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The City Council of the City of Charlotte, North Carolina, met in a regular session on Monday, December 4, 1978, at 3:00 o'clock p. m., with Mayor Kenneth R. Harris presiding, and Councilmembers Don Carroll, Betty Chafin, Tom Cox, Jr., Charlie Dannelly, Ron Leeper, Pat Locke, George K. Selden, Jr., H. Milton Short and Minette Trosch present.

ABSENT: Councilmembers Laura Frech and Harvey B. Gantt.

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INVOCATION.

The invocation was given by The Right Reverend Monsignor Hugh Dolan, St. Gabriel's Catholic Church.

RESOLUTION EXTENDING SYMPATHY AND HONORING THE MEMORY OF CLAUDE L. ALBEA.

Councilmember Short stated he had the privilege of serving on City Council with the late Claude Albea; he was a beloved personage in this community for many years; and it is with a sense of bereavement that he reads the following resolution:

WHEREAS, the City Council is saddened by the death of Claude L. Albea on Friday, November 24, 1978; and

WHEREAS, Claude Albea was a former member of the City Council, having served seventeen terms for a total of 34 years of public service between 1931 and 1968; and

WHEREAS, Mr. Albea was admired for his interest in Charlotte and all of its people and was a strong supporter of essential planning and zoning so that Charlotte could grow in an orderly fashion, and also served on the Charlotte-Mecklenburg Planning Commission and the Selective Service Board of Appeals; and

WHEREAS, the City of Charlotte is indebted to him for his years of valuable service and dedication to his position and to our community.

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby declare its deepest regret at the death of Claude Albea, and does convey to his family the sincere sympathy and condolences of the Council, and instructs the City Clerk to spread a copy of this resolution on the minutes of this meeting and to send a copy to the family of Claude Albea in token of our sympathy.

The resolution was adopted by unanimous vote of City Council.

RESOLUTION EXTENDING SYMPATHY AND HONORING THE MEMORY OF BISHOP HERBERT SPAUGH.

The following resolution was introduced by Councilmember Locke and adopted by unanimous vote:

WHEREAS, life came to a close for Bishop Herbert Spaugh on Wednesday, November 22, 1978 and left behind is a legacy of half a century of Charlotte community and church service; and

WHEREAS, not only was Bishop Spaugh minister of the Moravian Little Church on the Lane for 42 years, but his service took many forms in many fields; as Chairman of the Board of Education for 27 years; as organizer of the state's first Alcoholics Anonymous Group in Charlotte; as newspaper columnist, writing "The Everyday Counselor" for 44 years; and as creator of the traditional Freedom Park interfaith Easter Sunrise Service. In addition, his interests and service included the Boy Scouts, the Red Cross, and the Charlotte Symphony; and

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WHEREAS, Bishop Spaugh was distinguished by his warm personality and his deep concern for all people.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte that with the death of Bishop Herbert Spaugh, the City of Charlotte and its people have lost a valued minister, leader and friend;

This Council joins with the family and friends in sorrow over this loss and extends its sympathy and hope for comfort to those who were near him. The City Clerk is hereby directed to have this resolution spread upon the minutes of this meeting and a copy sent to the family in token of our sympathy.

STATE REPRESENTATIVE BEN TYSON PRESENTED CERTIFICATE OF APPRECIATION.

Mayor Harris recognized Representative Ben Tyson and presented him with a Certificate of Appreciation for his service to the community as the sole person responsible for communicating to the public the need for the approval of the recent successful Water/Sewer Bond Referendums.

WEST CHARLOTTE HIGH SCHOOL FOOTBALL TEAM RECOGNIZED.

Councilmember Dannelly recognized the members of the West Charlotte High School football team who were in the audience, along with Coach Rudy Abrams and Principal William McMillan. He stated they were all aware of the good showing West Charlotte made this entire season; no one expected them to reach the playoffs but they were in the finals. The team was greeted individually by the Councilmembers.

Mayor Harris expressed the City's pride in West Charlotte High School for the tremendous achievement their football team has had this year and the recognition of going into the State finals and representing our city so well. He stated a proclamation will be prepared and sent to them.

CITY OF CHARLOTTE EMPLOYEE PLAQUES PRESENTED.

The following City employees were thanked for their years of service and presented with Employee Plaques:

Harrell E. Reynolds, Sr., Rehabilitation Construction Advisor, Community Development - employed 4-16-70, retired 9-29-78; Marie L. Mitchell, Office Assistant V, Motor Transport - employed 6-27-66, retired 10-24-78 (in absentia).

NOMINATIONS FOR VACANCY ON AUDITORIUM-COLISEUM-CIVIC CENTER AUTHORITY TO BE MADE DECEMBER 18, 1978.

The Mayor announced that nominations would be made at the meeting on December 18, 1978 to fill the vacancy on the Auditorium-Coliseum-Civic Center Authority.

APPROVAL OF MINUTES.

On motion of Councilmember Short, seconded by Councilmember Chafin, and carried unanimously, minutes of the Community Development Hearings on November 15 and 16, and of the last Council Meeting on Monday, November 20, 1978, were approved as submitted.

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RESOLUTION CLOSING A PORTION OF LISSOM LANE, LOCATED BETWEEN PLYMOUTH STREET AND THE RIGHT-OF-WAY OF SOUTHERN RAILWAY COMPANY, IN THE CITY OF CHARLOTTE, NORTH CAROLINA.

The scheduled public hearing was held on petition of Mr. and Mrs. Ralph O. Johnson, Jr. to close a portion of Lissom Lane, located between Plymouth Street and the right of way of Southern Railway Company, in the City of Charlotte, North Carolina.

Council was advised the petition had been investigated by all city departments concerned with street rights of way and there were no objections to the closing.

There was no opposition expressed to the closing, whereupon a resolution was adopted, on motion by Councilmember Locke, seconded by Councilmember Frech and carried unanimously, closing a portion of Lissom Lane, located between Plymouth Street and the right-of-way of Southern Railway Company.

The resolution is recorded in full in Resolutions Book 14, at Page 11.

RESOLUTION CLOSING A PORTION OF NORTH KINGS DRIVE BETWEEN FOURTH STREET AND ELIZABETH AVENUE IN THE CITY OF CHARLOTTE, NORTH CAROLINA.

The scheduled public hearing was held on petition of Central Piedmont Community College to close a portion of North Kings Drive between Fourth Street and Elizabeth Avenue in the City of Charlotte, North Carolina.

Council was advised the petition had been investigated by all city departments concerned with street rights of way and there were no objections to the closing.

Mr. William H. Blackwelder, 4014 Rhodes Avenue, stated he was speaking on behalf of his wife, Tula Dallas Blackwelder and her two sisters, Mary and Bessie Dallas, who own the property which involves Jimmy's Restaurant over to the Trophy Center. He stated the only access to the delivery of these buildings is through the back alley, and he wants to make sure that this closing is not going to affect their access into that alley.

Mr. Robert Hopson, Public Works Director, stated the alleyway that he is speaking of has already been closed by previous action by City Council. That he would be very happy to work with Mr. Blackwelder and see what the problem is - it is the first time he has heard about it. He stated this closing would involve three sections of the alley - they are leaving the alley contiguous to the property open, but the alley to which he is referring was closed by City Council many months ago. That this is purely a request from Central Piedmont to complete what is necessary in their viewpoint.

Mr. Blackwelder stated the alley he is speaking of is included in their property line, so it is their property. Their only concern is that Kings Drive will not be closed off from the red light that is there now.

After conferring with Mr. Hopson, Mr. Blackwelder stated he understood from looking at the map that they will not be coming up past his property. Having been assured by Mr. Blackwelder that there was no problem, Councilmember Locke moved adoption of the subject resolution closing a portion of North Kings Drive between Fourth Street and Elizabeth Avenue. The motion was seconded by Councilmember Leeper and carried unanimously.

The resolution is recorded in full in Resolutions Book 14, at Page 13.

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RESOLUTION APPROVING THE SALE OF A SIX-UNIT, MULTI-FAMILY STRUCTURE AND LOT, LOCATED AT 225 VICTORIA AVENUE IN THE THIRD WARD COMMUNITY DEVELOPMENT TARGET AREA, TO MOTION, INC.

The scheduled public hearing was held on a proposal by MOTION, Inc. for the purchase of a six-unit, multi-family structure and lot, located at 225 Victoria Avenue, in the Third Ward Community Development Target Area.

Mr. Vernon Sawyer, Director of Community Development, stated the City owns a multi-family apartment structure located at 225 Victoria Avenue and located it on the map. It contains six units and is on a parcel of land containing 8,600 square feet. They have attempted to sell this property twice before by offering it on the private market and inviting bids after the proper advertisement, and they have offered it at the appraised sale price which is \$13,250. The first time they offered it they received no bids; the second time they received a bid from MOTION, Inc. but did not accept it because they did not include a security deposit with the bid.

He stated that following this experience they negotiated the sale with MOTION; that this is legal since MOTION is a non-profit organization; and they have negotiated the appraised price, which was the advertised price. That they know that MOTION will rehabilitate the structure to the project rehabilitation standards, and the sales contract, if approved, would require that.

Councilmember Short asked about the square footage and Mr. Sawyer replied there are 8,600 square feet in the parcel of land; the structure itself contains 3,162 square feet; and confirmed Mr. Short's statement that would be about \$3.00 a square foot.

On motion of Councilmember Short, seconded by Councilmember Selden, and carried unanimously, the subject resolution was adopted approving the sale of a six-unit, multi-family structure and lot, located at 225 Victoria Avenue in the Third Ward Community Development Target Area to MOTION, Inc.

Councilmember Carroll stated he is glad to see this; it is a substantial brick structure and it is the direction they want to go; he is glad MOTION is willing to do it.

The resolution is recorded in full in Resolutions Book 14, at Page 15.

HEARING ON PROPOSAL FOR A MEMORIAL TO NANCY GAYLE CROSS AT HORNET'S NEST PARK.

The scheduled public hearing was held on a proposal to place a monument at Hornet's Nest Park honoring Nancy Gayle Cross and made by the Long Creek Opti-Mrs. Club.

Mr. Herman Hough stated he knew this young lady all of her life and he also knows her parents; that she was born and raised in sight of the center field of Field No. 2 of the Hornet's Nest Park. That her parents still live just northeast of the centerfield. That she is buried at Trinity United Methodist Church which is in sight of this field. That what they are requesting is that Council allow them to put a plaque, at no expense to the City or the County, in Ms. Cross' memory. He stated she was an outstanding Christian and a teacher at Thomasboro Elementary School. That unfortunately she was killed in a vehicle accident that seemed to be unavoidable; that the automobile she was driving approximately 25 to 30mph skidded on the ice and snow in Boone and overturned, pinning her underneath.

He stated that the people of Long Creek Community and the Huntersville area are very much in favor of this and they would certainly appreciate being able to name this field as a memorial to Gayle Cross.

Mr. Wylie Williams advised that the review process calls for this request to be received by Council, passed on to the Monument Committee, and come back to Council with a recommendation.

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Councilmember Dannelly moved that the request be referred to the Public Monument Committee for a recommendation. The motion was seconded by Councilmember Short and carried unanimously.

HEARING ON AMENDMENT TO THOROUGHFARE PLAN AS IT RELATES TO COLONY ROAD EXTENSION.

The scheduled public hearing was held on an amendment to the Thoroughfare Plan as it relates to Colony Road Extension.

Mr. Fred Bryant, Acting Planning Director, stated he would take a few minutes to acquaint everyone with some of the common facts that are associated with this particular matter, and then Mr. Bob Deaton, Chairman of the Technical Coordinating Committee, will give a very brief outline of the recommendation of that group. That he would like to do two things - give them an outline or an overview of the entire proposal or situation as it now exists and then give a brief description of the actions the Planning Commission took on the matter.

He stated they are dealing with a proposal involving a concern that has been expressed for some time now by a number of citizens out in the area of Mountain Brook particularly, Carmel Road and Sharonview Road, concerning a section of the major thoroughfare plan as it now exists involving what has been generally referred to as an extension of Colony Road, although as it is presently constituted, it involves some other streets as well.

He began with the 1960 Major Thoroughfare Plan which was displayed on the wall, pointing out that the origin of what is now referred to as the Colony Road Extension goes all the way back to the creation of that Plan. He pointed out on the map Fairview Road Extension and Colony Road and the configuration through the Mountain Brook area to show that the origin of the stipulation that a portion of the streets in that vicinity would be a part of the major thoroughfare system does go all the way back to the 1960 Plan, which was actually created in the late 1950's.

He stated the 1995 revision of that Plan which occurred in 1972-73 made very little alteration in that particular section of the County and City as it relates to the Major Thoroughfare concept. Therefore, the concept of Colony Road and Colony Road Extension through that area remained a part of the thoroughfare plan. That there have already been made a number of commitments in that area as far as location and actual commitment to construction and creation of several segments of that roadway.

