the approval of a contract for the study by an outside agency. This agency will look at the sites and the plans and will tell them what is actually needed 20 years from now. The Department will then come back to Council for an architectural study.

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Councilman Whittington asked if there has been any consideration by the Fire Chief and the Police Chief to build such a facility where there would be a joint purpose building, and if so, could it be financed with this money from LEAA? Chief Goodman replied he has conferred with the Fire Department and looked at a site that will be adaptable for both Departments, but no LEAA money can be used for Fire Department training. Councilman Whittington stated he would appreciate it if Chief Goodman and Chief Lee would get together with the City Manager and give Council their thoughts on the feasibility of doing this together even without LEAA money; perhaps there may be another way to do this. Together this would be a much better facility. As you plan down the road, it should be done together.

The City Manager stated both Chiefs have been instructed there will be no service built here for just one department without direction from the Council; there are many areas where you cannot do this jointly, but there are many areas where you can.

The vote was taken on the motion and carried unanimously.

**RESOLUTION RELATING TO THE ALLOWANCE OF CREDIT FOR MILITARY SERVICE FOR CITY EMPLOYEES WHO HOLD MEMBERSHIP IN THE NORTH CAROLINA LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM.**

Councilman Short moved that the subject resolution be adopted as recommended. The motion was seconded by Councilman Whittington, and after discussion, the vote was taken on the motion, and carried unanimously.

The resolution is recorded in full in Resolutions Book 8, at Page 11.

**STREETS TAKEN OVER FOR CONTINUOUS MAINTENANCE BY THE CITY.**

Upon motion of Councilman Whittington, seconded by Councilman Calhoun, and unanimously carried, the following streets were taken over for continuous maintenance by the city:

- (a) Ferndale Place, from Plaza Road to 490 feet north of Plaza Road.
- (b) Ferncliff Road, from 50 feet west of centerline of Richardson Drive to 215 feet west of centerline of Thetford Court.
- (c) Thetford Court, from centerline of Ferncliff Road to 590 feet south of centerline of Ferncliff Road.
- (d) Melba Drive, from 155 feet south of Knickerbocker Drive to 195 feet south of Knickerbocker Drive.
- (e) Knickerbocker Drive, from Melba Drive to 1,095 feet west of Melba Drive.
- (f) Unnamed Street, from Knickerbocker Drive to 150 feet north of Knickerbocker Drive.

**RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO J. P. FOWLER, LOCATED AT 1316 PARKWOOD AVENUE FOR THE BELMONT NEIGHBORHOOD IMPROVEMENT PROJECT, PARKWOOD AVENUE WIDENING.**

Councilman Withrow moved adoption of the subject resolution, which motion was seconded by Councilman Whittington, and carried unanimously.

The resolution is recorded in full in Resolutions Book 8, at Page 12.

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PROPERTY TRANSACTIONS AUTHORIZED.

Upon motion of Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, the following property transactions were authorized:

- (a) Acquisition of 1,252 square feet of easement at 2836 Dellinger Drive, from Harvey H. Elmore and wife, Bula T. Elmore, at \$125.00, for Interstate 77 sanitary sewer relocation.
- (b) Acquisition of 25' x 366.74' of easement at 2201 Sunset Boulevard, from Charles E. Hulsey (single), at \$400.00 for Interstate 77 sanitary sewer relocation.
- (c) Acquisition of 10' x 82.23' and 25' x 113.73' of easement at 2309 Inverness Road, from Howard N. O'Neal and wife, Oma L., at \$200.00, for Lower Briar Creek Interceptor sanitary sewer construction.
- (d) Acquisition of 463 square feet and 360 square feet of construction easement at 2235 The Plaza, from Shell Oil Company, at \$850.00, for Belmont Neighborhood Improvement Project - Parkwood Avenue Widening.
- (e) Acquisition of 14.99' x 49.54' x 14.25' x 49.50' at 709 North Davidson Street, from Harvey S. Strawn and wife, Betty C., at \$4,700.00 for Belmont Neighborhood Improvement Project, Parkwood Avenue Widening.

