

December 9, 1974
Minute Book 61 - Page 85

The City Council of the City of Charlotte, North Carolina, met on Monday, December 9, 1974, at 3:00 o'clock p.m., in the Council Chamber, City Hall, with Mayor John M. Belk presiding, and Councilmembers Pat Locke, Milton Short, James B. Whittington, Neil C. Williams and Joe D. Withrow present.

ABSENT: Councilman Kenneth R. Harris.

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INVOCATION.

The invocation was given by Reverend Norman Kerry.

APPROVAL OF MINUTES.

Upon motion of Councilman Short, seconded by Councilman Withrow, and unanimously carried, the minutes of the meetings on Monday, November 18, Wednesday, November 20 and Monday, November 25, were approved as submitted.

MINUTE MAN AWARD FOR SALE OF SAVINGS BONDS PRESENTED TO CITY OF CHARLOTTE.

Dr. Ed Latimer, Chairman of Charlotte-Mecklenburg U.S. Savings Bond Program, was present and presented an award to the City of Charlotte in behalf of the United States Treasury for the Charlotte-Mecklenburg County Take Stock in America Campaign.

He presented a star to the Mayor and Council to be added to the Minute Man Flag stating it is the second star the City has won for outstanding performance in this campaign.

He introduced Mr. Lewis Rogers who works with the Treasury Department.

CITY OF CHARLOTTE EMPLOYEE PLAQUE PRESENTED TO JOHN W. MORRISON.

Mayor Belk and the City Council recognized John W. Morrison, Treatment Plant Operator with the Utility Department, and presented him with the City of Charlotte Employee Plaque for his services to the City from July 6, 1967 until his retirement November 26, 1974.

Each wished him well in his retirement and expressed appreciation for his services to the City.

RESOLUTION CLOSING ARROWHEATH COURT, IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA.

The public hearing was held on petition of Arrowood-Southern Executive Park, Inc. to close a certain strip of land known as Arrowheath Court, running between the easterly margin of Arrowridge Boulevard and the easterly margin of the property of Arrowood-Southern Executive Park, Inc.

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

Mr. Jim Houston, Attorney for the petitioner, was present to answer any questions.

December 9, 1974
Minute Book 61 - Page 86

No opposition was expressed to the street closing.

Upon motion of Councilman Short, seconded by Councilman Whittington, and unanimously carried the resolution closing Arrowheath Court, in the City of Charlotte, was adopted and is recorded in full in Resolutions Book 10, beginning at Page 218 and ending at Page 219.

PETITION NO. 74-43 BY ENCHANTED FOREST, INC. FOR A CHANGE IN ZONING OF PROPERTY FRONTING ON THE NORTH SIDE OF SHAMROCK DRIVE, EAST OF THE INTERSECTION OF GAINESBOROUGH ROAD AND SHAMROCK DRIVE, DEFERRED.

Councilman Withrow moved that decision on the subject petition be deferred for one week. The motion was seconded by Councilman Short, and carried unanimously.

PRESENTATION OF THE DILWORTH NEIGHBORHOOD ASSISTANCE PROGRAM (NAP) WHICH INCLUDES THE CLOSING OF KINGSTON AVENUE.

Mr. Vernon Sawyer, Director of Urban Redevelopment, explained in detail the NAP Program for Dilworth. The boundaries of the present NAP program centers on Kingston Avenue, between Euclid Avenue on the east, and Park Road on the west, behind the frontage on East Boulevard and behind the frontage on Park Avenue.

When originally proposed the project was presented to and reviewed by the Dilworth Community Development Association, and was approved. The project was underway in March of this year, and started with a series of meetings with the project area residents. The plans and procedures for the project were explained and during these meetings some concern was expressed about three general areas. (1) The Planning process; (2) the treatment of trees; and (3) traffic. In order to work directly with the map staff in discussing these concerns, and seeking some different solutions that were proposed, the East Kingston Group was formed in March, 1974 as a subcommittee of the Dilworth Community Development Association. Ms. Sara Spencer was spokesperson for this group.

Mr. Sawyer stated they have worked with this group and its subcommittees; they have continued to work with the Dilworth Community Development Association over a period of a number of months in trying to arrive at some solutions that were within the city's subdivision ordinance standards - which are the standards they had to adhere to - that were within the budget approved by Council, and that was generally satisfactory to the East Kingston group and the Dilworth Community Development Association. He stated they have reached an agreement and a satisfactory plan for site improvements of the project.

He stated he would like to review the plan and point out the areas of greatest concern that they have reached an agreement on. He referred to a map and stated it illustrates Kingston Avenue, from Euclid Avenue to Park Road and the portions of the streets within the project between East Boulevard and Park Avenue.

He stated the East Kingston's group recommendation for project area improvements centered on two main concerns. (1) Intersection alterations at the intersections of East Kingston Avenue and Euclid, at the intersection of Springdale and Kingston, and at the intersection of Winthrop and Kingston. (2) The overall street curbing and sidewalk improvements, with the major emphasis on the preservation of trees and on pedestrian safety.

December 9, 1974
Minute Book 61 - Page 87

Mr. Sawyer stated they did not originally propose the closing of any of the streets. The closings were proposed by the East Kingston group, and endorsed and concurred in by the Dilworth Community Development Association. He stated they have worked with his staff, the Task Force which includes the Department Heads from the Planning, Public Works, Traffic, Building Inspection, Intergovernmental Programs Departments. In Committee, without official endorsement from any of the individual departments, each agreed there is nothing wrong in closing the street at Euclid Avenue and Kingston. It remains to be worked out whether or not it will be an abandonment; but a physical closing to slow traffic is the objective. There will be a similar closing of Winthrop Avenue and Kingston on the south side to prevent the street from being a short cut to fast traffic. At Springdale and Kingston a traffic circle was proposed, which was investigated and studied by the Traffic Department and determined to be unworkable. As a compromise a four way stop is being recommended as treatment of that intersection.

Councilwoman Locke asked if these solutions are agreeable to everyone now? Mr. Sawyer replied they have a concurrence between the Task Force and the DCDA; they still have to submit it officially to each Department; have it reviewed and then submit it to the Board of the DCDA for official approval. Following that the Engineering Department can prepare final plans for bidding. He stated this has all been thoroughly discussed and everyone has had an opportunity to discuss it and hear it.

Mr. Sawyer stated there are other improvements proposed which are different from the original proposal. Originally they had proposed repairs to existing sidewalks, curbs and streets. As a result of their concern, and our concern, of the existing trees having more breathing room and a better chance of survival, they have agreed to move the curb out into the street two additional feet which will narrow the street four feet. There is room for that in the portion between Euclid Avenue and Springdale. There will not be a similar narrowing between Springdale and the Park. In the treatment of the sidewalk, they will curve the sidewalk around trees where appropriate, and build some asphalt bridges over roots that would be otherwise damaged.

Councilman Short asked if parking would be prohibited? Mr. Sawyer replied that has not been one of the proposals. There is an apartment building at the corner of Park Avenue and East Kingston that has never had any off-street parking at all. They propose to create parking for the apartment between the existing curb and the existing sidewalk, so that some of the congestion can be relieved by parallel parking.

Councilman Whittington asked how much of the Dilworth Community is being considered for a future NAP Program, if any? Mr. Sawyer replied this is Stage I. The second stage is on Templeton and Lexington Avenue, and a third stage.