On another map he pointed out Sharonview Road as it now exists and Carmel Road, stating that considerably to the north of Sharonview Road is Fairview Road and beyond that is the connection with a now existing segment of Colony Road at its intersection with Sharon Road. He stated he would suppose that back in the late 50's and early 60's there was considerable amount of discussion that ensued with the principal property owner in the area - Mr. Harris - and his representatives relative to the initial creation of the segment of roadway which met the requirements locationally speaking as far as this section of road is concerned. He stated they are all familiar with the fact that Colony Road does now exist on the ground from Sharon Road to Runnymede Road. This is the section of the road which was built in conformance with the Thoroughfare Plan which preceded actually the creation of that particular segment of the road. At the same time, there was a considerable amount of discussion that generally provided the locational requirements for the Fairview Road Extension and for the Colony Road Extension as it would come on down eventually to tie in with Fairview Road. So that there has been some commitment for a number of years to that portion of the roadway.

The next portion that was created was a section of Mill Pond Road, which is really at the center of the present discussion and is a part of the Mountain Brook Subdivision area. It was created in the present location in conformance with the 1960 Thoroughfare Plan. After that, there was a small segment north of Sharonview Road which is a part of the Sir John's Hill condominium development which is in existence now from a point on Sharonview Road back to the

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creek crossing. It is in place and is in conformance with the 1960 Plan. Beyond that there is a section of the Sir John's Hill development, north of the creek, which has not been built yet, but has had detail approval for a number of years and it will be built and it also is in conformance with the Plan. Finally, and more recently, there was approval given, as Council is well aware, for the rezoning of property on Fairview Road which also carried a small segment of the Colony Road location at that point. So that, generally speaking, Colony Road is committed as far as location is concerned, from Fairview Road down to Sharonview Road. The only remaining segment that is not built at the present time is the section from Sharonview Road down to what is now the end of Mill Pond Road. With that one exception, it would be either in place or right-of-way and location committed from Fairview Road all the way down to Mill Pond Road.

Mr. Bryant stated that more recently what has happened - it has been almost a year ago now - there was considerable concern expressed by a number of citizens, particularly out in the Mountainbrook area, about the fact that Mill Pond Road was a part of the Major Thoroughfare System Plan and perhaps one day would be connected in such a manner as to bring additional traffic onto that road. He stated there was filed with the City Manager's Office, with some members of Council as well, a concern and an expression that there be a study made to determine whether or not that was an appropriate location for the roadway to occur. After that, the next step in the process occurred as a result of a staff meeting which involved representatives of not only the Planning Commission, but Traffic Engineering Department, Public Works Department, Transportation Coordinator's Office and a number of staff people normally associated with the transportation planning process who met to determine whether or not some alternative locations could be found for the road. It was determined that there were some possibilities for alternative locations, some of which he has outlined on a map. Following that meeting, it was decided they would go ahead and present it both to the Planning Commission and to the Technical Coordinating Committee to determine whether or not some recommendation could be arrived at by both of those groups.

Initially it was presented to the TAC for some discussion on their part; a presentation was made to them at one of their meetings and at that time no final action was taken by them. Shortly thereafter the matter was presented to the Planning Commission and when they determined the extent of involvement, they decided that perhaps the opportunity for public input would be advisable. Therefore, they called for, and did hold, a public hearing on August 1, 1978 at which time members of the City Council, members of the County Commission and members of the Technical Coordinating Committee, as well as the Transportation Advisory Committee were invited to participate. Some of the Council participated, there was sparse representation from the other groups as well. At that time it was presented as primarily a process of determination as to whether or not the existing alignment would continue to be reflected on the Thoroughfare Plan or whether or not some alternative location should be considered. It was felt that there were several alternatives that could be pursued for the portion from Carmel Road on south and he pointed these out on the map, as well as the most desirable route for the other area.

He stated that at that particular hearing most of the speakers indicated that they did not feel that either of those alternatives should be chosen, but that instead the segment of the Thoroughfare Plan as it relates to this area should be deleted entirely and no thoroughfare-plan-related roadway be allowed to exist in that particular segment.

Following that public hearing, the Planning Commission did arrive at its recommendation. That recommendation was forwarded to the Transportation Advisory Commission along with the recommendation which shortly thereafter was formulated by the TCC. After some discussion, it was the TAC's motion and action that the matter be referred to the City Council with a recommendation that Council perhaps would want to hold the hearing which they have scheduled today, and then eventually some resolution of the matter could be arrived at. Summarizing, he stated what is involved here is either a proposal to stay with the present alignment of the Thoroughfare Plan or

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perhaps to seek one of the alternatives which he has presented. He stated what has transpired to this point has been a little bit complicated as far as procedures is concerned; it has been a bit complicated for the people who have been involved because they have attended numerous meetings involving all of these different organizations, so that by now it is an old story to everyone involved.

Mr. Bryant outlined the Planning Commission's recommendation. That after evaluating the many comments that were presented at the public hearing on August 1st, the Planning Commission came to the conclusion and the determination that they would recommend to the TAC for further consideration a retention of the existing alignment as it is reflected at the present time on the Major Thoroughfare Plan. That it was brought out in the previous public hearing and he is sure it will be brought out again, that there are a number of factors that make the existing alignment undesirable - there are horizontal problems, there are vertical problems, from an alignment standpoint. There are some problems involved with the Mountain Brook recreation area, etc. The Planning Commission's overriding perspective of the matter was that this was a route which had its origin back many, many years and that it had been located as it now exists in relation to that Plan which has been carried out through provisions of the Charlotte and Mecklenburg County subdivision regulations. It therefore felt that in light of the difficulties of relocation, which had been brought out from a good many sources including property development circumstances that relate to Carmel Road - a church which has been built, some properties in one area which probably will not be subject to subdivision objectives in the future, plus relationship to an already existing development in another area - it was felt it would be unfair at this point in time to shift the location. Therefore, the Planning Commission recommended by a six to three vote that the present Thoroughfare Plan provisions be upheld.

He stated there was a third alternative which was promoted very heavily at the previous public hearing - a no-build proposal of just deleting that section from the Thoroughfare Plan. The Planning Commission did discuss this, and came to the conclusion that there was a need for the route through this area; that it would work some hardships in terms of shifting traffic up to Sharonview Road, to Carmel Road and would eventually work some very real difficulties and hardships in the SouthPark area in terms of all the traffic then being diverted through the SouthPark area and not allowing a bypass movement as would exist if the entire Colony Road portion was eventually effectuated.

Mr. Bob Deaton presented the recommendation of the Technical Coordinating Committee. He stated that the information which Mr. Bryant has presented as background was the same information that the Coordinating Committee had available to them when they were deliberating on what to recommend with reference to Colony Road. He explained that the TCC is a body that has been established through a memorandum of understanding between the local governments and the State. It is composed of technical personnel charged with the responsibility of reviewing and guiding and coordinating the transportation planning process. As such, they feel that a continuing comprehensive and coordinating transportation planning process means they are able to constantly evaluate the thoroughfare plan.

This particular subject on Colony Road Extension was brought to their attention about October of 1977 at which time a task force was set up to look at all of the various alternatives. That information came back to the TCC in May of 1978. As Mr. Bryant indicated, they did not take any action at that time because there were still a few questions unresolved. Those questions were later answered to the benefit of everyone on the TCC, and to their satisfaction. In looking at all the factors which Mr. Bryant has pointed out, the TCC made the decision that the alignment should be altered on Colony Road extension.

In explaining the reason for this recommendation, he stated the portion of Mill Pond Road was actually approved in August of 1961. It was built some time after that; it was not a subdivision process that was in operation at that particular point in time; it was not inside the City; so they were not able to exercise some controls that they feel that the Planning Commission

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is able to exercise today in the subdivision process. So, the facility that we have, known as Mill Pond Road, is not adequate for a thoroughfare - the horizontal alignments, the right-of-way, certain other factors as far as the frontage of the houses, and what have you.

Consequently, the TCC decided that they should recommend an alternate route that would give them an opportunity to have a route developed with those standards that would accommodate the traffic flow that would be projected for the area. He stated there is an area surrounding Colony Road which also includes Quail Hollow, Carmel and Sharonview, that would generate somewhere in the neighborhood of 18,000 trips. That is not all for Mill Pond Road or Colony Road Extension; it is for the area. When they looked at those facts they did not feel that they could do without a thoroughfare in this particular part. Consequently, the TCC concluded that this particular portion of Colony Road Extension should be changed to Carmel Road. They feel they would have a better opportunity through the subdivision regulations to get that facility built through the subdivision process at a standard that would accommodate the proper traffic flow. This particular area from Carmel Road down to Rea Road would also be left up to the Planning Commission staff in their working with the developers in getting it developed to good thoroughfare standards.

Replying to a question from Councilmember Trosch, Mr. Deaton stated it was the unanimous consensus of the TCC that this was the most technical approach.

Ms. Trosch addressed a question to Mr. Bryant about the no-build consensus at the hearing, that Mill Pond Road would in essence carry a lot of that traffic anyway, and asked him if that is correct? Mr. Bryant replied that in its present configuration, Mill Pond Road by itself would not carry the traffic because obviously Mill Pond deadends at the present time. What is possible, at the present time, through the area by way of creating somewhat of a cut-through type of movement, is to utilize Mountain Brook Road.

Councilmember Selden asked about Mr. Deaton's figure of 18,000 trips per day generated in the area. The study provided with the agenda reflects a four and a half square mile, or 2,880 acres of land. Also there is a map that shows a shaded area; he asked if the shaded area on that map is the one represented by 4.5 square mile area? Mr. Deaton replied that is basically the 4.5 square mile area. The general area which would most directly be served by an alternative construction is approximately 4.5 miles; approximately 3.4 square miles of this area is presently unsubdivided. Mr. Selden stated if you take a ^{planimeter} ~~perimeter~~ and run around the shaded area, he will find it is a fraction less than two square miles and some part of that area is already developed. What he is trying to say is that the assumption that there is 4.5 square miles and 3.4 square miles of that area is undeveloped and therefore at 1.8 dwellings units per acre, on a rough basis, will create so many dwelling units, and therefore so many trips per day - somewhere or other there is an error in the statistics.

Mr. Deaton replied they were working with the 2.9 figure which is better than the 1.8 he is talking about; they were really giving the benefit of the doubt. Mr. Selden stated, in any event, the square mile mentioned is in error. The point is you do not have 18,000 trips since that is based on the wrong dimensions.

Councilmember Short stated that developers would be required to build the yellow line on the map up to thoroughfare standards, but the rebuilding of the present Mill Pond Road would have to be done at the taxpayers' expense. He asked Mr. Deaton if this assumption was correct; if not, what is the money situation here between the two? Would it not actually cost the taxpayers less to use the yellow line? Mr. Deaton replied that is a correct statement. That when they were looking at it, they were looking at the vertical and horizontal lines and the problem they have with the two positions - vertical and horizontal - they do not feel that it would be reasonable to try to correct it on the existing lines. They do feel the yellow line would be built to subdivision standards.

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Mr. Short stated that today, because the city limits has moved out and there are subdivision controls, etc., developers could be required to build that yellow line to the thoroughfare standards that are technically acceptable - is that right? Mr. Deaton replied that is his understanding but Mr. Bryant might want to respond to that. Mr. Short stated otherwise that blue line would have to be redone at the taxpayers' expense?

Mr. Bryant stated that certainly the standards to which the road would be required to be built today would be more in keeping with the requirements from a volume standpoint than they were at the time Mill Pond Road was built. He pointed out that at the present time Carmel Road itself is the city limit line and identified on the map the portion the City would have direct contact with.

Councilmember Short asked how long will it be before the developers might be expected to build the yellow line? The blue one is in place but the yellow one might be 20 years away. Mr. Bryant agreed, stating this is one of the things that he tried to indicate in discussing the Planning Commission recommendation. That he already has mentioned some property which indications are, would not be subject to subdivision anytime within the foreseeable future; and there is a large tract of land - 60 some acres - which is an estate type of development and the indications from representatives of that property owner is that they have no thought at all in terms of subdividing the land. He pointed out the only property in the immediate vicinity that they have had any contact with, as far as the possibility of subdivision, stating it will probably be subject to development in the very near future.

Mr. Short asked if it is a fact that that blue line along Mountainbrook Road is going to be a sort of thoroughfare for the next fifteen or twenty years even if Council does vote in favor of the yellow line? Mr. Bryant replied that is true to a certain extent because, as he indicated in replying to a question of Ms. Trosch, it is physically possible to gain access, via a short cut method, from Sharonview Road over to Mill Pond Road. How much that is used right now, he does not know. It is true that the alignment of both Mountain Brook Road and Mill Pond Road is such that it is certainly not particularly encouraging to people to take a quick trip through there because it is curved, both from a vertical standpoint and a horizontal standpoint.

Mr. Peter Gerns, 3125 Mountain Brook Road, stated he received a phone call from Mr. Walter Shapiro, President of the Council of Southeast Homeowners Association; that he could not be present to speak because of serious illness in his family, but he wanted City Council to know that his organization supports the Mountain Brook position in this situation.