ENCROACHMENT AGREEMENT WITH THE STATE HIGHWAY COMMISSION FOR CONSTRUCTION OF SANITARY SEWER LINE WITHIN RIGHT OF WAY OF SHARON ROAD, AUTHORIZED.

Councilman Alexander moved that the Mayor and City Clerk be authorized to execute an encroachment agreement with the State Highway Commission for construction of an 8-inch sanitary sewer line within the right-of-way of Sharon Road, to serve 5301 Sharon Road. The motion was seconded by Councilman Whittington, and carried unanimously.

SPECIAL OFFICER PERMITS AUTHORIZED.

Motion was made by Councilman Withrow, seconded by Councilman Short, and unanimously carried, authorizing the following special officer permits:

- (a) Issuance of permit to Herbert Nolan Threat for use on the premises of Jefferson Standard Building.
- (b) Issuance of a permit to Clarence T. Nolley, Jr. for use on the premises of Jefferson Standard First Union Tower.

TRANSFER OF CEMETERY LOTS.

Upon motion of Councilman Whittington, seconded by Councilman Short, and unanimously carried, the Mayor and City Clerk were authorized to execute deeds for the transfer of cemetery lots:

- (a) Deed with Mrs. George (Fern) Culbreth, for Lot No. 196, Section 6, Evergreen Cemetery, at \$320.00.
- (b) Deed with Mrs. Willie A. Oliphant for Lot No. 180, Section 8, Oaklawn Cemetery, at \$320.00.

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RESOLUTION AUTHORIZING A MUNICIPAL AGREEMENT WITH THE STATE HIGHWAY COMMISSION FOR CONSTRUCTION OF PEDESTRIAN GRADE SEPARATION OVER BEATTIES FORD ROAD AT JOHNSON C. SMITH UNIVERSITY.

Councilman Alexander moved adoption of the subject resolution authorizing a municipal agreement with the State Highway Commission for construction of a pedestrian grade separation over Beatties Ford Road at Johnson C. Smith University under the TOPICS Project, with all costs to be at the expense of the State Highway Commission. The motion was seconded by Councilman Whittington, and carried unanimously.

The resolution is recorded in full in Resolutions Book 8, at Pages 13 and 14.

CONTRACTS AWARDED FOR THE CONSTRUCTION OF FIRE STATION NO. 4.

Councilman Short moved award of contract to the low bidder, Rodgers Builders, Inc., in the amount of \$207,998.00, on a unit price basis, for general contract. The motion was seconded by Councilman Whittington, and carried unanimously.

The following bids were received:

Rodgers Builders, Inc.	\$207,998.00
Butler & Sidbury, Inc.	208,562.00
Laxton Construction Co., Inc.	209,700.00
Fred Moretti	218,500.00
John M. Campbell Co.	219,650.00
R. H. Wheatley Co.	227,480.00
Donald C. Neal Const. Co.	238,953.00
Carolina B & M Const. Co.	242,690.00
Cabarrus Const. Co., Inc.	242,878.00
G. T. Barnes Company	249,765.00

Motion was made by Councilman Alexander, seconded by Councilman Whittington, and unanimously carried, awarding contract to the low bidder, Air Masters, Inc., in the amount of \$33,389.00, on a unit price basis, for mechanical work.

The following bids were received:

Air Masters, Inc.	\$ 33,389.00
Mechanical Contractors, Inc.	34,915.00
P. C. Godfrey, Inc.	35,672.00
Shanklin Air Conditioning	35,800.00

Upon motion of Councilman Whittington, seconded by Councilman Short, and unanimously carried, contract was awarded the low bidder, Mecklenburg Plumbing Company, in the amount of \$16,100.00, on a unit price basis, for plumbing work.

The following bids were received:

Mecklenburg Plumbing Co.	\$ 16,100.00
Metrolina Plumbing & Heating	18,848.00
Acme Plumbing & Supplies, Inc.	19,286.00
J. V. Andrews Company	22,600.00

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Councilman Whittington moved award of contract to the low bidder, Air Masters, Inc., in the amount of \$15,864.00, on a unit price basis, for electrical work. The motion was seconded by Councilman Calhoun, and carried unanimously.