Councilman Whittington asked if anyone has been able, or if anyone has attempted to get the 8 percent loan under NAP for home improvements which First Union made available? Mr. Sawyer replied yes; there are about 12 applications underway, some of which have been completed, out of the 62.

Councilman Whittington asked if the Redevelopment staff is supporting Dr. Hall and the Community Relations Committee in saying that Community Development monies should be spent in Dilworth? Mr. Sawyer replied that was a part of their proposal which was presented by their Chairman, Walter Tucker. They also are proposing a further clearance, and rehabilitation. Councilman Whittington stated the most important thing is that area is the redevelopment and reconstruction of those homes in code violation. If that is not done, then these areas which have been mentioned will be in bad shape.

December 9, 1974
Minute Book 61 - Page 88

Councilman Short stated there is one area marked for actual redevelopment - acquisition and bulldozing. He asked the time schedule for this? Mr. Sawyer replied they do not have a schedule but it is an area on Rensselaer Avenue, which is almost a further extension of the project which they already have. It is an area that has worsen continuously since the clearance took place adjacent, and it is their opinion and that of the Planning Commission that it is beyond rehabilitation.

RESOLUTION FORMALLY ESTABLISHING A TIMETABLE AND CITIZENS INPUT PLAN FOR USE WITH THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974.

Upon motion of Councilman Short, seconded by Councilwoman Locke, and unanimously carried, the subject resolution formally establishing a timetable and citizens input plan for use with the Housing and Community Development Act of 1974, was adopted and is recorded in full in Resolutions Book 10, beginning at Page 220 and ending at Page 225.

LIST OF ADDITIONAL COMMUNITY DEVELOPMENT REVENUE SHARING MATERIALS RECEIVED SINCE PUBLIC HEARINGS.

The City Manager advised that since the hearings on Community Development Revenue Sharing, the following requests have been submitted:

(a) Physical Improvements

1. Improvements to Firth Court and Forney Court Area, Ms. H. O. Burrell.
2. Improvements to Elizabeth Community Association, John Andrews and Shelley Blum.
3. Improvements to Capps Hill Mine Road, Ms. Campbell.
4. Improvements to Clanton Park, Edgebrook Rollingwood Area, Mrs. C. E. Harrison.
5. Improvements to West Morehead Area, Cards from 20 members of Jr. Women's Club.
6. Funds (\$250,000) for Alan Newcomb Park Shell, H. Parks Helms.
8. List of projects for consideration from Planning Commission.

(b) Social Improvements

1. Nursing Home for the elderly, Lem Long, A.M.E. Zion Church.
2. Bethlehem Center Area improvements, Ms. Lucy Gist.
3. Breast cancer detection machine, Ms. Barbara Weiant.
4. Day Care Center proposal, Ms. Polly Langston.
5. Jobs for Ex-Offenders, J. David Tillman.
6. Letters supporting Big Brothers, Ms. Jeanie Thomas and Ms. Ruth Smith

(c) Historical Improvements

1. Park for Fourth Ward, A. G. Odell.
2. Supports Fourth Ward Project, Ms. P. K. Kelley.

(d) Miscellaneous Suggestions

1. Need for recreation facilities, clean up city, help elderly, prevent crime, etc., Mrs. Ruth Gilbert.

December 9, 1974
Minute Book 61 - Page 89

ORDINANCE NO. 471-X ESTABLISHING A PUBLIC TRANSPORTATION FUND AND ESTABLISHING REVENUE ESTIMATES AND AN APPROPRIATION THEREIN FOR THE OPERATION OF THE PUBLIC BUS TRANSPORTATION SYSTEM.

Councilman Short moved adoption of the subject ordinance establishing a public transportation fund and revenue estimates and an appropriation for the operation of the Public Bus Transportation System, in the total amount of \$2,068,000 from December 1, 1974 to June 30, 1975. The motion was seconded by Councilman Whittington.

After discussion, the vote was taken on the motion, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 21, at Page 361.

REPORT BY PUBLIC WORKS DIRECTOR ON THE LEAF COLLECTION SERVICE.

Mr. Bob Hopson, Director of Public Works, presented a report on leaf collection. He stated they have adopted a circular approach to the leaf problem this year, starting at Freedom Drive in Area I, and moving on around the city clockwise. They have been around the city two times since the early part of October, and are completing the third trip around at the present time. They are working in the area this side of Providence Road, at present, between it and South Boulevard. Last Saturday they threw their load packers into the battle against leaves in the lower Myers Park Area, everything on the other side of Carmel Road, and everything on the dotted lines on the map, which is the real guts of the problem. They knocked out quite a bit of it; but the rain Saturday afternoon slowed them down a little bit. Once they get back to Area 8, they will then be clear of the major problem. They expect to put another group of their load packers in this Saturday, which will be above the seven and six areas towards the Downtown or upper Myers Park area, the Dilworth area, and complete that.

Mr. Hopson stated last Saturday they spent around \$15,000 which is the cost in overtime, each time they go out with the load packers. That is the reason they try to hold it to two Saturdays. After they reach Area 8, which is South Boulevard the leaves are light and they will be able to work on around the city in about a week or ten days. They expect to be at South Boulevard no later than Christmas, hopefully a few days before.

Mr. Hopson stated they will spend about \$230,000 for this program; they keep about 22 of the leaf machines in service all the time, and they use about 67 people. As of December 7, they have collected 41 hundred tons of leaves. This is almost double what they did last year; this is based on a dry weight leaf. He stated they should be completed by January 7, 1975, and they feel they are in real good shape.

He stated about 85 or 90 percent of all the leaves collected were given back to people, and they are being used for humus. They are all ground and given right to the people in the area.

ORDINANCE NO. 472-X AMENDING ORDINANCE NO. 905-X, ADOPTED OCTOBER 26, 1970, DESIGNATING THE OFFICIAL DEPOSITORIES FOR THE FUNDS OF THE CITY OF CHARLOTTE BY DESIGNATING METROLINA NATIONAL BANK AS AN OFFICIAL DEPOSITORY.

Upon motion of Councilman Whittington, seconded by Councilwoman Locke, and unanimously carried, the subject ordinance was adopted designating Metrolina National Bank as an official depository of the City of Charlotte.

The ordinance is recorded in full in Ordinance Book 21, at Page 362.

December 9, 1974
Minute Book 61 - Page 90

RESOLUTION DECLARING AN INTENT TO CLOSE AN UNOPENED PORTION OF CASSAMIA PLACE, AND CALLING FOR A PUBLIC HEARING ON THE QUESTION ON MONDAY, JANUARY 6, 1975.

Motion was made by Councilwoman Locke, and seconded by Councilman Withrow to adopt the subject resolution declaring an intent to close an unopened portion of Cassamia Place, and calling for a public hearing on the question on Monday, January 6, 1975, on petition of Gordon L. Vaughn and wife, and Paul Curtis Hardy, Jr. and wife.

Councilman Whittington stated before this hearing is scheduled, and in looking at the map, it appears to him to not be in the best interest of the city to close this street. If you think about Providence Road when you cross Briar Creek, the only way to get over to Sharon Road is Pinewood or Harris Road, and go down to Wendover. As he looks at the map the portion they would like to close is a little section running parallel with Sunderland Place, from Tanglewood over to Sharon Road. Based on the map it seems to him to not be in the best interest of the city to close this street, and there should be some discussion on that at the public hearing.