Mr. Gerns recognized residents of Mountain Brook who were present to indicate the considerable amount of interest in what Council is about to do. He stated there were three points he wished to make. First, if they have ever ridden across Mountain Brook and Mill Pond, they are familiar with the surface - some people call it one thing, Mr. Bryant calls it configuration. As they have already heard, there is a 60-foot right-of-way in place through Mill Pond Road because it was developed some time ago. That he would like to say one thing with regard to people who live there now - they are familiar with what the City plans; therefore they are able to get information, whereas it is hard for people who move into a subdivision like Mountain Brook are not able to have the knowledge to ask the proper questions. He called attention to the thoroughfare map and a line which indicates Colony Road and stated there is certainly no indication to anyone who intended to move in that there is a danger of possible development in the future. If a thoroughfare needs an 80-foot right-of-way, there is 60 feet in place right now. The horizontal and vertical alignments which are existing are very hilly - they call it the rollercoaster and it is very dangerous at the present time, a lot of traffic proceeds to Mill Pond even under normal circumstances. Many times it has been necessary for the Mountain Brook Citizens Association to ask for help from the Police Department to reduce speeding in order to eliminate the problems which are pressing at that time.

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Furthermore, he thinks they ought to know, and he hopes they will take the time and trouble to ride along Mill Pond, that there are several residential fronts. That it is very important that the present policy calls for alignment to the rear of residencies. That in this particular case they will find that Mill Pond, if enlarged, would take ten feet on each side of the present existing structure and it would also be quite a hazard.

He stated the Planning staff has made a careful consideration of this and has come up with an independent position that Mill Pond is not the way to go.

Mr. W. W. Hagood, Jr., 2525 Carmel Road, stated he owns 35 acres on Carmel Road; that he bought the property in 1936, not as an investment but as a place to live. He built on this property in 1939 and later built for his daughter and son-in-law and their family. That he has been developing that property since 1936 and they consider it very highly developed. That he heard of this thing last spring and went into see Mr. Bryant; he asked Mr. Bryant to come out and look at his property and to his knowledge he never has come out. That he asked him to let him know when he could come so he could show him what had been done.

He stated he heard, along with three or four other people who are present, of this TCC meeting and he went to hear what was said. That it was reported to that committee that his property was unimproved. Well, he has spent 42 years improving it. That Mr. Bryant was in that meeting and although he had told him about his situation beforehand he did not hear him offer a word to correct that erroneous information. That recommendation was made to the Planning Commission but they did not take that irresponsible recommendation at all; they ruled against it.

Mr. Hagood stated his property is not going to be subdivided during his lifetime or during the lifetimes of his two children. That if they put a road through there - he understands this plan is a subdivision process - they will have to condemn the land and pay for all those improvements and all the damage that is done to the other property.

Mr. Granville Hearn, 3328 Mill Pond Road, stated it is true that the City has a right-of-way on Mill Pond; certainly there are other less populated routes and a more desirable route to go in this particular issue. That there is more involved here than just the issue; that there is a principle involved, the principle of majority rule. That he was in Russia about a year ago; there are 400 million people in Russia and there are 20 million Communists who control 400 million people - this is done by a police state. But, the people on Mill Pond Road - the majority of them - have asked that this road not go Mill Pond for various and sundry reasons which are quite evident. That he was also in China about a month ago and there are a billion people living in China; there are 3 percent Communists - 30 million Communists control a billion people. This is minority rule. So, they are here for a principle; the fact that a majority on Mill Pond Road have asked that this be re-routed for property values and all of the other things that they can say.

He stated that about three years ago, when I-77 was being constructed, it was recommended that a connector be put from I-77 to NC-16. The citizens of LaSalle Street said no, we do not want this, and consequently that connector is not there today. The people on Mill Pond would like to have equal consideration.

Mr. Henry James, Jr., 700 Home Federal Building, stated Council (as well as members of the TCC) has heard, and will continue to hear, some very, very valid arguments for an on behalf of moving the Colony Road to a new location. The Mountain Brook advocates have said that the road is extremely hilly; there are many driveways adjoining this road, the road does not have the right vertical and horizontal alignment, there is a private recreation park, and so on. These are very valid arguments for moving that road.

The persons opposed to moving that road to that other alternative route - he happens to live on one of those dots that the TCC did not know existed when they put the yellow line there, and all the people in the Carmel Woods

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Subdivision who they did not know existed - are going to argue that the alternate road should not go through there because of such things as the fact that the people in Mountain Brook knew or should have known when they bought their houses that it was part of the Thoroughfare Plan.

He stated the cost of putting in that yellow line would be extremely expensive if in fact the persons who happen to own that land never developed it, because then they would have to obtain it through eminent domain. That people in Carmel Woods would live on an island if that road were constructed as shown in yellow. It would create a new intersection at Carmel and Colony, one of four new intersections that would have to be constructed in order to to what he thinks is really the avowed purpose of this road. That without saying anymore about the pros and cons of this, he believes that Council has been given two choices - horrible and worse. He would like them to consider the third alternative and that is the no-road alternative. That is the alternative to improve the existing road because what in essence are they saying to them - they want to take these 18,000 trips from their section of town and take them into inner-city and avoid that horrible intersection of Fairview and Sharon. So, they are going to create three new intersections - Colony and Sharon, Fairview and Colony, and Sharonview and Colony. Those are enough intersections. They could take the Rea Road people, put them on Sharonview, improve it, and use that new portion of Colony that for sure is coming and stop right there. Where does that take you, if you are trying to get into the inner-city? It funnels you from Sharonview right into Runnymede and then your alternatives are to go right to Providence, go left to Park Road or go between Myers Park High School and Myers Park Country Club on a two-lane road.

Ms. Judy Barnes, 3616 Schoolhouse Lane, stated she is president of the Mountain Brook Club, Inc., a family swim and tennis recreational organization. She stated they have 241 family members, about 480 adults and conservatively 800 children. About a third of their members live outside Mountain Brook in areas from Myers Park to Monticello, so that the people she speaks for represent more than one neighborhood.

She stated that at present Mill Pond Road deadends at the park; Colony Road does not connect to Sharonview at present. Colony Road Extension would take the only land available for off-street parking that they have. On many days you can expect to see a minimum of ten to twenty cars parked there; on special days during the summer, swim meets, etc., you can see in excess of fifty cars. They are able to accommodate most of these cars at present, however, some do have to park along adjacent streets. Last summer they hosted a swim meet that had in excess of 200 cars and they had to utilize the football field that is part of the Ann Heineg Memorial Park. She stated that Colony Road Extension would make it impossible for them to hold community activities of this sort in safety. That with cars parked along both sides of Colony Road Extension and Mill Pond, and with traffic that would travel on this road, their children who live in the area would no longer be able to safely ride their bikes and walk to the pool or park. These children would have to cross a busy street, maneuvering around cars parked on both sides - this concerns them greatly. She explained that the Ann Heineg Memorial Park is not a part of the Mountain Brook Club, but it is adjacent to it. It is an area they help maintain and use in conjunction with other neighborhood groups. The park and the pool are part of the neighborhood activities. It is there their children play and swim; they hold their festival in the park, the Colony bonfire and 4th of July fun day. Soccer and baseball teams practice there; they have a jogging track that was made possible by the cooperative efforts of the swim club, the Ann Heineg Memorial Park Foundation and the area garden clubs. Mountain Brook Club recently acquired land adjacent to the park and they hope to set up additional playground equipment and a picnic area and possibly a nature trail. A road bisecting the park would no longer make this feasible; the children would have to cross a busy street to go from one section of the park to another.

She emphasized their overriding concern of keeping their neighborhood safe; a safe area for their children. To them the ideal solution would be no road at all. If, however, a road is deemed necessary, they would ask Council to consider a route that does not damage the existing neighborhood.

Ms. Carol Krajack, 3421 Johnny Cake Lane, stated she speaks as a board member of the Mountain Brook Civic Association, and for the 344 families who reside in Mountain Brook and are opposed to a thoroughfare cutting through the center of their community. That their civic association consists of twelve elected board members who meet once a month to handle community-related policies and whose dues of \$25.00 per year maintain and beautify three entrances and seven medians in their neighborhood, employ a deputy sheriff to help insure safety, and addresses many other community related matters which help make a strong, self-sustaining neighborhood. She stated if every neighborhood in Charlotte generated the same pride and organization as Mountain Brook, City-County government would eliminate many problems as well as many taxpayer dollars.

There are several important things she would like to bring to Council's attention. First, the professional staff did a study for the Traffic Advisory Committee to see whether it would be advisable to run a thoroughfare from Sharonview Road to Carmel Road, which would involve cutting a new road through their park area, connecting on to Mill Pond, then stretching to Carmel Road. The study proved it would not be advisable, and the Traffic Advisory Committee advised the Planning Commission to reroute the proposed thoroughfare for the following reasons: (1) There is inadequate right-of-way along Mill Pond; (2) There is double residential frontage with multiple driveways and short setbacks; and (3) And most important, is the danger and poor visibility along this route due to steep rolling hills and numerous hidden driveways and intersecting streets. She stated Mountain Brook is appropriately named as it is one of the hilliest sections of this city.

Right now many children in their neighborhood either walk or ride their bikes to school and playground areas and to do so, every child must travel along or across Mill Pond at some point. Mill Pond runs through the center of Mountain Brook and deadends at the pool and community park. It is extremely dangerous, even now. Any Mill Pond resident will tell you the difficulty in trying to pull out of their driveways or exit side streets which enter Mill Pond and how impossible it is to see over several hills, even with the limited traffic.

Another point - she does not think they should be concerned with what our city planners thought was a good place for a thoroughfare twenty years ago, because it is not a good place for one today. The parks and Mill Pond Road as it is today did not exist. This afternoon they are concerned about whether our present city planners are going to put a thoroughfare through an established residential area and through two neighborhood parks causing extreme driving hazards and endangering the lives of children.

Yet still another point involves water run-off created by a road running along McMullen Creek which is already burdened with run-off.

She has several unanswered questions: The professional staff, addressing the TCC, adamantly advised against Mill Pond because of the horizontal and vertical alignment. Why was this totally ignored by the Planning Commission. That lately there has been in the newspapers about the Planning Commission and the new director they want to hire. They want them to know they totally support City Council's efforts to bring planning back under the control of the citizens.

Her next comment is addressed to the Mayor, the City Council and other elected officials. Many of them ran their election campaigns touching heavily on neighborhood preservation which is very popular with the voters. Surely they cannot turn their backs on this critical situation that would fragment this active, thriving and self-supporting neighborhood and greatly endanger its residents. Also, this road would add immeasurably to water run-off which is a major problem in this city and has to be dealt with seriously in all building projects such as this.

Lastly, she wants to mention parks. Parks have been such a large issue in our recent elections. Here we have not one, but two, parks maintained and paid for by their community, costing the taxpayers nothing. Does it not seem self-destructive to destroy them? She feels sure that all of the

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excellent analysis of what he has heard; that the gist of that analysis was that projecting to make a thoroughfare out of Mill Pond Road would be insane. Therefore, he went ahead with his purchase. He stated that after a month of driving along Mill Pond Road and Mountain Brook Road, he still feels as he did the first time he drove on them - that the 35mph speed limit which is there is much too fast for the road that is presently there.

He stated that it appears to him, from Ike Heard's reports, that what is known as the Colony Road Extension is intended to be a thoroughfare. This cannot be accomplished with the existing plan due to the nature of the terrain, the developed neighborhood on both sides of the road and the absence of 80-foot rights-of-way. Parenthetically, he would say that his neighbor directly across the street would require an elevator to get his cars out of the carport if even the 60-foot right-of-way were exercised.

He stated the Thoroughfare Plan anticipated that a thoroughfare would be needed and he is not disputing that, but a 20-year old plan must have the flexibility to handle unanticipated changes, or other inadequacies in the Plan will develop. He believes it is Council's responsibility to provide such flexibility where it is needed. The proposed alternative better provides the thoroughfare intended by the Plan than does the original extension. It would not disrupt an existing development, as with the original extension. It seems to him that at the very least, Council should drop the original extension and if they have to have a road, then use the alternative plan which from what he has seen is preferable.

Mr. Frank Barnes, 3616 Schoolhouse Lane, stated many of the points he wanted to make have already been made. That as he goes around the country in his work he runs into people all of the time who have seen Charlotte, or were here during the war, etc. and remember this as a very favorable place. That the thing they remember here is not the apartments we may be building twenty miles out in the country today, and they certainly do not remember the Eastway Drive that was constructed a few years ago with no trees. They remember a town that has not built the problems that have been created by towns like Los Angeles, Atlanta and others. Those towns were created not by bad people or anything like that, but by people who could not say "no" to the car, or who had lost sight of the objective of a city which is to have a good quality of life for the citizens who are there. He would emphasize that point to Council - to do what it can to preserve what we have here now; the quality of life that is Charlotte, rather than build some franchise haven like Atlanta, which is no longer really a habitable city.

Mr. Joe Claar, 5115 Camilla Drive, stated he is a manufacturers' representative and president of Inspiration Book and Card Shop at Park Road Shopping Center, but today he is speaking on behalf of Carmel Hills - a non-profit, church-related retirement community. He pointed out on the map the location of this community which is just below the Hagood estate. He stated this is a retirement community organized to provide housing and nursing care for the elderly. All of the officers and directors of Carmel Hills serve without pay; they are using no government funds - local, state or federal - for land or construction. They do not solicit funds from the general public, nor do they accept funds from the general public. However, this project which is being developed entirely through private contributions from within their own church groups throughout the country, is being placed in extreme jeopardy by the proposed Colony Road realignment. He stated that by the addition of a simple colored line through the rear seven acres of their property, they find that they cannot develop this portion without building a highway through it. Aside from the aesthetics involved, it is difficult for the elderly to walk across a major highway to be a part of the community, rendering it useless.