The following bids were received:

Air Masters, Inc.	\$ 15,864.00
Driggers Elec. & Control Co.	17,447.00
Beam Electric Co., Inc.	19,960.00
Ind-Com Electric Co.	20,278.00
Long Electric Co., Inc.	22,000.00
Shanklin Air Conditioning	22,100.00
Fudge & Green Elec. Co., Inc.	23,300.00

#### REAPPOINTMENT OF FRED D. ALEXANDER TO MODEL NEIGHBORHOOD ADVISORY COMMISSION.

Councilman Short moved the reappointment of Mr. Fred D. Alexander to the Model Neighborhood Advisory Commission for a one year term. The motion was seconded by Councilman Whittington, and carried unanimously.

#### COMMENTS REGARDING POSTING OF SIGNS ON CITY RIGHT OF WAY.

Councilman McDuffie held up a sign and stated when he came back from Honolulu these signs were posted all over Eastway Drive and South Boulevard. In the mail he had a report from the City Manager stating we were probably going to make progress in keeping these signs off the poles and trees in the right of way.

Councilman McDuffie stated he had a call from the owner of a Lounge on South Boulevard and he said he does his advertising the legitimate way in the papers and magazines, and others keep putting up the signs in front of his business.

#### FEDERAL COORDINATOR REQUESTED TO INVESTIGATE WAYS OF GETTING FEDERAL FUNDS FOR BICYCLE TRAILS AND NATURE TRAILS, AND SIDEWALKS REPORT REQUESTED PLACED ON CONFERENCE AGENDA IN THE NEAR FUTURE.

Councilman McDuffie stated he received a letter from Mrs. John Alexander about the possibility of designating bicycle trails and nature paths. That one she is interested in should be investigated to see if it can be designated as a bicycle trail or a hiking trail. He stated it is in the vicinity of the belt road at Barclay Downs where there is a sanitary sewer that goes all the way up the creek; that it goes over to the Mint Museum and is a rather wide path that was made when they dug the sewer. Mrs. Alexander and her family walked the entire area and they discovered an old mill on the property of Mr. Whisnant. He stated Mrs. Alexander thinks this should be designated as a historical spot and that some use of this particular area be made. Councilman McDuffie stated he has read in the news lately that some cities have received federal grants for bicycle trails and hiking paths.

He requested the City Manager to have the federal coordinator to check to see if there are any possibilities that Charlotte can get funds for bicycle trails. The City Manager replied the Public Works Office has been looking at this and a report will be ready soon.

Councilman McDuffie stated some months ago Council received a study from Wilbur Smith and Associates on sidewalks and the relationship of pedestrian safety; this covered bicycle trails and hiking trails. Some three years ago, there was talk of an overhead walkway at Chantilly and Independence and one other place. He stated we should get started on pinpointing where these walkways should be located. The Maddens who live on Eastway Drive have offered to give the right of way in front of their house to the bridge to get to the park. Three persons have been injured in trying to get to the park on Eastway Drive.

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Councilman McDuffie requested the City Manager to have the sidewalk study on a conference agenda soon, along with some recommendations on how to implement getting some funds in the budget for sidewalks, or the possibility of having a bond election for some sidewalk money.

Councilman Short stated the last effort to get bond money for sidewalks had to go by the board, as did many other things, because of our bond margin. He wished the Legislature would give us a little more bond margin. Councilman McDuffie stated he has always been against revenue bonds, but an effort to get money for sidewalks, he would be willing to vote some revenue bonds.

ADVISORY TREE COMMISSION ACTIVATED TO BRING RECOMMENDATIONS TO COUNCIL ON PRESERVING TREES, PLANTING TREES, AND OTHER MATTERS PERTAINING TO THE BEAUTY OF THE CITY.

Councilman Withrow stated everyone on Council has been called by the people in the community showing a strong indication about improving the aesthetics of our city. People all over the city are concerned about the needless destruction of our natural resources. We are known to be the most beautiful city in the South and he hopes we can continue to be known as the most beautiful city.

Some years ago, a previous Council established a Tree Commission. This Commission is inoperative now, and he moved that Council revive the Tree Commission and appoint people to serve for one year. During this period of one year the members would come up with resolutions to the City Council of ways to preserve our trees, the planting of trees and other matters pertaining to our city. The motion was seconded by Councilman Short.