The vote was taken on the motion and carried unanimously.

The resolution is recorded in full in Resolutions Book 10, beginning at Page 226 and ending at Page 227.

PUBLIC HEARING ON PROPOSED SOIL EROSION AND SEDIMENTATION CONTROL ORDINANCE SET FOR MONDAY, JANUARY 20, 1975.

Councilman Short moved that a public hearing be set for Monday, January 20, 1975 at 8:00 P.M., on proposed soil erosion and sedimentation control ordinance. The motion was seconded by Councilwoman Locke.

Councilman Whittington stated the county has an ordinance, the state has an ordinance, and now the city is going to have one. He asked if it would not be practical before Council considers this ordinance to have just one program, and have it consolidated, and perhaps have it under the Department of Public Works or under the County Engineering Department. That the City is to have about nine people involved in this, and the County is going to have about five. That he would think Council should consider whether it wants to ask the County to consolidate the two and pay for it in some formative way rather than having two departments. The City Manager replied Staff started off trying to work it out in just that way, but he does not think it will work. The County will not use the Planning Commission as their Appeals Board and set up a different board to handle appeals. That our idea was that the Planning Commission is appointed by the City and by the County, and it is a uniform board, and it would be an ideal place to handle the appeals. The County has had its ordinance for some time now.

Councilman Whittington stated he does not want to go through a public hearing and set up a department with nine people and a budget of over \$200,000, and the County to have five people and about half that budget when we have the Charlotte-Mecklenburg Planning Commission which should be involved in this.

Mr. Readling, City Engineer, stated the idea of the Planning Commission would be for the appeals process, and the Planning Commission has said they would act as appeals board for the City. The County decided to set up its own appeal board.

December 9, 1974
Minute Book 61 - Page 91

Mr. Bobo, Assistant City Manager, stated the ordinances have been coordinated and they are similar with the exception of the appeals board. The real problem will come in the administration of the ordinance, and this is where all the resources of the various departments of the city will be needed. There will be a vast difference in the administration of the ordinances as it applies to Mint Hill, Pineville or somewhere out in the county versus some highly developed area inside the city limits. This ordinance is modeled after the state ordinance. Councilman Whittington stated this is also going to be a cent or cent and a half on next year's tax rate also. Can we get by without the ordinance? Mr. Bobo replied the city is required to either administer the ordinance or the state will administer it at the state level. Councilman Whittington asked what it would cost the city if the state administers it? Mr. Bobo stated if it is administered at the state level then the local developers will have to go to the state to find out what the regulations are, and send their plans there.

Councilman Short asked why in the recent election, city voters were voting on people like Buck Knox and others to be a Soil Conservation Commission under some new state law. That he talked to some of them during the election, and they said they were going to referee all the arguments between developers and the environmentalist. They were elected for that purpose; now we are getting into the matter of appointing the Planning Commission. That he just does not understand it.

Mr. Bobo stated those cities or local governments that do not chose to have their own ordinances will be administered by the State. The State will have, and does have, a Board to administer it from the State level.

Mayor Belk stated he thinks the City should have its own ordinance. Councilwoman Locke stated we agree with that, but what we want is a consolidated effort - city county effort.

The vote was taken on the motion and carried unanimously.

RESOLUTION APPROVING THE SALE OF URBAN RENEWAL LAND IN THE GREENVILLE PROJECT TO A LIMITED PARTNERSHIP TO BE FORMED BY MOTION, INC. AND JOHN CROSLAND COMPANY, INC. FOR THE DEVELOPMENT BY CONSTRUCTION THEREON OF 49 TOWNHOUSE APARTMENT UNITS UNDER THE FEDERALLY SUBSIDIZED SECTION 236 PROGRAM.

Upon motion of Councilman Whittington, seconded by Councilwoman Locke, and unanimously carried, a resolution was adopted approving the sale of urban renewal land in the Greenville Project to a limited partnership to be formed by MOTION, Inc. and John Crosland Company, Inc. for the development by construction thereon of 49 townhouse apartments units under the federally subsidized Section 236 Program.

The resolution is recorded in full in Resolutions Book 10, at Page 228.

AMENDMENT TO CONTRACT WITH McCLENEGHAN, MILLER, CREASY AND JOHNSON, ATTORNEYS FOR LITIGATION SERVICES, APPROVED.

Motion was made by Councilman Short and seconded by Councilman Whittington to approve the subject amendment to the contract with McCleneghan, Miller, Creasy and Johnston, Attorneys for litigation services.

After explanation by Mr. Sawyer, Director of Urban Redevelopment, the vote was taken on the motion and carried unanimously.

December 9, 1974
Minute Book 61 - Page 92

APPROVAL OF FOUR SUBGRANT AWARD CONTRACTS BETWEEN THE CITY OF CHARLOTTE AND THE NORTH CAROLINA DEPARTMENT OF NATURAL AND ECONOMIC RESOURCES AND ORDINANCE AMENDING THE 1974-75 BUDGET ORDINANCE AMENDING REVENUES AND EXPENDITURES TO PROVIDE APPROPRIATIONS.

Councilman Whittington moved approval of the following four Subgrant Award Contracts between the City of Charlotte and the North Carolina Department of Natural and Economic Resources and the subject ordinance which motion was seconded by Councilman Short, and carried unanimously:

- (a) (1) Team Policing Film, \$35,000.00.
 - (2) Police Athletic League, \$13,766.00.
 - (3) Crime Lab Equipment, \$83,333.00.
 - (4) Portable Automatic Robbery-Burglary Alarm System, \$41,449.00.
- (b) Ordinance No. 473-X Amending Ordinance No. 214-X, the 1974-75 Budget Ordinance amending revenues and expenditures to provide an appropriation for the four LEAA-Funded Projects, in the total amount of \$162,442.00.

The ordinance is recorded in full in Ordinance Book 21, at Page 363.

Councilwoman Locke stated she gets concerned about these LEAA grants. They give all this money and our share is such a small amount. She asked that this be explained to her. Mr. Burkhalter, City Manager, stated these have all been gone through with Council before applying for the funds. That he will be glad to go over all this with her. Since 1969 we have received about \$3.0 million; that these funds come from the Safe Streets Act; it is the anti-crime program.

STATUS REPORT ON SECURITY FOR LAW ENFORCEMENT CENTER.

Councilman Whittington stated six months or longer ago, Council appropriated the money for the employment of security people for the Law Enforcement Center. A guard stand was placed at the entrance at McDowell Street, and he has not seen a security policeman there. The guard stand is gone. He would like to know what has been done, if anything, about this appropriation and these people. He was under the impression that men would be stationed down there, and we would really have security. Chief Goodman, replied in the budget last year they asked for money to provide this equipment and also for the people to man it. They did not get the money for the people to man it on a 24-hour basis. They do have the scanners to monitor the entrance. The booth was loaned to the Airport Department until they have the money to buy one. Councilman Whittington stated he thought the money for people was appropriated first.

COMMENTS ON RESPONSE TIME OF POLICE UNDER THE TEAM POLICING.