Also, because Colony Road would bisect the seven acres, the rear four acres would be a median strip between Colony Road and Camilla Drive. They have already found that under these conditions the back seven acres are not saleable. This leaves them in a position of having to pay for land that they cannot use, a road that they do not want, and land that they cannot sell. Depending on the cost of construction delays of one percent per month, the cost of building an unwanted road and the cost of financing this rear portion with its highway, they are looking at a loss of \$5,200,000.

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This may not seem like a lot of money to a technician drawing a line on a map, but to our elderly citizens who are not relying on government funds this could be an economic disaster. He read a letter, dated November 27, from an elderly lady in Kenosha, Wisconsin:

"Thank you so very much for your kind information on the retirement village - Carmel Hills. I am so grateful to you that I have found a home where I can remain until the Lord takes me home. I pray the Lord will help you and the directors and the construction can begin."

Mr. Claar stated that when they bought this property they were forewarned by the Planning Commission that Carmel would eventually be upgraded to four lanes. They feel that this is a reasonable alternative to the Colony Road Extension south of Sharonview. The Planning Commission has gone on record as saying that Charlotte should concentrate its efforts in developing the Northeast segment of the City, how that IBM is giving impetus to that area. Colony Road Extension is not likely to help in that regard. That the Mayor has stated publicly and privately that building new highways and thoroughfares has become too disruptive and expensive; that the time has come to concentrate on upgrading our existing roads, and he agrees. Charlotte is currently spending \$5.2 million to restore a blighted portion of our city. While we spend over \$5 million of our tax money for restoration in one area, does it make sense to deliberately destroy another?

He stated that most of those present knew Mr. Tom Sadler, who was chairman of the Transportation Advisory Committee until his recent death. That he spoke to him on the morning of the postponement of this current meeting and in that conversation he told Mr. Sadler that he used his car as much as the next person but he believed the time is coming when those of us who drive are going to have to be content with short delays in getting to our destinations rather than see the destruction of our neighborhoods. His answer was short and to the point "Mr. Claar, I believe that day has already come." That says it all.

(At this point, Councilmember Carroll pointed out to the other members of Council that he is associated with the law firm of which the next speaker is a partner; that he has asked Mr. Underhill to give him an opinion at any time this should come up for action so that he will know whether or not he can participate.)

Mr. Herb Browne, 2800 NCNB Plaza, stated he is appearing on behalf of Mrs. Melba Renfro Smith, who is the owner of a tract of land containing approximately 60 acres which Mr. Bryant referred to as being located northwest of Carmel Road. It is this property that would receive the primary impact of a rear line extension of Carmel Road. He will state simply Mrs. Smith's position about the matter. She feels that there should not be an extension of Carmel Road; that it should end at Sharonview; and that it should neither be constructed on the old alignment or under any new alignment. That is her primary argument. If there is to be an extension, he would like to refer to a principle that one of the earlier speakers spoke of. That the principle they should keep in mind is first of all, the cost of the realignment. Mrs. Smith uses this property for her residence and she wishes to remain there - she has no plans for the development of it. The acquisition of the property undoubtedly would be expensive - the acquisition of the right-of-way through this property and through the other property south of Carmel Road. That this is a factor that has to be kept in mind. He certainly does not like to argue for a route that inconveniences other people as people along Mill Pond would be. However, the principle also should be borne in mind that the Thoroughfare Plan was entered into so that people could plan in some way for the future as to use of right-of-way. There should be compelling reasons to change the realignment; that no compelling reasons in view of all of the circumstances that have been related, have been presented to make a realignment. He emphasized that it is their hope that there will be no extension below Sharonview Road.

Mr. Claar showed slides of various properties in the area: The Renfro property with its rows of penoaks. He stated that to make the necessary alignment through there would require the destruction of at least 300 to

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500 feet of these trees. The rows are only 42 feet apart and the right-of-way required for this project is 80 feet. The Church at Charlotte is adjacent and in addition to higher noise levels, there would be the problem of Colony Road encroaching on the driveway to this church. The entrance to the Hagood property - Colony Road would run to the right of this driveway destroying an 80-foot swab of ornamental trees which have been planted over a period of 40 years. The Hagoods would be separated from their daughter and son-in-law by this road, as well as from their own lake. The James home - all of the 35 acres of this property are kept mowed and manicured all summer long. The intersection at Carmel and Camilla - It is at this point where all of the traffic to and from Carmel Junior High School meets Carmel Road - one of the most dangerous intersections you can find; sometimes it can take from five to ten minutes to get out onto Carmel Road from that point. The lake at Carmel Hills - it was bought for the seclusion that it offered. The entrance to Carmel Woods - the people who live behind the proposed thoroughfare, who bought their homes in good faith, made inquiries as to whether there was any possibility of anything of this sort. They bought their land and built and then found that they were going to be living on a median strip if this road goes through. Carmel Road - this road can easily handle a far greater amount of traffic by being upgraded, and they were told that this would be done.

Mr. Claar quoted from the Charlotte Weekly of July 16th - "Charlotte is on fire right now and has the reputation of a city on the move. Flying into Charlotte is a treat; our town looks like one giant park with all of the trees and green space." He stated the roads are coming, but we must be careful not to lose the things that give our city so much charm and beauty. This town is something special.

Mr. Robert W. Fleming, 3714 Country Ridge Road, stated he moved to this address in June of this year; that his residence is one house removed from the intersection of Mill Pond and Mountain Brook Roads. That he is opposed to the extension of Colony Road into Mill Pond Road; that his first concerns in this matter are marginal. Given the nature of his employment, he will probably be elsewhere long before any car travels over the route selected. His concern is for type of neighborhood he has found in Mountain Brook.

He stated that very shortly after moving in, he was puzzled one afternoon on arriving home, to encounter cars parked up and down all of the streets in the area. After getting out of his car, after finally getting into his driveway, he heard a tremendous roar from the crowd, which continued well into the evening. Of course, it was just a typical swim meet on a summer day in Charlotte. To him, the placement of a through street would substantially alter the character of that scene; whether from reduced participation because of parental safety concerns, or from the intrusion of automobile noise.

Secondly, he has found the streets in the area as they exist, unsafe until he became familiar with them. Turns and sharp drops require caution in driving or walking. Even with present traffic levels crossing either Mill Pond or Mountain Brook requires the use of ears as well as eyes. To invite additional traffic on roads such as these will, for safety reasons, greatly reduce the use of these streets for pedestrian and bicycle traffic.

It is his understanding that this proposed route has been known to some, but not all, since 1960. However, he cannot imagine that such a route would have been proposed had the factors available today been available then. Long range planning is essential to provide us with a better city, however, it is not a substitute for the good judgment that must be used when the implementation of long range plans begins. He encouraged Council to route traffic to a road built to handle it and thus maintain this Council's concern for the integrity and safety of Charlotte's neighborhoods.

Mr. John T. Reid, 5431 Camilla Drive, stated he lives in Carmel Woods; that when the TCC drew the original yellow line they did not know that Carmel Woods existed. That is a real fine way to do long range planning. That the residents of Carmel Woods hope that this Council will decide that no road is necessary; indeed if they look they will see that there are already numerous major roads in the area which can be improved to handle the rapidly developing traffic flow. At the same time, they would like Council to

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MEETING RECESSED AND RECONVENED.

Mayor Harris called a recess at 4:50 p.m., and reconvened the meeting at 5:00 p.m.

REPRESENTATIVE OF MOTION TO MAKE PRESENTATION AT THE NEXT COUNCIL MEETING.

Mayor Harris asked Mr. Godwin, Chairman of the Board of Directors of MOTION, Inc. if he would like to have 30 minutes to make his presentation at the next week's meeting? Mr. Godwin replied that will be fine; that he has passed out booklets for Council's review; it is a summary. He stated they are under construction in Third Ward.

Mayor Harris stated the entire Council should be present next week. That he would like to have all members of Council present to hear this report. That this will be at 2:30 p.m.

DECISION ON PETITION NO. 78-46 FOR ZONING CHANGE ON ARNOLD DRIVE, DEFERRED FOR ONE WEEK.

Motion was made by Councilmember Locke, seconded by Councilmember Chafin, and carried unanimously to defer decision on the subject petition by B. B. Howard for a change in zoning from R-6MF to R-9 of property located generally in the 2500 and 2600 blocks of Arnold Drive.

FACILITY FOR SEVERELY HANDICAPPED AUTHORIZED. (ST. MARK'S CENTER)

(a) Motion was made by Councilmember Locke, seconded by Councilmember Chafin, and carried unanimously to approve an agreement with the Charlotte-Mecklenburg Board of Education for the conveyance of the deed to property in the Fourth Ward Urban Renewal Area to the City during the time of construction of a facility for the severely handicapped. The agreement to provide for the City to transfer the deed to the Board of Education at the termination of construction to allow the Board of Education to lease the facility to the St. Mark's Center, at an annual rental of \$1.00.

(b) Motion was made by Councilmember Locke, seconded by Councilmember Dannelly, and carried unanimously, to approve a contract with St. Mark's Center, Inc., for the construction of a Center for the severely handicapped for a total of \$603,333; with the Center to be constructed in the Fourth Ward Area, and to be deeded to the Charlotte-Mecklenburg Board of Education which in turn will lease the facility to the St. Mark's Center; and the City to contribute \$255,000, and the County to contribute \$348,333.

RESOLUTION ADOPTING MINORITY BUSINESS ENTERPRISE POLICY FOR THE CHARLOTTE TRANSIT SYSTEM.

Motion was made by Councilmember Locke, and seconded by Councilmember Chafin to adopt the subject resolution.

Mr. W. Bill Cunningham, P.O. Box 16444, stated he is president of the Charlotte Business League. Their main concern is (1) the 5% as a goal is not reaching very high; they have some very serious concerns about that; they feel the goals should be much higher; and they will leave that to the Council to make some suggestions that would be greater in proportion. One of the arguments may be that you cannot buy any greater amount of goods and services than the 5 percent for black businesses. Some possible solution to that could be a joint-venture program, or if in fact the black business persons who are already in business knew what the needs were. That information could be made available by certain marketing, etc.

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Another possibility is that the General Motors board and a number of other companies - Chrysler, etc. - are doing many joint business programs with minority businesses. Another approach would be a reasonable outlet.

One of the things that they feel very strongly about - goods and services can be, and should be, purchased by as many minority businesses as possible. It increases tax revenue for the City - the more money that the black business person makes; and of course it does relieve unemployment. The federal government has a similar program called the 10 percent set-aside, but it has been found that is not enough. That it costs him the same amount of money for a gallon of gas, a dozen eggs, as it does the majority business.

They feel that the Council and the members of the transit system should raise their goals to something greater than what the federal government has. This, in their opinion, would show a lot of forward thinking on the part of the leaders of Charlotte.

They would like to see a member of the Charlotte Business League or some other like minority organization be a part of the advisory board. They would, if they knew where to buy these services, be able to offer suggestions and come up with solutions to that.

Mr. Malachi Green stated he would like to echo what Mr. Cunningham has said regarding the 5 percent goal of the Transit Authority MBE program. That the blacks represent a higher percentage of the Charlotte population than 5 percent. That they have been effectively, for some time, excluded from doing business with the City of Charlotte; that here represents an opportunity to say once and for all that we are, in fact, going to be included in previously excluded parts of the business mainstream of the community. They are not talking about any program designed to eliminate poverty except as it relates to the American way of doing business. This American way of doing business is the way they are interested in participating in the mainstream. That the Council, in its deliberation, could take into consideration that there are a considerable number of businesses in Charlotte that are owned by minorities that are capable of selling goods and services to the Transit Authority and any other of the city departments.

Mayor Harris stated that these points are well made. But, in the material submitted with this agenda item, the statement is made that a goal of at least 5 percent of goods and services procurement is very difficult since a lot of the budget line items are things such as postage, telephone, telegraph - in other words, items that are not controllable. That "while this goal is 5 percent of our total goods and services budget, it is a full nineteen percent of contracts available for possible MBE participation."

Councilmember Leeper stated that the point is that while the total opportunity is indeed more than 5 percent, the goods and services part of the opportunity in terms of the goals they will be striving for is 5 percent. That is a goal. While it might be true that there may not be a large number of minorities who offer such things as telephones, stamps, etc., if our goals are high then our returns will be a little bit higher. That what they are requesting is that the City could raise its expectations a little more. They may well end up with 5 percent of minorities participating in goods and services; but we ought to be striving for a little bit more than that. That it was very good that the Minority Business League came in to offer their assistance in helping the Transit Department and the City to reach some of those goals and objectives. That while we have not been able to benefit through minority businesses before, with a League like this set up to offer assistance and help the City to reach some of those minority businesses, it will help us to be much more successful in the future.

Mr. Leeper offered an amendment to the resolution, changing Item No. 3 to read "at least to strive to obtain at least 10 percent of the goods and services from minority businesses."

Mr. Burkhalter stated if they get 5 percent they will be getting 19 percent. He does not know whether that is clear or not. He pointed out that what they propose is 87 times what it is this year, and he hates to see them do something that is impractical.