Councilman Whittington stated he would like to commend Mr. Withrow for reviving this Tree Commission. That he has encouraged him to do this in the past. With the construction going on, particularly in the expressway, and in other areas, this is a real step in the right direction, and he commends him for this.

The vote was taken on the motion and carried unanimously.

APPOINTMENTS OF MEMBERS TO THE TREE COMMISSION.

Councilman Whittington moved the appointment of Dr. Herbert Heckenbleikner as a member of the Tree Commission. The motion was seconded by Councilman Short, and carried unanimously.

Councilman Short moved the appointment of Mrs. Henry James as a member of the Tree Commission. The motion was seconded by Councilman Whittington, and carried unanimously.

Motion was made by Councilman Calhoun, seconded by Councilman Short, and carried unanimously, appointing Mr. Fred Sadri to the Tree Commission.

Councilman McDuffie moved the appointment of Mr. Jim Hemphill, an architect, to the Tree Commission. The motion was seconded by Councilman Short, and carried unanimously.

Councilman Alexander moved the appointment of Mr. Clinton Blake of Beatties Ford Road to the Tree Commission. The motion was seconded by Councilman Withrow, and carried unanimously.

Councilman Withrow moved the appointment of Mr. Herman S. Porter, Mr. Jim Patterson and Mr. James McNeary to the Tree Commission. The motion was seconded by Councilman Short, and carried unanimously.

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Councilman Short suggested that one of the first activities of the newly activated Tree Commission be to determine the number of miles of tree lined streets in Charlotte and send this information to the Nations' Cities Magazine and ask that the information be published with a challenge to other cities to see if they can equal this. That he thinks Charlotte must be the "Tree Lined Street Capitol of America". Charlotte has a hundred or so of these streets, and most towns feel fortunate if they have one or two. If we can get the mileage and publish it, in this way we can verify the facts we have more tree lined streets than any other city in America and truly establish ourselves as the "Tree Lined Street Capitol of America".

**INFORMATION REGARDING RETIREMENT SYSTEM REQUESTED DISTRIBUTED TO EACH EMPLOYEE.**

Councilman Alexander stated sometime ago he requested information about the retirement system reports, and Mr. Burkhalter, City Manager, has sent him a report. He asked that this information be distributed to each individual employee with their pay check. Councilman Alexander stated this information was very informative.

**CITY ATTORNEY REQUESTED TO GIVE COUNCILMAN REPORT ON LAWS GOVERNING BACKING IN AND OUT OF DRIVEWAYS.**

Councilman Alexander asked what the law is regarding backing in and out of driveways? That he has received a number of questions about this lately, and he would like to know the answer. Can you back out of a driveway?

Mr. Underhill, City Attorney, replied the general traffic law prevails in that the driver of a vehicle must check to see that the movement can be made safely. Assuming the movement can be made safely, there is nothing to prohibit generally backing out of driveways, particularly in residential areas. There may be some restrictions and outright prohibitions of backing vehicles into and out of driveways in some areas. This would be in the central business district and certain commercial areas.

Councilman Alexander requested the City Attorney to investigate this and give him a more definite report.

**CITY MANAGER REQUESTED TO CONTACT EPISCOPAL BISHOP REGARDING THE USE OF THE CHAPEL ON THOMPSON ORPHANAGE PROPERTY ON EAST FOURTH STREET AS A SMALL PARK AND POINT OF MEDITATION.**

Councilman Alexander stated sometime ago he brought up and expressed concern about the Little Chapel on the Thompson Orphanage Property on East Fourth Street. He stated this Chapel will be the last remaining vestage of what was an old landmark in Charlotte - Thompson Orphanage - and we would do well to preserve this site. Also there are some beautiful trees located on the property, and with the reactivation of the Tree Commission, they can see that nothing happens to the trees.

Councilman Alexander moved that Council ask the City Manager to make proper contact with the Episcopal Bishop in hopes of initiating discussion as to whether or not the Church would turn this into a little Shrine or will turn it over to the Park and Recreation Commission to be developed and maintained and the Chapel can be used as a point of meditation for citizens who care to use it. The motion was seconded by Councilman Withrow, and carried unanimously.