Councilman Withrow stated when the Police Department went to Team Policing it was his understanding that it would cut down the response time to a reported crime. He stated someone broke into one of his apartments and it took 25 minutes from the time the call went in until the time that one policeman showed up. He stated he has received calls from other people, but this one is personal and he knows how long it took on this one. He asked the average time for a response? Chief Goodman replied the average is four or five minutes; but they have to set priorities. If something happened last night, and the call comes in the next morning, this would not be a high priority. A high priority is when action is desired at the moment. They receive calls about a bicycle being stolen and it takes hours to get there. What is the rush if a bicycle is reported stolen and it happened last week. In the meantime they have an armed robbery and other things occurring; that the on scene arrest have increased quite a bit since team policing. Councilman Withrow stated the call he is referring to was a theft in action. If they had come out, they would have caught them stealing washing machines out of the wash house. But because of the response time they had loaded them and gone.

December 9, 1974
Minute Book 61 - Page 93

Chief Goodman stated if he will give him the date and time he will check into this particular incident.

RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING FOR A TRANSPORTATION PLANNING PROCESS BETWEEN THE CITY, COUNTY AND STATE.

Motion was made by Councilman Whittington, seconded by Councilman Short, and unanimously carried, adopting the subject resolution approving a memorandum of understanding for a transportation planning process between the City, County and State.

The resolution is recorded in full in Resolutions Book 10, beginning at Page 230.

CONTRACT WITH N. C. DEPARTMENT OF TRANSPORTATION, AND RESOLUTIONS AMENDING U. S. GOVERNMENT GRANTS FOR THE AIRPORT MASTER PLAN DEVELOPMENT.

Upon motion of Councilman Whittington, seconded by Councilwoman Locke, and unanimously carried, the following contract and resolutions were adopted:

- (a) Contract agreement between the North Carolina Department of Transportation and the City of Charlotte for paving and lighting new 10,000 foot Runway 18R/36L, in the amount of \$100,000.00.
- (b) Resolution approving Amendment No. 1 to U. S. Government Grant offer for capital improvement project - strengthening of Taxiways "A & C" and connecting taxiways, ADAP Project No. 8-37-0012-05.
- (c) Resolution approving Amendment No. 1 to U. S. Government Grant offer for capital improvement project - grading, drainage widening and resurfacing Byrum Drive and Wilmont Road, ADAP Project No. 8-37-0012-07.
- (d) Resolution approving Amendment No. 1 to U. S. Government Grant offer for capital improvement project - land acquisition for future Runway 18R/36L, Clear Zone, Strengthen Terminal Apron, construct Northeast and Southwest Bypass Taxiway to Runway 5/23; install terminal apron flood lighting and security fencing and relocation assistance for fifty families - ADAP Project No. 8-37-0012-03.
- (e) Resolution approving Amendment No. 1 to U. S. Government Grant Offer for capital improvement project - site preparation for Runway 18R/36L and Associated taxiways, relocate AT&T cable and other utilities and road relocations - ADAP Project No. 8-37-0012-04.
- (f) Resolution approving Amendment No. 1 to U. S. Government Grant Offer for capital improvement project - land acquisition for future Runway 18R/36L, Future Terminal Development and Airline Support Area, ADAP Project 8-37-0012-02.

The resolutions are recorded in full in Resolutions Book 10, beginning at Page 231 and ending at Page 235.

AMENDMENT TO HERTZ RENT-A-CAR LEASE APPROVED.

Councilman Whittington moved approval of an amendment to the Hertz Rent-A-Car lease to extend the lease for approximately six months to June 11, 1975, with all other provisions as now exists. The motion was seconded by Councilman Withrow.

December 9, 1974
Minute Book 61 - Page 94

Councilman Short stated the only question he has is whether every franchise and every lease, and every concession for this new airport has to come before this Council. That he realizes it is an advisory committee concerned with the Airport, but this is right much to study. That Council will have untold numbers of these, and he does not think anyone on this Council will have untold numbers of these, and he does not think anyone on this Council will have time to study all the leases of every concession and every square footage by the year figure. That he does not have an answer but he thinks it might not be a bad idea to try to think of some better procedure than submitting every lease and concession on this new airport directly and personally to the City Council. That he is just throwing out that idea.

The vote was taken on the motion and carried unanimously.

LEASE WITH FIDELITY AND CASUALTY COMPANY OF NEW YORK FOR OPERATION OF THE PUBLIC INFORMATION AND FLIGHT INSURANCE COUNTER AT DOUGLAS AIRPORT, APPROVED.

Upon motion of Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, subject lease was approved with Fidelity and Casualty Company of New York for the operation of the public information and flight insurance counter at Douglas Airport at 31% of gross sales, or \$3,010.00 monthly guarantee.

RESOLUTION AUTHORIZING THE REFUND OF CERTAIN TAXES WHICH WERE COLLECTED THROUGH CLERICAL ERROR AND ILLEGAL LEVY.

Motion was made by Councilwoman Locke, seconded by Councilman Whittington, and unanimously carried, adopting the subject resolution authorizing the refund of certain taxes, in the total amount of \$6,966.62, which were collected through clerical error and illegal levy from thirteen tax accounts.

The resolution is recorded in full in Resolutions Book 10, at Page 236.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE ADOPTING PROCEDURE TO FILL VACANCY ON CHARLOTTE CITY COUNCIL FAILED TO PASS.

Councilman Williams moved adoption of the resolution of the City Council adopting procedure to fill vacancy on Charlotte City Council. The motion was seconded by Councilwoman Locke.

Councilman Short stated he is not planning to vote to use this procedure. Councilman Williams stated he thinks this would be a good idea because this Council has been criticized lately, and a long time ago too, on the lack of openness in matters such as this. The adoption of this method of selecting another councilmember would help to solve that problem in a very open, fair and dignified way. If several people are nominated for this position officially and publicly, it is going to be difficult to vote one person down in order to vote another one up. By adopting this procedure there will not be any head to head conflictation between Mr. A. and Mr. B. Instead everyone would have an opportunity to express his preference among several nominees, and extol the virtues of each nominee, and have it all out in the public in front of everyone, and talk about all of them. There would not be any bad feelings on the part of the several individuals who might not be successful. With respect to the one who ultimately would be successful, even if he did not receive a unanimous vote, he would think it would be easier for that person to serve with every member of Council during the months when he would serve than it would have been if he had been elected in a split decision. For all those reasons he hopes Council will give this serious consideration. He then reviewed how the procedure would work.

December 9, 1974
Minute Book 61 - Page 95

Mayor Belk asked the City Attorney for an opinion on the portion of the resolution which says the ballot could be "signed or unsigned"? Mr. Underhill City Attorney, replied the nominating would be done publicly, voting will be done by ballot with each council person voting on those nominated. The resolution states the ballots may be signed or unsigned by a particular councilmember, with the nominee receiving the highest number of points appointed, and that would be announced upon the completion of the tabulation of the votes. The real questionable area, insofar as this resolution is concerned, is whether the part of the procedure which permits a ballot from an individual councilmember to be unsigned would violate the open meetings law. The election will take place at a public session; the total vote would be announced at the end of the tabulation. He would suspect, and he does not have any precedent to rely on, there are some jurisdictions which permit their council people to vote by a secret ballot process, which this may or may not be because you can either sign or not sign; there is no procedure like that in the charter, but you would be establishing for this one item that procedure. His guess is that not requiring the ballots to be signed could possibly, and he is hedging on this, be construed to violate the open meetings laws. That he does not know as he does not have the wisdom of the trial judge sitting there hearing it, and making his interpretation based on the language in the open meetings law. You cannot read the open meetings law and say the answer is here on whether you can or cannot do this. It could possibly be construed against the law.