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Mayor Harris stated that Mr. Leeper's point is about a goal versus the reality.

Councilmember Locke stated the consensus of Council is to continue to strive to go beyond 5 percent, but they should leave it at that point now. Mr. Leeper replied if they are going to strive why not set a little bit higher goal? They should set some goals that they are trying to reach.

Mr. Burkhalter stated he believes they will find that 5 percent will be pretty difficult and Ms. Locke agreed.

Councilmember Dannelly asked what it meant when they said this 5 percent is a full 19 percent of the contracts available for MBE? Mayor Harris replied there are certain items that are not available to any contractor outside. Mr. Dannelly stated so all of the items that are available, the 5 percent is 19 percent of those. He does not see anything wrong with going along with Mr. Leeper's amendment, in that if they cannot meet some of the available items, then they are not going to get the 10 percent. But, at least they can set it as a goal and not limit it to 5 percent.

Councilmember Cox stated that what is important is the establishment of the principle and of the precedent, although he does not know whether they will be establishing a precedent or not. It seems to him that if they set the smaller percentage so that the large percentage would work out to a direct correlation between the - what he has in mind is a 30 percent number - then what they are saying is that the minority businesses will share in the community in the proportion that they are of the community. That, at 38 percent, maybe what they are saying is that the principle they are trying to state is that they want the minorities to share in more than the portion they are of the community. That they should work out a compromise; something that they could all work with. State a principle and make the smaller percentage work out to whatever is 30 percent.

Mr. Dannelly replied that his answer would be that there has been a time when the majority had much more than their share; and certainly this little bit would not hurt in this day and time. His point is for the goal to be higher because it has been indicated that the probability is that they will not meet all of these contracts that would be available under the 19 percent.

Councilmember Selden stated he would have no objection to a 38 percent or a 50 percent or anything else like that, as an indication of something they should strive for. His greatest concern is that if they set a goal like that and come out, because of circumstances outside the capability of accomplishment, at a much lower level than certain parts of the community, included some of the Councilmembers, would say they fell way below their goal. Ms. Locke stated that is what her concern is.

Mr. Leeper stated they do that every year with the Affirmative Action Plan. They come up short every year but they keep striving.

Mr. Dannelly asked if they come to the 5 percent real quick, then what happens? You can always strive for the 10 percent. Mr. Burkhalter stated he does not want them to leave that parallel there, because these are two different things. In Affirmative Action, they set up what they think is the ultimate picture and this is the goal all of the time - it does not vary; it is there. In this case, what they are trying to do is set up a goal they thought they could meet. The important thing is not what they set as the goal; the important thing is do they think they can reach it. That everyone who is involved in this thinks 5 percent is going to be real tough to reach. Council can set any goal they want to, but he is telling them what the people who are working with it and trying to do it think - it is going to be 87 times what they did this year. They will try very hard and try to get as much as they can.

Mayor Harris asked how many contracts expire within a year? That if they are not expiring there is no opportunity to do anything about them.

Mr. Mike Kidd, Transit Coordinator, stated he would like to see this set at 10, 15 or 20 percent - whatever Council wants; but their problem is they have about \$1.2 million in goods and services in their budget for the

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transit system. A little over \$800,000 of that is taken up in their fuel contract, insurance contracts, and management fees. They have just had a hard time finding minority contractors for those items. There may be ways in the future that they can do that. These contracts are not available this year anyway; they are already committed. He stated they have listed the items they feel pretty certain they will be able to find minority people to bid successfully on. That was set up as 19 percent, but percentages do not mean anything. He would like to come back to Council in July or August and set a new goal and state what they have achieved, are close to achieving or over achieved.

Secondly, he would like to be able to report to the federal government, to whom this MBE policy is going to, that we did come close or that we achieved or over achieved. They are going to do the best they can; he will guarantee that, but unfortunately there are parts of the goods and services budget that they are not going to be able to find minority contractors to even bid on, much less be successful bidders.

Councilmember Locke asked if Mr. Leeper would accept Item No. 3 to be 5 percent with the Charlotte Transit System to come back to Council in six months and re-evaluate this? Councilmember Leeper stated he will have to be hard-nosed on this. That he just cannot see, if they feel that it is going to be so difficult, why are they holding so hard on the 5 percent?

Mr. Cunningham stated he thinks he can shed some light on some of these things. He is not quite sure what those items that Mr. Burkhalter made reference to could be, when he was talking about 19 percent. That Mr. Kidd stated he had problems finding minorities who could deliver certain goods and services. That is true. That he is in the personnel business and works for a lot of corporations and they have the same problem. That they do not need to have a history lesson on sociology to know why that is. That they have to look at attitudes and he strongly agrees with Mr. Leeper. If they set their goals for people at 5 percent and they do 4.9 percent, they are going to feel pretty good. That out of the 19 percent of monies available for other businesses other than the untouchables, if the goals are set and the businesses themselves are sincere about trying to reach those goals, through his organization and other contacts, they can in fact exceed the 5 percent. In his opinion, the goal ought to be set higher; there are minority businesses in this country that can deliver almost all services that anyone else can.

Mr. Green stated he has been involved with the federal Department of Transportation and the state Department of Transportation for about four years; that these same statements were made four years ago - that there were no minority contractors, building contractors, that could provide certain services. But, there are in fact minority businesses who perhaps have been invisible but who are capable of providing services at any level that anyone else can. This is one of the battles they have been fighting for a long time. That Council has an opportunity to say very graphically and very dramatically what the position of this city is; that it ought to say it and say it so that everyone knows that once and for all Charlotte is going to be a city of one people and one business.

Councilmember Selden stated he would like to resolve this in this way. There are a given number of contracts that will not come up during this 12-month period - those are taken out. There is another given number of contracts that involve postage stamps, telephone service, etc. Instead of saying a 5 percent or a 10 percent, or anything else like that, say the goal or objective is 100 percent of all the items that are subject to, or could fall into, the situation of minority business. We know we will not make that 100 percent, but it will set the top of where you could possibly go. It may amount to 38 percent, or 42 percent, or whatever it is, but the goal would be 100 percent. He asked what share of the total budget would be possible? Mayor Harris replied \$450,000 over \$1,729,000. Mr. Selden stated that is roughly something like 28 percent, and you cannot get any higher than that.

Councilmember Dannelly stated if that is the case, then what is wrong with just saying 10 percent?

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After further discussion, Councilmember Leeper changed his suggestion to a substitute motion - to accept the resolution except for Item No. 3, and in place of the 5 percent state that they strive for at least 10 percent. The motion was seconded by Councilmember Dannelly.

Councilmember Carroll stated all of these items still have to be bid and they will all go to the low bidder. That Mr. Leeper is right; what they are talking about is a principle.

Councilmember Short asked if it is true that 10 percent is actually more than is available? The answer was yes. He stated his wish that Mr. Leeper would make his motion to relate to a certain percent of the available; that 10 percent of the total is not even available.

Mayor Harris stated the important point here is that Council vote the matter either up or down.

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

YEAS: Councilmembers Leeper, Dannelly, Carroll, Cox, Chafin, Selden, Short and Trosch.

NAY: Councilmember Locke.

The resolution is recorded in full in Resolutions Book 14, at Page 16.

CONTRACT FOR ADVERTISING PRIVILEGES ON CHARLOTTE TRANSIT SYSTEM BUSES,
DEFERRED.

Motion was made by Councilmember Locke and seconded by Councilmember Trosch, to defer decision on the subject contract.

Councilmember Carroll stated he has heard from one of the people who gave a proposal; that they say this was an informal proposal and was not bid; that they can beat this company's price or give just as good a price, and would like to have a chance to make sure that is considered. He does not know whether they can bid this item or not; but maybe that would be a good way to handle it since it has been done on just the basis of a proposal.

Mayor Harris asked why it was not bid. Mr. Underhill replied it is for professional services. Mayor Harris stated since the motion is for deferment they can talk about that next week.

Mr. Carroll made a request to see where the advertisements are going to go on the buses.

The vote was taken on the motion for deferment and carried unanimously.

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SUGAR CREEK IMPROVEMENTS IN FREEDOM PARK ACTIONS.

(a) Motion was made by Councilmember Locke, and seconded by Councilmember Selden to adopt Ordinance No. 444-X appropriating funds in the amount of \$186,000 for the design and construction of landscaping, lighting and additional improvements on the Sugar Creek-Freedom Park Project.

Councilmember Trosch asked where the money is coming from? That Council has been through this before for the bridge, and she thinks we robbed all our pockets, and she wants to make sure this cost is not coming up at budget time? Mr. Hopson, Public Works Director, stated this is the residual of the original money appropriated years ago for Project 70. About a year and half ago he told Council there was about \$200,000 in this account. With this \$186,000, and about \$5,000 spent on intermediate work in the last few weeks, it will leave about \$10,000. Councilmember Trosch stated she knew it was from Flood Control account; and during budget time Council talked about all of this being done. The City Manager stated this is not one of the items deleted.

Councilmember Carroll asked if this will finish the project? Mr. Hopson replied it would. He would invite all of them to go down and look at it now; they are real proud of it. This will be the landscaping during the winter, and the lighting, and this is it.

Councilmember Carroll asked that Council be sent a budget on the whole thing so they will have it in one place. Mr. Hopson replied he has it handy if they want it now; but he will be happy to send it to them.

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

The ordinance is recorded in full in Ordinance Book 26, at Page 394.

(b) Motion was made by Councilmember Selden, seconded by Councilmember Chafin, and carried unanimously, approving a contract with Metrolina-Texas Engineers, LTD., to provide the necessary professional design and inspection services for the Sugar Creek Project, for a total amount of \$16,500.

RESOLUTION OF THE CITY COUNCIL ENDORSING A PLAN OF ACTION TO ENABLE CHARLOTTE-MECKLENBURG TO MEET THE NATIONAL AMBIENT AIR QUALITY STANDARDS.

Motion was made by Councilmember Trosch, and seconded by Councilmember Chafin to adopt the resolution approving the Charlotte-Mecklenburg Air Quality Implementation Plan to enable Charlotte-Mecklenburg to set goals to meet the Federal Ambient Air Quality Standards.

Mr. Buddy Lippard, Metrolina Lung Association, stated as Mr. Jones spoke to Council earlier this afternoon he did comment and gave a very elaborate report of what is going to have to be done in City of Charlotte to begin to control air pollution. Charlotte now stands above the EPA standards, and we must and are being forced to begin the study. Earlier when all the people were here speaking about the roads, not a one spoke on the health facts. He was really surprised with the one lady who spoke about the recreation and all the cars being parked, and she did not mention the health effect from the emission pertaining to the cars.

Council now faces a very similar task to come up, design and develop a program to bring the air pollution control under control. He stated there are individuals among us who do not think there is a health problem; there are those who feel the air is a God given gift, and we can do with it as we see fit. Then the large industries say it is someone else's problem. Council has a task to educate the public as to what needs to be done; to tell a car owner -and he is speaking to the issue pertaining to maintenance and inspection and this is one Mr. Short mentioned earlier why wait for 1982 - that he has to have his car inspected annually at a fee; and if it does not meet certain standards he has a month to get it corrected, or the car is taken off the road. If the person is not educated as to why this is being done, he is more likely to tell you where to go. The Lung Association has done the maintenance inspection in

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cooperation with a number of agencies, including the Sierra Club; there have been three of these in the City of Charlotte and were given to the people free of charge. They were given at SouthPark. Some people asked what is was all about, and they said to forget it and drive on; people are not concerned about what comes out of the tailpipes. This is a chance to educate them as to the two fold reasons for the maintenance and inspection program. No. 1 - the fuel is burned more efficiently and the car gets better mileage and giving less cost and thereby more economic performance. No. 2 - the less pollution is poured out the tailpipe, and thereby protects the environment.

He stated we must begin now as we know it is coming. They are going to do a maintenance and inspection program again this Spring. The Lung Association has been involved in this for a number of years; air pollution is becoming old hat in Charlotte; there is not any concern. Mr. Jones spoke about the programs he has had, the public hearings. That he went to one where there were four people who showed up. He stated they have had three in the past since 1968. At the first one there were over 485 people to show up; second there were 300 plus; this past October 19, the Sierra Club and Metrolina Lung Association, and EPA had a hearing and there were 84 people to show up, including one City Council Member. People have become immune to air pollution; but it is here, and Council has to face that.

Ms. Rhonda Innes, speaking for Roy Alexander, Chairman of the Sierra Club, stated this is a testimony of this group's support for carrying out the necessary measures to acquire the standard of air we all desire. The organization endorses the concept of the action plan outlined in the Mecklenburg Air Quality Implementation Plan; and urges appropriate implementation to approve continued comprehensive monitoring; continued and expanded enforcement of stationary source controls, including vapor recovery controls on petroleum marketing; and air quality impact analysis be made a part of the building permit process so that new sources are reviewed to assure that the new source does not contribute significantly to the air quality problem; and that a motor vehicle inspection/maintenance program be implemented at the earliest practical date.

Councilmember Short asked if this is similar to our storm water detention ordinance that we are now going to impose on builders, which was not imposed upon them before? Are we going to make them not only be careful about storm water, but also be careful about any air pollution and so forth that would come from their building. This is a thing he thought we were already doing, and had been doing for 20 years. But this is called a new program.