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COMMENTS AND SUGGESTIONS ON INCREASING LICENSES AND PERMITS FEES FOR CITY.

Councilman Short stated at the last Council Meeting, Mr. Fennell, Finance Director, recommended that Council try to get the Legislature to enable Council to do something about the licenses and permits fees that the City charges to various businesses.

Councilman Short stated this licensing schedule is so antiquated he feels Council would be remiss if it did not make a strong effort to get permission to change this. This schedule was written some forty or fifty years ago, and deals very unrealistically, or sketchily, if at all, with many things on the modern theme today such as computers, vending machines, stereo, electronic equipment, shopping centers and rental of automobiles. It does not take into consideration the size and importance of banks; it does not recognize the facts there are chains of banks and branch banks.

Instead of these things that should be emphasized on the schedule, this schedule has many listings of such things as feather bed renovations, bicycle delivery service, organ grinders, flying jenny operators and livery stables. One item is gypsies engaging in mind reading and mule trading. It also includes things like itinerant medicine peddlers, vaudeville shows and lemonade stands.

Some of the amounts charged are completely inequitable. It costs \$75.00 to manufacture cotton cloth, \$300.00 to manufacture rayon cloth and \$750.00 to manufacture some other types of cloth. There is a distinction made between stock brokers with ticker tape machines and those without. Today all stock brokers quote from video terminals and this is completely out of date. Many of the fees are so low they constitute a nuisance to the business as well as to the city or government that collects them. This ordinance is bound to be a discouragement to the business community, and takes away from the dignity of local government.

Councilman Short stated he would hope the Committee to which Mr. Whittington was appointed - the Committee of larger cities who will hopefully present a consolidated program to the Legislature reflecting the needs of the larger cities - will do something about this.

Councilman Short suggested that the city government consider skip annexation of the Airport, because we own this land, and charge these fees to the businesses that operate out of the Airport.

CITY MANAGER REQUESTED TO WRITE CAL GRIFFITH AND DECLINE OFFER OF MINNESOTA TWINS TO SELL GRIFFITH PARK.

Councilman Whittington stated about two months ago Mr. Red Dwyer, Manager of the Charlotte Hornets, gave Council a letter offering the sale of Griffith Ballpark and its property.

Councilman Whittington moved that the City Manager write Mr. Cal Griffith in Minnesota and decline this offer. The motion was seconded by Councilman Alexander and carried unanimously.

ORDINANCE NO. 320-X AUTHORIZING TRANSFER OF FUNDS FROM THE SALE OF 1969 CIVIC CENTER BONDS TO THE CIVIC CENTER ACCOUNT TO BE USED TO COVER THE COST OF THE CONSTRUCTION OF THE CIVIC CENTER.

Motion was made by Councilman Withrow, seconded by Councilman Whittington, and unanimously carried, adopting the subject ordinance authorizing the transfer of \$8.7 million bond funds to be used for the construction of the Civic Center.

The ordinance is recorded in full in Ordinance Book 18, at Page 418.

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REMINDER OF THIRD AND FINAL BRIEFING SESSION ON MODEL CITIES.

Mr. Burkhalter, City Manager, called Council's attention to the third and final briefing session on Model Cities on Tuesday morning, December 14, at 11:00 a.m., in the Second Floor Conference Room, City Hall.

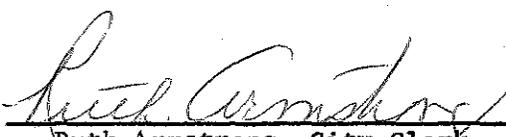
Mayor Belk commended Mr. Wilson, Director of Model Cities, for the fine presentations he made in the first two sessions.

RECOGNITION OF DONNA DAVENPORT AND PRESENTATION OF KEY TO CITY.

Mayor Belk recognized Miss Donna Davenport, Director of WTVI, and presented her with the Key to the City.

ADJOURNMENT.

Upon motion of Councilman Whittington, seconded by Councilman Alexander, and unanimously carried, the meeting was adjourned.

  
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Ruth Armstrong, City Clerk