Councilman Short stated the procedure calls for rating the candidates. What if some man received four first place votes and that would give him four times six accumulated votes, which would be 24 votes. Assume someone else received five second place votes, and he wound up with 26 votes, he is ahead, but he was no ones' first place candidate. The man who lost with 24 votes is going to sue the other man or sue the city, and we will be in confusion for months. That system would deny the position to a man with four first place votes. That he does not think we have the right to enter into a system which would deny the position to the man who got four first place votes.

Councilman Williams amended his motion for the last paragraph in subsection (c) to read as follows: "Voting herein described shall be carried out by written ballots. The ballots shall be signed by the councilmembers and shall be tabulated by the Mayor or his designated representative, and shall then be made a part of the minutes of the meeting." Councilwoman Locke accepted the amendment, and seconded the motion.

Councilman Whittington stated he respects Mr. Williams and he appreciates what he is trying to do; but he thinks this is the wrong way to do it, and he is going to vote against it if a vote is called today, or any other day. If you want to nominate people today, and all of you nominate everybody you want, that he does not have a candidate, and vote on them next week, that is alright with him. But if you want to be fair about what they are talking about, then they would agree to nominating other people other than your own candidate and vote against people other than your own candidate, you would not have a vote for your candidate. The only way he is going to vote is when everybody is nominated and then you raise your hand, and elect him.

The vote was taken on the amendment motion to adopt the resolution and failed to carry as follows:

YEAS: Councilmembers Williams and Locke.

MAYS: Councilmembers Short, Whittington and Withrow.

December 9, 1974
Minute Book 61 - Page 96

NOMINATION OF CANDIDATES FOR VACANT COUNCIL SEAT CREATED BY THE RESIGNATION OF FRED D. ALEXANDER.

Councilman Withrow stated about three weeks ago he gave to each councilmember a resume of Harvey Gantt, and asked that each member here go and see the person, talk to him and be ready for a vote if his name was put up. That he hopes each councilperson has talked to Mr. Gantt. It has been three weeks. That at that time he also gave a copy to each member of the news media. He stated we now have on this city council some lawyers, business people and a business woman. To have an architect who also has a masters degree in city planning would be of great benefit to this council.

He read from the resume stating Mr. Gantt is an architectural engineer AIA; born in Charleston, S. C.; attended Iowa State University, and from there to Clemson College where he received his AB Degree in Architectural Engineering; he went on to the Massachusetts Institute of Technology and received his Masters in city planning.

Councilman Withrow stated he thinks someone with this ability would be a great thing for this city council. To have a man who knows something about city planning, a man that knows something about architect with the things we are building in Charlotte.

Councilman Withrow placed the name of Harvey Gantt into nomination to replace Fred D. Alexander.

Councilwoman Locke stated she would also like to present a nominee. The name of James K. Polk; married, six children; Johnson C. Smith University, Temple University. Senior consultant - Management Manpower Associates, Inc. Consultant Experience, U. S. Housing and Urban Development Agency, U. S. Department of Labor, National Urban League, Office of Economic Opportunity, the North Carolina Fund, and Community Manpower Program.

Councilwoman Locke stated she is passing a copy of the resume to each member of Council. That it lists all of his Civic and Professional Memberships, past and present. She stated he is a man with great statue in this community, and she would recommend him highly.

Councilwoman Locke requested the City Attorney to call the Attorney in Durham to see how they are handling their nominees. They have 50 nominees for one seat.

Councilman Whittington stated he does not have a resume of Mr. Harvey Gantt, nor does he have one of Mr. James K. Polk, nor does he have one of anybody else, and he has not had one. That he does not want one now.

Councilman Williams requested permission to nominate other individuals at the end of the meeting.

Mr. Burkhalter, City Manager, stated there will not be a regular meeting at which Council would normally vote on matters of this kind until the 6th of January. The next meeting of Council is a zoning meeting, and the next week is a holiday. If this is to be placed on the agenda for the next meeting staff would like to know now. Councilman Withrow stated his recommendation is that it lay on the table for one week, and that it be voted on next week at the zoning hearings. There were no objections to this item being placed on the zoning hearing agenda for next week.

Mayor Belk stated the nominations will remain open until the end of the meeting.

December 9, 1974
Minute Book 61 - Page 97

NOMINATION OF MRS. MARY BOYER TO THE CHARLOTTE-MECKLENBURG HISTORIC PROPERTIES COMMISSION.

Council was advised that at the last meeting of Council, Ms. Patsy B. Kinsey's name was placed in nomination for a one year term to the Charlotte-Mecklenburg Historic Properties Commission.

Councilman Whittington placed in nomination the name of Ms. Mary Boyer and asked that it lay on the table until the next meeting of Council.

ORDINANCES AND RESOLUTION AMENDING TABLE OF ORGANIZATION AND PAY PLANS FOR VARIOUS DEPARTMENTS.

Upon motion of Councilman Short, seconded by Councilwoman Locke, and unanimously carried, the following ordinances and resolution affecting table of organization and pay plan were adopted:

- (a) Resolution amending the Pay Plan to change the title of Class No. 552, Supervisor of Intake, to Social Services Coordinator, assigned to Pay Range 24, steps A through F, and adding Class No. 335, Assistant Neighborhood Center Director, assigned to Pay Range 24, steps A through F.
- (b) Ordinance No. 474-X amending Ordinance No. 214-X, the 1974-75 Budget ordinance, amending the Table of Organization for the Charlotte Neighborhood Centers Department by deleting Class No. 460, Neighborhood Centers Supervisor, one position, and Class No. 552, Supervisor of Intake one position, and ^{adding} one position each to Class No. 335, Assistant Neighborhood Center's Director, and Class No. 552, Social Services Coordinator.
- (c) Ordinance No. 475-X amending Ordinance No. 214-X, the 1974-75 Budget Ordinance, amending the Table of Organization for the Charlotte Public Works Department to delete one Research Assistant I position, Class No. 526, and substituting one Systems Analyst I position, Class No. 556.

The resolution is recorded in full in Resolutions Book 10, at Page 238.

The ordinances are recorded in Ordinance Book 21, beginning at Page 364 and ending at Page 365.

ORDINANCES ORDERING THE REMOVAL OF WEEDS, GRASS, TRASH, JUNK AND AN AUTOMOBILE.

Motion was made by Councilman Whittington, seconded by Councilwoman Locke, and unanimously carried, adopting the following ordinances ordering the removal of weeds, grass, trash, junk and an automobile:

- (a) Ordinance No. 478-X ordering the removal of weeds and grass at 208 N. Myers Street.
- (b) Ordinance No. 479-X ordering the removal of weeds and grass at 312 West Boulevard.
- (c) Ordinance No. 480-X ordering the removal of weeds and grass at 2021 Double Oaks Road.
- (d) Ordinance No. 476-X ordering the removal of trash and junk at 1441 Waddell Street.
- (e) Ordinance No. 477-X ordering the removal of abandoned automobile at 1715 Merriman Avenue.

The ordinances are recorded in full in Ordinance Book 21, at Page 366-370.

December 9, 1974
Minute Book 61 - Page 98

ORDINANCES AFFECTING HOUSING DECLARED UNFIT FOR HUMAN HABITATION.