Mr. Jones, Transportation Program Coordinator, replied it is called new source not because it is a new program; but because they are reviewing new sources. The Building Inspection Department is already cooperating with the Mecklenburg Health Department, and they refer building permits to them on a regular basis. With the new program, it is changing a little bit in that what is being proposed is a suggestion that the process be a little more formalized than it is now.

Councilmember Short stated for many years the County employed an individual who went around and drove herd on smoke emissions out of smoke stacks. Is the city moving in on some act they have going?

Mr. Bob Cobb, Environmental Health Department, stated basically any source of emission in the county is subject to review under the air quality regulations that his department enforces. The actions proposed today will formalize that policy; currently Building Inspection does refer cases to their agency.

Mayor Harris stated this does have some far reaching implications. This City Council has never had a public hearing on this matter. He asked if it is of benefit to have a hearing on this to allow citizens to speak on each side of this issue? Councilmember Short stated he thinks builders might appreciate the opportunity to speak on this. Mayor Harris stated they are sometimes accused of just going ahead and pushing things through, without an opportunity to participate.

Councilmember Cox stated he thinks the Mayor is right. However, he thinks most people would be particularly motivated to come if they knew how the mandatory vehicle inspection would be done. Would it be on a stand alone type program; or would it be done in conjunction with the State inspection system. How bad a hurt will it be? At that time, people will be more inclined to come to such a meeting. He is inclined to vote for this plan today just because it is kinda like voting for Motherhood. He does not know how this will be done; how it will work. He would like for it to be done before 1982; and he would not like to come out on the side of anything that would continue to pollute the air. He is going to vote for this; but we need more specific kinds of plans.

Mayor Harris stated one way of getting good attention is to put it in the legislative package to Raleigh as an item the State should address.

Councilmember Selden suggested in addition to having a public hearing when we have a better format of how it will work, to invite the County, who invited Council when the federal people came down the first time, to join the City in a joint public hearing because this is really dealing with all of Mecklenburg County.

Mayor Harris stated he thinks the public hearing is necessary. Mr. Burkhalter, City Manager, stated this is not putting the plan into effect today. It is simply instructing staff to come back with a plan. Mr. Jones stated they are asking Council to approve a concept. When they talk about specific designs for inspection/maintenance, the local staff in conjunction with the state is right now evaluating a number of different alternatives. This study will not be ready until around February. At that time, they will come back to Council with a number of design alternatives, and Council will select the best of the alternatives.

Councilmember Carroll stated he thinks Mr. Lippard's point goes directly to what the Mayor is suggesting; we do need to give this visibility. But like Mr. Cox said we are just voting for apple pie here. When we get to the implementation phase the hard part of what is going to be happening, we need to let everyone know what is going on. He thinks Mr. Selden has a good suggestion, and hopes that will be noted by someone so that when it comes back this can be done.

Councilmember Dannelly referred to the Number 3 suggestion, and stated he does now know what can be done about it; but there are other vehicles coming in and out of Charlotte every day from other states and other cities, not just to shop but to work, and whether or not we feel their emissions are to the point that it is contributing significantly to our air quality; and whether or not something can be worked out with employers and others relative to Number 3 to sort of control this situation as well.

Councilmember Cox asked if the specifics of the implementation plan will be ready in time for the legislature next year? Mr. Jones replied the legislature is being asked to approve enabling legislation so we can get an inspection/maintenance system; the state is working on the request; it has not been submitted yet; but it will be. If we do not have the enabling legislation by July 1, then we will have some problems.

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

The resolution is recorded in full in Resolutions Book 14, Pages 18 and 19.

CONSTRUCTION OF SANITARY SEWER IN THE ANNEXATION AREAS.

- (a) Motion was made by Councilmember Selden and seconded by Councilmember Chafin to adopt Ordinance No. 445-X providing supplemental funding to finance sanitary sewer construction in the annexation areas from 1977 Sanitary Sewer Bonds, Utility Operating Fund Balance, Capital Improvement Account for a total of \$2,000,000.

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Councilmember Carroll asked if there is anything left in the sewer bond money after this appropriation? Mr. Dukes, Utility Director, replied it does not break us. This ordinance is like having money in a number of pockets, and moving it around in order to do the annexation. Ms. Syfert, Assistant Director of Budget and Evaluation, stated that is true; this will take the rest of the unappropriated fund balance out of the 77 sewer money. This will close it out. Councilmember Carroll asked if it creates any problems to take money from the Operating Fund; is there enough to take it out; and when do they anticipate replacing it? Ms. Syfert replied they feel they have taken out an amount that will not create any problems in the fund balance for the operating fund. Mr. Dukes stated the extra amount will be paid back from grant funds; and they will put it back in this fund; it will be a little short - maybe \$300,000. But they think this is pretty good for the work they have had to do, and had to estimate two years in the future. Ms. Syfert stated it will depend on how the revenues come in.

Councilmember Carroll asked how much is anticipated to be paid back from the State? Mr. Dukes replied they are estimating \$355,000. Mr. Carroll stated the part that comes from the purchase of private sewer systems which is \$600,000, he asked if that wipes out that account? Mr. Dukes replied not quite; there will be about \$50 or \$60,000 left, and they have one small purchase to pay. Mr. Carroll asked if they do not anticipate the need for any money to purchase private sewers other than that? Mr. Dukes replied not in this annexation. Ms. Syfert stated this will wipe it out. Mr. Carroll stated we are transferring \$2.0 million in there, and the contracts run about \$3.0 million? Mr. Dukes replied there were some funds in the account. Mr. Carroll asked if the balance is what is now in that account? Mr. Dukes replied yes.

Councilmember Short asked if we have lead some owner of a private system to conclude we are going to buy his system, and now we are using the money for another purpose. He thinks they have sort of gotten into it already. Mr. Dukes replied they have purchased Forest Pawtucket the largest purchase they had to make; the only purchase they have not made are those in Rea Branch, and they have an estimate on that and have already have a signed agreement with Ms. Rea. The only thing left is a small extension from that. He stated they appropriated a little more money- an amount to build a new system.

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

The ordinance is recorded in full in Ordinance Book 26, at Page 395.

(b) Motion was made by Councilmember Locke, seconded by Councilmember Selden and carried unanimously to award contract to the low bidder, Sanders Brothers, Inc., in the amount of \$1,606,957, on a unit price basis, for sanitary sewerage system improvements, 1977 Annexation Area 8, Section II.

The following bids were received:

Sanders Brothers, Inc.	\$1,606,957.00
Blythe Industries, Inc.	1,684,910.00
CFW Construction Co.	1,692,959.00
Rand Construction Co.	1,765,687.50

(c) Motion was made by Councilmember Locke, seconded by Councilmember Chafin, and carried unanimously, to award contract to the low bidder, Blythe Industries, Inc., on a unit price basis in the amount of \$1,414,441, for sanitary sewerage system improvements, 1977 Annexation Area 8, Section I.

The following bids were received:

Blythe Industries, Inc.	\$1,414,441.00
Rand Construction Co.	1,446,907.50
Sanders Brothers, Inc.	1,513,402.00
CFW Construction Co.	1,650,828.00

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RESOLUTION AMENDING THE PROCEDURES FOR NOMINATION, CONSIDERATION AND ELECTION OF PERSONS TO CITY BOARDS, AGENCIES, COMMITTEES AND COMMISSIONS, DEFERRED.

Motion was made by Councilmember Locke, seconded by Councilmember Trosch, and carried unanimously to defer the subject resolution.

SCHEDULE OF REGULAR MEETINGS OF CITY COUNCIL, DEFERRED.

Motion was made by Councilmember Chafin, and seconded by Councilmember Selden to approve the schedule of regular meetings of City Council to be effective in January, 1979.

Mayor Harris asked if the motion includes the by-monthly zoning hearings? Councilmember Carroll stated the members of Council who are absent may have some input on this item.

Councilmember Leeper moved that the item be deferred, which motion was seconded by Councilmember Locke.

Councilmember Selden asked if there is anything wrong with voting on the basic plan, and then deciding the day the zoning hearings would be held at a later date. Mayor Harris replied a motion to defer is on the floor at the present time.

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

MARY G. CONRAD APPOINTED TO THE COUNCIL ON AGING FOR A TERM TO EXPIRE JUNE 30, 1980.

Motion was made by Councilmember Cox, seconded by Councilmember Locke, and carried unanimously to suspend the rules and have a voice vote on the following nominations:

- (a) Ms. Mary G. Conrad nominated by Councilmember Chafin.
- (b) Ms. Toby Beaver nominated by Councilmember Short.

Councilmember Chafin moved the appointment of Ms. Mary G. Conrad for the unexpired term. The motion was seconded by Councilmember Locke, and carried unanimously.

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CONTRACT AWARDED HERSEY PRODUCTS, INC. FOR DETECTOR CHECK VALVES.

Councilmember Locke moved award of contract to the low bidder, Hersey Products, Inc., in the amount of \$17,065.00, on a unit price basis, for 32 Detector Check Valves. The motion was seconded by Councilmember Selden, and unanimously carried.

The following bids were received:

Hersey Products, Inc.	\$17,065.00
ITT Grinnell Corp.	21,395.33

CONTRACT AWARDED KENDRICK BRICK DIVISION OF BOREN CLAY PRODUCTS.

Upon motion of Councilmember Locke, seconded by Councilmember Selden, and unanimously carried, subject contract was awarded to the only bidder, Kendrick Brick Division of Boren Clay Products, in the amount of \$7,399.00, on a unit price basis, for paving brick.

CONTRACT AWARDED EDDIETRON, INC. FOR ELECTRIC GOLF CARTS.

Motion was made by Councilmember Locke, seconded by Councilmember Selden and unanimously carried, awarding contract to the low bidder, Eddietron, Inc., in the amount of \$7,822.50, on a unit price basis, for five electric golf carts.

The following bids were received:

Eddietron, Inc.	\$ 7,822.50
E-Z-Go Car Textron, Inc.	8,960.74

CONTRACT AWARDED BATTERY & IGNITION DISTRIBUTORS FOR AUTOMOTIVE FILTERS.

Councilmember Selden moved award of contract to the low bidder, Battery & Ignition Dist., in the amount of \$17,562.53, on a unit price basis, for automotive filters. The motion was seconded by Councilmember Trosch and carried unanimously.

The following bids were received:

Battery & Ignition Dist.	\$17,562.53
Joint & Clutch Service Co.	18,231.85
Carolinas Auto Supply Co.	25,858.82

Bid received not meeting specifications:

Automotive Electric Associates	\$20,863.26
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CONTRACT AWARDED CAROLINA AUTO SUPPLY COMPANY FOR AUTOMOTIVE IGNITION PARTS.

Upon motion of Councilmember Selden, seconded by Councilmember Trosch, and unanimously carried, subject contract was awarded to the low bidder, Carolinas Auto Supply Company, in the amount of \$7,148.22, on a unit price basis, for automotive ignition parts.

The following bids were received:

Carolinas Auto Supply Co.	\$ 7,148.22
Joint & Clutch Service Co.	7,433.16
Battery & Ignition Dist.	8,409.07

CONTRACT AWARDED MOTOROLA C & E, INC. FOR RADIO EQUIPMENT.

Motion was made by Councilmember Selden, seconded by Councilmember Short, and unanimously carried, awarding subject contract to the low bidder, Motorola C & E, Inc., in the amount of \$47,180.93, on a unit price basis.

The following bids were received:

Motorola C & E, Inc.	\$47,180.93
General Electric Company	55,161.00

ALL BIDS ON RESPIRATORY AIR SYSTEM REJECTED AND PERMISSION GRANTED TO RE-ADVERTISE.

Councilmember Locke moved that all bids on respiratory air system be rejected and permission granted to re-advertise after revisions of the specifications. The motion was seconded by Councilmember Short, and carried unanimously.

CONTRACT AWARDED INDUSTRIAL & TEXTILE SUPPLY FOR STORAGE RACKS AND BINS.

Upon motion of Councilmember Chafin seconded by Councilmember Short, and unanimously carried, subject contract was awarded to the low bidder meeting specifications, Industrial & Textile Supply, in the amount of \$8,073.00, on a unit price basis, for storage racks and bins.

The following bids were received:

Industrial & Textile Company	\$ 8,073.00
Advanced Equipment Co.	9,080.96

Bid received not meeting specifications:

J. E. Pope Company	\$ 7,671.68
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CONTRACTS FOR SPIRIT SQUARE AWARDED.

(a) Motion was made by Councilmember Chafin, and seconded by Councilmember Short to award contract to R. H. Wheatley for the general construction, in the amount of \$1,371,994.

Councilmember Locke introduced John Goyette, new Director of Spirit Square. She stated there are several people in this room who have worked long and hard for Spirit Square to come about. It was two years ago, December 13 they had a luncheon meeting and Bill Williamson and Alex McMillan attended the meeting to try to resolve the problems that were inherent in that the county owned the property, and the city would have to take care of the bond indebtedness. Mr. Williamson and Alex McMillan worked long hours to see that the conflict was resolved. The spirit of cooperation between the City and County was exemplary; it has taken two years for this to come to fruition, and she is very happy about it.

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

(b) Motion was made by Councilmember Locke, seconded by Councilmember Short, and carried unanimously to award electrical contract to Ind-Com Electric, in the amount of \$163,848.

(c) Motion was made by Councilmember Locke, seconded by Councilmember Dannelly, and carried unanimously to award mechanical contract to P. C. Godfrey, in the amount of \$418,501.

(d) Motion was made by Councilmember Locke, seconded by Councilmember Dannelly, and carried unanimously to award the plumbing contract to Mecklenburg Plumbing, in the amount of \$170,697.

Councilmember Carroll asked what alternates were left out of these contracts, if any? Are we basically where we want it to be within the budget? Mr. Bill Williamson replied the renovation to the visual arts building, the old print shop at the rear of the project has some work there to do in the program of it. It is possible it could be used for an uptown gallery. Mr. Carroll asked how much money was originally budgeted for it? Mr. Williamson replied the bids came in at about \$134,000; and rather than ask Council for that amount they would like to reserve the right to come back.

Mr. Williamson stated the date for the groundbreaking has been changed from December 15 to December 29 at Noon.

CONTRACT AWARDED REA BROTHERS, INC. FOR SANITARY SEWER CONSTRUCTION-TOBY CREEK OUTFALL.

Councilmember Selden moved that Council waive the minor technicality of the low bidder failing to affix its corporate seal to the bid proposal, and award the contract to the low bidder, Rea Brothers, Inc., in the amount of \$561,030, on a unit price basis for sanitary sewer construction for Toby Creek Outfall. The motion was seconded by Councilmember Short, and carried unanimously.

The following bids were received:

Rea Brothers, Inc.	\$561,030.00
Rand Construction Co.	589,180.00
Propst Construction Co.	610,285.50
Sanders Brothers, Inc.	618,185.00
L. A. Ryenolds Co.	620,577.50
Blythe Industries, Inc.	625,750.00
Ben B. Propst Contractor, Inc.	653,035.50
Culp Brothers, Inc.	669,432.50
Dellinger, Inc.	682,595.00
Dickerson, Inc.	704,077.50
R & G Construction Co.	733,460.00

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CONTRACT WITH LAW ENGINEERING TESTING COMPANY, INC. TO GEOTECHNICAL INVESTIGATION FOR NEW TERMINAL BUILDING.

Motion was made Councilmember Selden and seconded by Councilmember Trosch to approve a contract with Law Engineering Testing Company, Inc., to provide preliminary geotechnical investigation.

Councilmember Carroll stated he has seen this company's name a number of times, and in terms of the City's policy to pass the professional contracts around did they solicit from anyone else? Mr. Cherry, Administrative Assistant, replied they did not; they took the recommendations of Talbert & Cox; and these people have done a good bit of their work and because of continuity they went with them. Councilmember Carroll stated he can appreciate that; but he bothered by the fact that we may have gotten a better price by someone equally competent with a little more shopping and the fact they have gotten a fair share of the work already.

Mayor Harris stated that is a good question to address to the Day and Zimmerman Manager out there now. Councilmember Carroll stated it is a question Council has to basically decide. He thinks we need to be aware of the fact that since we are not bidding these items we should make sure that all the professional who might like to participate have the chance.

Mayor Harris stated his point is he thinks it would be a good idea at this time to request of Day and Zimmerman their justification for their approval. That is their function now. He would like to have this information. Councilmember Carroll stated then let's defer this item and get that before approving the contract. Mayor Harris suggested they go ahead with the contract; and he would like the manager that was hired to tell Council why they approved it.

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

Mayor Harris requested the City Manager to have this report made for Council.

RESOLUTIONS OF CONDEMNATION.

(a) Motion was made by Councilmember Chafin, seconded by Councilmember Selden, and carried unanimously adopting a resolution authorizing condemnation proceedings for the acquisition of property belonging to Irvin T. Garrett and Wife, Betty Garrett, located at 5850 Freedom Drive, in the City of Charlotte, for Annexation Area 8 Sanitary Sewer Project.

(b) Motion was made by Councilmember Locke, seconded by Councilmember Selden, and carried unanimously to adopt a resolution authorizing condemnation proceedings for the acquisition of property belonging to Loretta R. Harry, at 6655 Pawnee Drive, in the City of Charlotte, for the Annexation Area 8 Sanitary Sewer Project.

The resolutions are recorded in full in Resolutions Book 14, beginning at Page 20.

CONSENT AGENDA APPROVED.

Motion was made by Councilmember Dannelly, seconded by Councilmember Cox, and carried unanimously to approve the consent agenda as presented with the exception of Agenda Item 26(i).

- (1) Resolution of Intent to close a portion of North Alexander and North Myers Street in First Ward Urban Renewal Area and setting a date for a public hearing on January 8, 1979, at 3:00 o'clock p.m.
- (2) Resolution of Intent to close a ten-foot alleyway located and lying in the block bounded by West Sixth Street, North Poplar Street, West Seventh Street and North Church Street and setting a date for a public hearing on January 8, 1979, at 3:00 o'clock p.m.
- (3) Resolution of Intent to close four separate alleyways located and lying in the block bounded by West Sixth Street, North Church Street, West Seventh Street and North Tryon Street and setting a date for a public hearing on January 8, 1979, at 3:00 o'clock p.m.

The resolutions are recorded in full in Resolutions Book 14, beginning on Page 22.

- (4) Approval of a settlement in the case of City of Charlotte v. The Salvation Army for Discovery Place, in the amount of \$135,000.00.
- (5) Approval of a Loan Agreement with MOTION, Inc. for property at 1104 Greenleaf Avenue, for a total of \$26,700.00.
- (6) Adoption of the following ordinances ordering removal of trash, rubbish, junk, weeds, grass and abandoned motor vehicles:
 - (a) Ordinance No. 446-X ordering the removal of weeds and grass at rear of 1538 Wilmore Drive.
 - (b) Ordinance No. 447-X ordering the removal of rubbish and junk from 1601-03 Merriman Avenue.
 - (c) Ordinance No. 448-X ordering the removal of weeds and grass from vacant lot adjacent to 800 Pennsylvania Avenue.
 - (d) Ordinance No. 449-X ordering the removal of weeds, grass, trash, miscellaneous junk and rubbish from 2121 Kenney Street.
 - (e) Ordinance No. 450-X ordering the removal of weeds and grass at 3210 Cedarhurst Drive.
 - (f) Ordinance No. 451-X ordering the removal of weeds, grass, limbs, rubbish and junk from 3045 North Alexander Street.
 - (g) Ordinance No. 452-X ordering the removal of weeds, grass, trash and rubbish from 1218 East 36th Street.
 - (h) Ordinance No. 453-X ordering the removal of weeds and grass from vacant lots to right of 1307 Pegrum Street.
 - (i) Ordinance No. 454-X ordering the removal of weeds, grass, limbs and miscellaneous junk from vacant lot to left of 3025 Simpson Dr.
 - (j) Ordinance No. 455-X ordering the removal of weeds and grass from 1313 Romany Road.
 - (k) Ordinance No. 456-X ordering the removal of weeds and grass from vacant lot to left of 3506 Ellington Street.
 - (l) Ordinance No. 457-X ordering the removal of weeds and grass from vacant lot corner Hickory Grove Road and Hobbs Hill Dr.
 - (m) Ordinance No. 458-X ordering the removal of weeds, grass, trash, rubbish and junk from vacant lot at 1516 Cleveland Avenue.
 - (n) Ordinance No. 459-X ordering the removal of weeds and grass from vacant lot at 2229 Park Road.
 - (o) Ordinance No. 460-X ordering the removal of weeds and grass from vacant lot adjacent to 3312 South Tryon Street.
 - (p) Ordinance No. 461-X ordering the removal of an abandoned motor vehicle at 3816 Craig Avenue.
 - (q) Ordinance No. 462-X ordering the removal of an abandoned motor vehicle at 2616 Chesterfield Avenue.

The ordinances are recorded in full in Ordinance Book 26, beginning on Page 396.

(7) Approval of the following contracts for water and sanitary sewer extensions:

- (a) Contract with FMT Company for the construction of 500 linear feet of 8-inch water main to serve Century Industrial Park, inside the city, at an estimated cost of \$5,700.00. City forces are to construct the entire system at applicant's own proper cost and expense and the City is to own, maintain and operate said system at no cost to the City.

Immediately south of Tuckaseegee Road, north of I-85, east of Mulberry Church Road, inside the city limits.

- (b) Contract with William Trotter Company for the construction of 3,310 linear feet of 8-inch sewer mains to serve Sardis Forest Subdivision, Section IV, outside the City, at an estimated cost of \$66,200.00. The applicants are to construct the entire system at their own proper cost and expense and the City is to own, maintain and operate said system at no cost to the City.

North of Sardis Road, between Sardis Road North and N. C. 51, outside the city limits.

- (c) Contract with Godley Builders for the construction of 80 linear feet of 8-inch sewer main to serve Griffith Road, inside the City, at an estimated cost of \$2,005.00. The applicants are to construct the entire system at their own proper cost and expense and the City is to own, maintain and operate said system at no cost to the City.

Griffith Road, beginning at a point approximately 1,870' southwest of Old Pineville Road, inside the city limits.

- (d) Contract with Mr. Charles A. Stevens for the construction of 3,725 linear feet of 2-inch, 6-inch and 8-inch water mains to serve Wyndmere Crossings Subdivision, outside the City, at an estimated cost of \$35,300.00. The applicant is to construct the entire system at his own proper cost and expense and the City is to own, maintain and operate said system, at no cost to the City.

Wyndmere Crossings Subdivision, immediately north of Lawyers Road and east of Wilson Grove Road, outside the city limits.

- (e) Contract with John Crosland Company for the construction of 1,030 linear feet of 2-inch, 6-inch and 8-inch water mains to serve Chestnut Lake Subdivision, Section 4-B, outside the City, at an estimated cost of \$8,950.00. The applicants are to construct the entire system at their own proper cost and expense and the City is to own, maintain and operate said system at no cost to the City.

Chestnut Lake Subdivision, Section 4-B, immediately south of Lawyers Road, east of Idlewild Road North, outside the city limits.

- (f) Contract with Carolina Fincorp, Inc. for the construction of 4,640 linear feet of 8-inch, 6-inch and 2-inch water mains to serve Shadowlake Subdivision, Phase II, outside the City, at an estimated cost of \$38,550.00. The applicants are to construct the entire system at their own proper cost and expense and the City is to own, maintain and operate said system at no cost to the City.

South of Carmel Road and North of McAlpine Creek, outside the city limits.

- (g) Contract with G.S.O. Investments, Ltd. for the construction of 400 linear feet of 2-inch water main to serve Sutton Square Subdivision, inside the City, at an estimated cost of \$2,200.00. The applicants are to construct the entire system at their own proper cost and expense and the City is to own, maintain and operate said system at no cost to the City.

Sutton Square Subdivision, immediately north of Alexander Road, west of Providence Road and east of Sardis Road, inside the city limits.

- (h) Contract with 220 Seafood Restaurant of Charlotte for the construction of 1,120 linear feet of 8-inch sewer main to serve York Road, outside the City, at an estimated cost of \$22,400.00. The applicant has deposited 10% of the estimated construction cost. The remaining 90% will be deposited by the applicant before construction by city forces. No refund to the applicant as per agreement and no funds are needed from the City.

South side of York Road, between Carowinds Boulevard and Steele Creek, outside the city limits.

- (i) Contract with Providence Properties, Inc., for the construction of 5,030 linear feet of 2-inch, 6-inch and 8-inch water mains to serve Park Ridge Subdivision, Section 3, outside the city, at an estimated cost of \$39,000.00. The applicants are to construct the entire system at their own proper cost and expense and the City is to own, maintain and operate said system at no cost to the City.

Immediately south of Highway 51, west of McMullen Creek, outside the city limits.

- (j) Contract with Carolina Fincorp, Inc. for the construction of 1,385 linear feet of 8-inch sewer main to serve Shadowlake Subdivision, Phase III, outside the City, at an estimated cost of \$27,700.00. The applicants are to construct the entire system at their own proper cost and expense and the City is to own, maintain and operate said system at no cost to the City.

West of Carmel Road, between Shadowlake Drive and Quail Ridge Drive, outside the city limits.