Councilwoman Locke moved adoption of the following ordinances affecting housing declared "unfit" for human habitation, which motion was seconded by Councilman Whittington, and carried unanimously:

- (a) Ordinance No. 481-X ordering the dwelling at 1236 Badger Court vacated and closed.
- (b) Ordinance No. 482-X ordering the dwelling at 1905-07 Gibbs Street to be vacated and closed.
- (c) Ordinance No. 482-X ordering the dwelling at 1121 Greenleaf Avenue to be vacated and closed.
- (d) Ordinance No. 484-X ordering the dwelling at 1816-18 Gibbs Street to be vacated and closed.
- (e) Ordinance No. 485-X ordering the dwelling at 1909-11 Gibbs Street to be vacated and closed.
- (f) Ordinance No. 486-X ordering the dwelling at 113 West Liddell Street to be demolished and removed.
- (g) Ordinance No. 488-X ordering the demolition and removal of dwelling at 2225-A Jennings Street.
- (h) Ordinance No. 487-X ordering the demolition and removal of dwelling at 2225-B Jennings Street.
- (i) Ordinance No. 489-X ordering the demolition and removal of dwelling at 2225-C Jennings Street.

The ordinances are recorded in full in Ordinance Book 21, at Page 371-379.

Councilman Whittington asked how long a house that has been ordered vacated and closed stays that way? Mr. Jamison, Building Inspection Superintendent, replied it stays that way until it is brought into compliance. Councilman Whittington stated everytime a house is ordered vacated and closed, it is going to be torn down. There should be a time limit set to which the owner must comply or does not comply. If he does not comply, then we should take proceedings to demolish it. It only creates another house in a much worse condition. Mr. Jamison replied as long as it is secured you can keep the vagrants and children out of it; but when it becomes a problem then it is brought back to Council to have it demolished. The owners must be given a chance to repair it provided it does not cost more than 50 percent of the value.

Councilman Whittington requested him to look at the house at 105 West Boulevard. Mr. Jamison asked if it is not boarded-up? Councilman Whittington replied no. Mr. Jamison asked if it is open and unoccupied, and Councilman Whittington replied it is. That it has been that way all the time.

Mayor Belk requested Mr. Jamison to report back to Councilman Whittington on this house.

SPECIAL OFFICER PERMITS, AUTHORIZED.

Upon motion of Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, the following Special Officer Permits were approved for a period of one year each:

- (a) Issuance of permit to Edgar Williams Savage for use on the premises of Central Piedmont Community College.
- (b) Issuance of permit to Herbert L. McInville, Sr. for use on the premises of Central Piedmont Community College.
- (c) Renewal of permit to James Lester Warren for use on the premises of Charlotte Rehabilitation Hospital.
- (d) Renewal of permit to Frank W. Kake for use on the premises of Charlotte Rehabilitation Hospital.
- (e) Renewal of permit to Harold Keith Gebhart for use on the premises of Charlotte Park & Recreation Commission.

December 9, 1974
Minute Book 61 - Page 99

STREETS TAKEN OVER FOR CONTINUOUS MAINTENANCE BY THE CITY.

Motion was made by Councilman Whittington, seconded by Councilman Short, and unanimously carried, approving the following streets to be taken over for continuous maintenance by the City:

(a) Governor's Square

- (1) Vardall Court from Chevington Road to End.
- (2) Chevington Road from 180' E. of Ainsdale Road to Valencia Terrace.
- (3) Handley Place from Chevington Road to End S.E.
- (4) Winsford Court from Valencia Terrace to End N.W.
- (5) Valencia Terrace from 155' N. of Chevington Road to 146' S. of Winsford Court.

(b) Meadows at Foxcroft

- (1) Mullensford Road from Simsbury Road to 624' S.E.
- (2) Simsbury Road from Mullensford Road to 421' W.
- (3) Hayloft Circle from Simsbury Road to End S.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO CALVIN J. HARRIS, D/B/A FAIRINGTON PROPERTIES, AND WIFE, BARBARA W. HARRIS, GEORGE C. MITCHELL, TRUSTEE: JOHN W. MURPHREE COMPANY; W. L. ROACH; AND PILOT LIFE INSURANCE COMPANY LOCATED AT 3501 NORTH SHARON AMITY ROAD IN THE CITY OF CHARLOTTE FOR THE SHARON AMITY ROAD WIDENING PROJECT.

Councilman Whittington moved adoption of the subject resolution authorizing condemnation proceedings for the acquisition of property belonging to Calvin J. Harris, D/B/A Fairington Properties, and wife, Barbara W. Harris; George C. Mitchell, Trustee; John W. Murphree Company; W. L. Roach, and Pilot Life Insurance Company located at 3501 North Sharon Amity Road in the City of Charlotte for the Sharon Amity Road Widening Project, which motion was seconded by Councilman Withrow, and carried unanimously.

The resolution is recorded in full in Resolutions Book 10, at Page 239.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO PARKS RAYMOND MCCORKLE AND WIFE, ANNIE D. MCCORKLE LOCATED AT 2901 NORTH SHARON AMITY ROAD IN THE CITY OF CHARLOTTE FOR THE SHARON AMITY ROAD WIDENING PROJECT.

Upon motion of Councilman Whittington, seconded by Councilman Short, and unanimously carried, the subject resolution was adopted authorizing condemnation proceedings for the acquisition of property belonging to Parks Raymond McCorkle and wife, Annie D. McCorkle located at 2901 North Sharon Amity Road, in the City of Charlotte, for the Sharon Amity Road Widening Project.

The resolution is recorded in full in Resolutions Book 10, at Page 240.

December 9, 1974
Minute Book 61 - Page 100

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO ALDE COMPANY: PORTER B. BYRUM, TRUSTEE; J. WALTON HILL, JR. AND WIFE, SHIRLEY N. HILL; T. C. COLLINS, TRUSTEE; AND SOUTHERN LIFE INSURANCE COMPANY, LOCATED AT 5236 EAST INDEPENDENCE BOULEVARD IN THE CITY OF CHARLOTTE FOR THE ANNEXATION AREA I (4) SANITARY SEWER TRUNKS PROJECT.

Motion was made by Councilman Withrow, seconded by Councilman Short, and unanimously carried, adopting the subject resolution authorizing condemnation proceedings for the acquisition of property belonging to Alde Company; Porter B. Byrum, Trustee; J. Walton Hill, Jr. and wife, Shirley N. Hill; T. C. Collins, Trustee; and Southern Life Insurance, located at 5236 East Independence Boulevard in the City of Charlotte for the Annexation Area I (4) Sanitary Sewer Trunks Project.

The resolution is recorded in full in Resolutions Book 10, at Page 241.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO JOE B. WILLIAMS AND WIFE, FAYE F. WILLIAMS, LOCATED AT 4830 PINEY TOP ROAD IN MECKLENBURG COUNTY, FOR THE AIRPORT EXPANSION PROJECT.

Motion was made by Councilman Whittington to adopt the resolution authorizing condemnation proceedings for the acquisition of property belonging to Joe B. Williams, and wife, Faye F. Williams, located at 4830 Piney Top Road in Mecklenburg County, for the Airport Expansion Project. The motion was seconded by Councilman Withrow, and carried unanimously.

The resolution is recorded in full in Resolutions Book 10, at Page 242.

RESOLUTION FOR CONDEMNATION ACTION IN THE FIRST WARD URBAN RENEWAL PROJECT NO. N. C. R-79, TO CONDEMN TWO PARCELS OF PROPERTY.