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(8) Acquisition of the following property transactions:

- (a) Acquisition of 15' x 348.29' of easement on vacant land, Robin Crest Road, off Carmel Road Extension, from Walnut Properties-John Crosland Company, at \$1.00, for Sanitary Sewer Right of Way Walnut Creek III (Ashebrook).
- (b) Acquisition of 15' x 540.88' of easement on vacant land, Painted Tree Road, off Carmel Road Extension, from Walnut Properties-John Crosland Company, at \$1.00, for Sanitary Sewer to serve Walnut Creek II.
- (c) Assignment of Easement on 15' x 493.00' on Morningdale Road (off Sardis Road), from Sardis Forest Homeowners Association, at \$1.00, for Sardis Forest IV Sanitary Sewer.
- (d) Acquisition of 15' x 1,489.34' of easement on Harrogate Road (off Sardis Road), from William Trotter Development Company, at \$1.00, for Sardis Forest IV Sanitary Sewer.
- (e) Acquisition of 15' x 205.03' of easement, plus a temporary construction easement, on part of approximately nine acres off Morris Field Road, from Luther Alexander Lineberger, Jr., et al, at \$205.00, for Inner Belt Loop Sewer Relocation.
- (f) Acquisition of 117' x 5' x 60' x 7.5' x 60' x 10' of temporary easement, at 611 Austin Drive, from Reese McDonald Hartsell and wife, Willarree T., at \$75.00, for Annexation Area I Sanitary Sewer.
- (g) Acquisition of 15' x 301.01' of easement, plus a temporary construction easement, at 500 Owen Boulevard, from Kenneth E. Weaver and wife, Mary Ann, at \$602.00, for Annexation Area I Sanitary Sewer.
- (h) Acquisition of 15' x 296.82' of easement, plus a temporary construction easement, at 1183 Robinhood Circle, from Pauline Layton Thomason, at \$1,150.00, for Annexation Area 2 Sanitary Sewer.
- (j) Acquisition of 15' x 110.01' of easement, plus a construction easement at 6112 Lake Forrest Drive, from Wyatt Gallant Bell and wife, Jo Ann C., at \$800.00, for Annexation Area 2 Sanitary Sewer.
- (k) Acquisition of 15' x 116.64' of easement, plus a temporary construction easement at 6526 Loughlen Circle, from Milford E. Lackey and wife, Ina S., at \$700.00, for Annexation Area 2 Sanitary Sewer.
- (l) Acquisition of 15' x 102.30' of easement, plus a temporary construction easement at 6520 Loughlen Circle, from Dolan R. Hinson and wife, Moretha W., at \$900.00, for Annexation Area 2 Sanitary Sewer.
- (m) Acquisition of 15' x 118.03' of easement, plus a temporary construction easement at 6514 Loughlen Circle, from Vol Thomas King and wife, Sarah B., at \$1,000.00, for Annexation Area 2 Sanitary Sewer.

(continued)

(8) cont.

- (n) Acquisition of 15' x 2,396' of easement, plus a temporary construction easement on 89.38 acres off 5900 block of Martin Lake Road, from George H. Martin and wife, Dorothy R., Billy N. Martin and wife, Patricia W., at \$3,500.00, for Annexation Area 2 Sanitary Sewer.
- (o) Acquisition of 15' x 48.74' of easement, plus a temporary construction easement at 7025 Cool Springs Lane, from The Dowd Company, at \$200.00, for Annexation Area 5 Sanitary Sewer.
- (p) Acquisition of 15' x 70.57' of easement, plus a temporary construction easement at 6200 block of Cedar Croft Drive, from Clarence T. Gallagher, Jr. and Elizabeth C. Gallagher, at \$250.00, for Annexation Area ~~2~~⁵ Sanitary Sewer.
- (q) Acquisition of 15' x 682.64' of easement, plus a construction easement at 7171 Old Pineville Road, from Michael F. Dullea and wife, Shirley J., at \$2,000.00, for Annexation Area 5 Sanitary Sewer. Providence
- (r) Acquisition of 15' x 75.59' of easement, plus a temporary construction easement at 7200 Lakeland Drive, from J. Frank Gilreath, Jr., et al, at \$275.00, for Annexation Area 8 Sanitary Sewer.

- (9) Approved a Special Officer Permit to Donnie Lee Thompson for a period of one year for use on the premises of Park & Recreation.

ACQUISITION OF EASEMENT FROM HEIRS OF HARRELL MCDONALD JUNKER FOR ANNEXATION AREA 2 SANITARY SEWER.

Councilmember Short asked what happened with Mr. Norman Junker? Mr. Dukes, Utility Director, stated they went out and met with Mr. Junker and the price was right.

Councilmember Short moved approval of the acquisition of 15' x 863.32' of easement, plus a temporary construction easement, at 7400 Albemarle Road, from Heirs of Harrell McDonald Junker, at \$3,500, for Annexation Area 2 Sanitary Sewer. The motion was seconded by Councilmember Selden, and carried unanimously.

COMMENTS AND REQUESTS OF MAYOR HARRIS.

Mayor Harris stated he would like to bring up several matters.

- (1) The letter from the Mecklenburg County Board of Commissioners concerning the Charlotte-Mecklenburg Planning Commission. They have resolved to establish a joint ad hoc committee with equal representation from the City Council, Board of County Commissioners and the Planning Commission. They have appointed two members of their Board.

Mayor Harris stated he is appointing Mayor pro tem Betty Chafin and Councilmember Milton Short to represent the City Council, particularly excluding the Planning and Public Works Committee at this time because he thinks it will broaden our base as well as far as trying to get some input.

- (2) In this matter also, on the 14th of December there is a scheduled session with the Planning Commission and County Commissioners for growth management purposes. He asked Council's approval to do away with that agenda item, and have a joint session for the benefit of everyone having an opportunity to be heard concerning their feelings and interests in the planning area. If there are no objections the meeting will still be held from 4:00 to 6:00 p.m. on December 14th.

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No one objected to the change in the agenda item. Mayor pro tem Chafin stated she thinks it is a very good idea.

(3) Mayor Harris stated he would like to see the police on foot in the CBD (Central Business District) especially for the next 30 days to 45 days to see if that is a meaningful response to some of the problems of citizens in that area.

Mr. Burkhalter, City Manager, stated there is one on the Square now. If they want more policeman down there, we will have to take them from other places.

Councilmember Cox asked we would measure the success of that effort? Mayor Harris replied he would leave that up to the police as well as the citizens; there are the two points.

Councilmember Selden asked how many police officers would be an adequate coverage? The City Manager replied he does not really know the area to be covered? Mayor Harris replied he is speaking primarily of the retail marketing area.

Councilmember Chafin stated this should be an agenda item for next week.

Councilmember Short asked if it is not true the Mayor has the power to put an item on the agenda? Mayor Harris replied he has not tried to do that. Mr. Short asked if that is not one of the prerogatives of any chairman. He thinks it really should be. Mayor Harris stated it is Council's agenda, and he wanted to ask for their approval.

The City Manager stated if the Mayor wants an item on the agenda, he usually can get it on there. The only difficulty is saying he can put one on there is that Council may not want to consider what he wants to put on there. Unless there is some impass he would ask that they not set any rules on this.

Councilmember Cox stated he thinks the Mayor and Mayor pro tem should have the right to put anything they want on the agenda. Then Council has the right to vote it up or down.

There were no objections to placing this item on the next agenda.

REQUESTS BY COUNCILMEMBER CHAFIN.

Councilmember Chafin stated she has a request from the sponsors of the Observer Marathon. That Mr. Corbett is aware of this and indicated that Council needs to approve these requests. They would like to do the following:

(1) String a banner saying "finish line" across the overhead walkway between the Civic Center and the Radisson on the day of the race only.

(2) Permission to paint a five foot number in water soluble temporary paint marking each mile of the 26 miles of the race. These would be at the side of the road in the lane set aside for the runners. It will help the runners know where they are as well as WSOC Radio and News coverage from their helicopter. The painting would be done early the morning of the race.

Mr. Burkhalter, City Manager, stated if Council wants it done he does not see any reason not to let them do it. One thing about the overhead banner; there are hundreds of requests for overhead signs, and they are adamant about no overhead signs. He does not see anything wrong with it, if Council will back him up when these other people come down and say the Observer was permitted to do this.

No objections were expressed to the requests.

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REQUESTS BY COUNCILMEMBER DANNELLY.

Councilmember Dannelly stated he has a heavy heart because yesterday an elementary school young man was buried because of a hit and run driver killed him on Andrill Terrace. He is asking the City Manager to make a study of how many school youngsters travel that route, Andrill Terrace, to and from school; or where do they walk going to and from Oaklawn Elementary School. It is a concern of the residents in that area; it is a concern of the entire PTA; and he is sure it is a concern of the citizens of Charlotte in that there are other schools that have just as dangerous a situation. There is a tendency to build sidewalks where they are needed, and schools have been priority areas for sidewalks. We may be overlooking some, and he would like to see the study made.

COMMENTS BY COUNCILMEMBER CARROLL.

Councilmember Carroll stated the Cherry Community and the Community Development Department have gotten together on a plan. After sitting down from 9:00 in the morning until 5:00 in the afternoon and hammering it out in language which HUD could understand and which the community could on the other hand, they came together. It is a real step forward. Unfortunately with the time periods that have to be used to advertise, it will not be possible to get this to Council before the end of this year. There may be an item to come up on the agenda later in December regarding Brevard Myer's offer which ran through the end of the year and some way they would like to address that before we have the plan. The plan will be shortly after that in January.

COMMENTS BY COUNCILMEMBER LOCKE.

Councilmember Locke stated (1) there is a meeting Thursday morning on the 40th floor of NCNB, and she would urge every member of the new council to be there. They are going to talk about a regional housing opportunity plan which HUD has mandated upon us.

One of the things she did in St. Louis was to bend the ear of the HUD official, and they are sending someone from Atlanta to attend this meeting. This Council has to vote on it December 18 as to whether we want this plan or not. If it is voted down, there will be no HOP because we have the majority of the delegates because of population. You have to have 75 percent in favor of it, and we are 50 percent. There will be a lot of COG delegates there. They will explain what COG is and what HOP is, and then they will have the representative from Atlanta to answer any questions.

Councilmember Carroll stated he read her comments at the last COG meeting and he does not understand it. Does she think Jerry Moore/^{will} send them something before then? Councilmember Locke replied Jerry will be there, and on the 18th Jerry and Ray Wheeling and everybody will be at the Council Meeting to explain it.

(2) She stated they did go to St. Louis and only two were missing - Mayor Harris and Councilmember Cox. Everyone attended workshops; and they were well represented.

COMMENTS BY COUNCILMEMBER LEEPER.

(1) Councilmember Leeper stated he would like to recognize the fact that Diane Quincberry has been employed as the head of the Animal Shelter. That is the slow process he has been talking about.

(2) Councilmember Leeper asked if he can get an item sometime next week on the Agenda about naming the park for L. C. Coleman. This has been put off because of political campaigns and other things. That is over now

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REQUEST BY COUNCILMEMBER TROSCH.

Councilmember Trosch stated it is time to have on the agenda the creation of an Interim Parks Advisory Committee.

Mayor Harris asked if there are any objections to putting this on the next agenda, and no objections were expressed.

COMMENTS BY COUNCILMEMBER SELDEN.

Councilmember Selden stated in St. Louis he attended the session on the control of noise, which he thinks would be a route that is very valuable to us. He will give them a copy of a proposed ordinance being used in other areas; there is a federal organization where you can borrow sound measuring devices to determine noise levels.

The City Attorney stated we have borrowed two from the EPA for general training purposes.

Councilmember Selden stated there are several other ways this can help us, and he is anxious for us to proceed on with it.

(2) Councilmember Selden stated Council held a hearing on Colony Road today. What are the electives at this point for Colony Road. Will Council take some action?

Mayor Harris asked if there is some official action to be taken on the matter? The reply was that Troy Pollard, Chairman of the TAC, asked for some action as they look to municipalities for advice on the decision.

Councilmember Selden stated he would be agreeable to postponing decision until the January meeting if that is satisfactory. He would like to have time to research the matter.

Mayor Harris asked when he would like to have it on the agenda? The reply was the first meeting in January.

COMMENT BY COUNCILMEMBER COX.

Councilmember Cox stated this is the first meeting of the second year; that he has enjoyed meeting with this Council, and he is sure he will for the second year.

COMMENTS BY CITY MANAGER.

(1) Mr. Burkhalter stated there is an interview for an engineering prospect to be on December 5, at 9:00 A.M. at the Utility Office.

(2) The Spirit Square groundbreaking has been changed to December 29. Because of this change he would like to change the First Ward Briefing which was scheduled for the 15th; they will send a notice later on this.

(3) With the changes in the meeting on the 14th, there will be no dinner served.

RULES SUSPENDED AND EXTRA HOLIDAY GRANTED CITY EMPLOYEES.

Mr. Burkhalter, City Manager, requested Council to suspend the rules and approve the schedule of meetings for December with the changes made today.

Motion was made by Councilmember Cox, seconded by Councilmember Chafin and carried unanimously to suspend the rules.

Motion was made by Councilmember Chafin, seconded by Councilmember Selden, and carried unannimously to approve the schedule of meetings for December with the changes.

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Councilmember Carroll stated he would like to say some people have done a very good job for the Mayor and Council this year, and it is appreciated.

Mayor Harris stated that is a very good point.

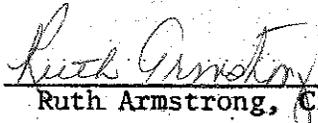
Mr. Burkhalter noted with the approval of the schedule this gives the City Employees an extra day for Christmas, December 26.

OPERATIONS COMMITTEE TO MEET ON THURSDAY, DECEMBER 14.

Councilmember Short stated the Operations Committee will meet on Thursday, December 14, 1978 at 7:30 A.M., Second Floor Conference Room.

ADJOURNMENT.

Upon motion of Councilmember Locke, seconded by Councilmember Cox, and carried unanimously, the meeting adjourned.


Ruth Armstrong, City Clerk