Councilman Short moved adoption of the subject resolution for condemnation action in the First Ward Urban Renewal Project No. N. C. R-79, which motion was seconded by Councilman Withrow, and carried unanimously

BLOCK & PARCEL	OWNER AND ADDRESS	FINAL OFFER
15-16	Earl Turker 621 N. Davidson Street	\$ 3,000
32-10	Lee Kinney 717 E. 8th Street	\$ 25,000

The resolution is recorded in full in Resolutions Book 10, at Page 243.

PROPERTY TRANSACTIONS AUTHORIZED.

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

- (a) Acquisition of 15' x 676.00' of property, at 900 Tom Hunter Road, from R. & W Development Company #4, a Partnership, at \$1.00, for Sanitary Sewer to serve Hunter Oaks Apartments.

December 9, 1974
Minute Book 61 - Page 101

- (b) Acquisition of 15' x 1,602.52' of property, at North side of Ranchwood Drive (in Yorkwood subdivision), from Ed Griffin Company, at \$1.00 for Sanitary Sewer to serve Yorkwood Pump Station.
- (c) Acquisition of 15' x 63.00' of property, at 1430 Allenbrook Drive (near Toddville Road), from Charlotte Mecklenburg Board of Education, at \$63.00, for Sanitary Sewer to serve Kingstowne Apartments.
- (d) Acquisition of 20' x 2,838.86' of property, at 9020 Arrowridge Boulevard (at I-77), from American Hospital Supply Corporation, at \$1.00, for 8-inch Sanitary Sewer to serve Arrowood Executive Park.
- (e) Acquisition of 15' x 437.31' of property, at 3801 Sharon View Road, from Futren Development Corporation, at \$487.00, for Sanitary Sewer to serve August One Condominiums.
- (f) Acquisition of 13.26' x 152.83' x 19.00' x 14.68' x 145.00' of property, at 2612 North Sharon Amity Road, from Ward Walden and wife, Margaret K., at \$6,725.00, for Sharon Amity Road Widening.
- (g) Acquisition of 1.52' x .41' x 1.52' of property, at 1104 East 7th Street, from G. H. Watts and wife, Troy Ann, at \$50.00, for Kings Drive Relocation.
- (h) Acquisition of 67.12' x 70.08' x 9.37' x 59.99' x 75.87' of property at 116-122 South Poplar Street, at \$52,000 from Nucie H. Holder, for Poplar Street Widening.
- (i) Acquisition of 6.20' x 92.89' x 87.54' of property plus construction easement, at 2734 Sharon Amity Road, from John J. Burke and wife, Dorothy B., at \$1,000.00, for Sharon Amity Road Widening.
- (j) Acquisition of 12.07' x 566.37' x 13.26' x 74.98' x 487.30' at 3600 North Sharon Amity Road, from Warren P. Coleman and wife, Betty Parker, at \$12,880.00 for the Sharon Amity Road Widening.
- (k) Acquisition of 116' x 422' x 106' x 422' of property at New Dixie Road, from W. Bryant Capps and wife, Jennie Byrum Capps, at \$9,000.00, for Master Plan - Land Acquisition.
- (l) Acquisition of twenty-two (22) parcels of real property in the First Ward Urban Renewal Project, as follows:
 - (1) 4,650 sq.ft. from Harry Schaffer, at 417 N. Caldwell Street, in the amount of \$25,000.00.
 - (2) 4,758 sq.ft. from Thomas F. Kerr Co., at 710 N. Caldwell Street, in the amount of \$5,600.00.
 - (3) 5,490 sq.ft. from Nancy Kerr Freeman & Jane Lee Kerr Williams, at 708 N. Caldwell Street, in the amount of \$5,500.
 - (4) 8,140 sq.ft. from Mrs. Thomas F. Kerr, at 945-57 N. Davidson Street, in the amount of \$7,900.
 - (5) 3,150 sq.ft. from Mrs. Robbie Ross Andrews, at 906 N. Davidson Street, in the amount of \$6,600.
 - (6) 3,100 sq.ft. from Ross Company, Ltd., at 902 N. Davidson Street, in the amount of \$6,600.
 - (7) 7,700 sq.ft. from Mrs. Betty S. Sims, at 704 N. Davidson Street, in the amount of \$2,500.
 - (8) 11,207 sq.ft. from Mrs. Hazel P. Smith, at 621 & 625 E. 5th Street, in the amount of \$35,000.
 - (9) 3,663 sq.ft. from Thomas F. Kerr Co., at 621 E. 10th Street, in the amount of \$1,100.

December 9, 1974
Minute Book 61 - Page 102

- (10) 15,409 sq.ft. from Thomas F. Kerr Co., at 616-30 E. 11th Street, in the amount of \$24,600.
- (11) 6,960 sq.ft. from James Ely, at 705-07 E. 7th Street, in the amount of \$14,000.
- (12) 12,033 sq.ft. from Thomas F. Kerr, at 415 N. Myers Street, in the amount of \$75,843.
- (13) 4,950 sq.ft. from Nancy Kerr Freeman & Jane Kerr Williams, at 504 N. Myers Street, in the amount of \$15,000.
- (14) 9,801 sq.ft. from Thomas F. Kerr Co., at 420-22 1/2 N. Myers Street, in the amount of \$22,700.
- (15) 7,351 sq.ft. from Mrs. Thomas F. Kerr, at 408 N. Myers Street, in the amount of \$14,500.
- (16) 14,617 sq.ft. from Thomas F. Kerr Co., at 400-06 N. Myers Street & 807-09 E. 7th Street, in the amount of \$21,866.
- (17) 9,801 sq.ft. from Mrs. Bleeka R. Kerr, at 815 E. 7th Street, in the amount of \$11,850.
- (18) 9,801 sq.ft. from Greater Mt. Sinai Baptist Church, at 817 E. 7th Street, in the amount of \$130,550.
- (19) 1,980 sq.ft. from Thomas F. Kerr Co., at 821 E. 7th Street, in the amount of \$5,650.
- (20) 4,524 sq.ft. from Harry Schaffer, at 812 E. 8th Street, in the amount of \$7,800.
- (21) 14,750 sq.ft. from Thomas F. Kerr, at 410-12 N. McDowell Street & 911-15 E. 7th Street, in the amount of \$22,125.
- (22) 15,350 sq.ft. from Demosthenes J. Karras, at 901 E. 7th Street, in the amount of \$37,000.

EASEMENTS FOR ANNEXATION AREAS, APPROVED.

Motion was made by Councilman Withrow, seconded by Councilwoman Locke, and unanimously carried, approving the following parcels of easements for annexation areas:

- (a) Campbell Creek Outfall
1
- (b) Annexation Area I (4)
3
- (c) Annexation Area I (1 & 2)
1
- (d) Annexation Area I (2)
6
- (e) Annexation Area III (6)
4
- (f) Annexation Area I (3)
2
- (g) Annexation Area II (7)
1

CHANGE ORDERS IN CONTRACTS FOR GOVERNMENTAL PLAZA PARKING PROJECT.

Upon motion of Councilman Short, seconded by Councilman Withrow, and unanimously carried, the following change orders in contracts for the Governmental Plaza Parking Project, were approved:

December 9, 1974
Minute Book 61 - Page 103

- (a) Change Order No. L-1 in contract with Ray Bracken Nursery, Inc. for landscaping, decreasing the original contract price of \$24,016.60 by \$202.00.
- (b) Change Order No. S-1 in contract with Crowder Construction Company increasing the original contract price of \$150,000 by \$3,812.50 due to the necessity of adding an additional manhole, 110 feet of 30 inch RCP, excavating 12.85 cubic yards of rock, installation of curb and gutter on east property line, installing two 10,000 gallon gasoline tanks and painting 270 numbers on surface parking spaces, and deleting some portions of curb and gutter, curb cuts on Fourth Street, two manholes and 100 parking meters.
- (c) Additional contract with McGuire Properties to provide a turnkey parking Control System in the total amount of \$17,050.00

CHANGE ORDERS IN CONTRACTS FOR PUBLIC WORKS VEHICLE WASHING FACILITY.

Motion was made by Councilman Short, seconded by Councilman Withrow, and unanimously carried, approving the following change orders in contracts for the vehicle washing facility:

- (a) Change Order No. 1 in contract with Wiegand Engineering Corporation decreasing the original contract price of \$32,362.00 by \$2,204.00 due to the deletion of a hand spray gun system found to be unnecessary after construction began.
- (b) Change Order No. 1 in contract with Acme Plumbing and Supplies, Inc., increasing the original contract price of \$4,873.00 by \$563.00 to prevent the backflow of contaminated water in the waterlines.

EXTENSION OF CONTRACT WITH SERVICE RESOURCES CORPORATION FOR ACQUISITION OF PROPERTY ON RANDOLPH ROAD AND REMOUNT ROAD FOR WIDENING PROJECTS.

Councilman Short stated this is the matter he had mentioned delaying at the informal session, but he believes this corporation has really done very well, and we should go ahead with the extension of the contract. He would still request that a future agenda contain some discussion with the Company about overstatements of the condemnation opportunity.

Mr. Hopson, Public Works Director, stated the employees of this Company represents the City. He stated there have been five complaints which have reached Jack McWhirter's office; no complaints have reached his office except this one. It involves a personal thing with Mr. McCarter; that he said he wanted to build a swimming pool where they wanted to run the sewer, and then it became a little difficult. He has been offered \$900.00, and he offered to settle for \$2400.

Mr. Hopson stated he highly recommends this firm for this work.

After further discussion, Councilman Short moved approval of the extension of the contract with Service Resources Corporation, Atlanta, Georgia as recommended. The motion was seconded by Councilman Whittington, and carried unanimously.

December 9, 1974
Minute Book 61 - Page 104

CONTRACT WITH WILLIAM TROTTER DEVELOPMENT COMPANY FOR SEWER TRUNK CONSTRUCTION, AUTHORIZED.

Motion was made by Councilwoman Locke, seconded by Councilman Withrow, and unanimously carried, approving contract with William Trotter Development Company for the construction of 220 linear feet of 8-inch sanitary sewer trunk to serve Stonehaven, Section 20, Phase I, outside the city limits, at an estimated cost of \$4,750.00.

CONTRACT AWARDED METROLINA BUILDERS, INC. FOR OFFICE BUILDING FOR CENTRAL SERVICES DIVISION.

Upon motion of Councilman Short, seconded by Councilwoman Locke, and unanimously carried, subject contract was awarded to the low bidder, Metrolina Builders, Inc., in the amount of \$15,655.00, for Office Building for Central Services Division.

The following bids were received.

Metrolina Builders, Inc.	\$ 15,655.00
Harkey & Associates, Inc.	18,040.00
Frank H. Conner Company	18,917.00

CONTRACT AWARDED RAY D. LOWDER, INC. FOR MAIN SEWERS, ANNEXATION AREAS I (1) AND I (12).

Motion was made by Councilman Short, seconded by Councilman Whittington, and unanimously carried, awarding contract to the low bidder, Ray D. Lowder, Inc., in the amount of \$251,514.85, on a unit price basis, for main sewers - Annexation Areas I (1) and I (12).

The following bids were received:

Ray D. Lowder, Incorporated	\$251,514.85
Associated Equipment Company	259,501.50
Mecklenburg Engineers & Contractors	274,341.95
Dickerson, Incorporated	335,097.20
Thomas Structure Company	340,676.00
Sanders Brothers	356,118.00

CONTRACT AWARDED MECKLENBURG ENGINEERS & CONTRACTORS AND MCWHIRTER GRADING COMPANY FOR TRUNK SEWERS - ANNEXATION AREA I (3) AND (4).

Councilman Withrow moved award of contract to the low bidder, (a joint bid), Mecklenburg Engineers & Contractors and McWhirter Grading Company, on a unit price basis, in the amount of \$291,426.55, for Trunk Sewers - Annexation Area I (3) and (4). The motion was seconded by Councilman Whittington, and carried unanimously.

The following bids were received:

Mecklenburg Engineers & Contractors McWhirter Grading Company	\$291,426.55 Joint Bid
Thomas Structure Company	339,363.00
Associated Equipment Company	368,052.00
Sanders Brothers, Inc.	404,607.00
Dickerson, Inc.	408,237.50

December 9, 1974
Minute Book 61 - Page 105

CONTRACT AWARDED O. L. NIXON GRADING COMPANY FOR SANITARY SEWER CONSTRUCTION TRUNK TO SERVE STEELE CREEK ROAD.

Upon motion of Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, contract was awarded the low bidder, O. L. Nixon Grading Company, in the amount of \$162,859.82, on a unit price basis, for Sanitary Sewer Construction Trunk to serve Steel Creek Road.

The following bids were received:

O. L. Nixon Grading Company	\$162,859.82
Thomas Structure Company	190,417.00
J. J. Motley & Sons	197,184.50
Sanders Brothers	213,663.00
Joe R. Abernethy	265,225.50
Dickerson, Incorporated	267,288.00

ALL BIDS REJECTED FOR PAVEMENT MARKING MATERIAL.

Motion was made by Councilman Whittington, seconded by Councilwoman Locke, and unanimously carried, rejecting all bids received for pavement marking material, rapid curing, and present specifications revised to secure a material that is suitable, but less expense, for the city's use.

CONTRACT AWARDED SEAGRAVE FIRE APPARATUS, INC. FOR THREE FIRE TRUCKS.

Councilwoman Locke moved award of contract to the low bidder, Seagrave Fire Apparatus, Inc., in the amount of \$179,655.00, on a unit price basis, for three fire trucks, 1,000 GPM pumpers, as specified. The motion was seconded by Councilman Withrow, and after discussion, carried unanimously.

The following bids were received:

Seagrave Fire Apparatus, Inc.	\$179,655.00
American LaFrance	184,902.00
Spartan Fire & Emergency App.	186,954.00
Ward LaFrance	191,499.00
Mack Trucks, Inc.	194,164.50
Fire Trucks, Inc.	211,035.00

CONTRACT AWARDED ACCESS CORPORATION FOR DOCUMENT STORAGE AND RETRIEVAL SYSTEM FOR POLICE DEPARTMENT.

Councilwoman Locke stated Council received a letter today from Ragen Industries today stating that in the best interest of the City of Charlotte requesting that all facts be considered and properly weighed, and protesting any action of this award until all reasons for decision are made public and debated. Mr. Brown, Purchasing Agent, replied that question was answered by telephone yesterday when he talked to the President of the Company. This letter came in later, but there is a difference, and members of the Police Department are here to explain it. That Page 6 of the evaluation gives exactly what he is saying here and why it was not selected. The phone call was made in accordance with the new procedures set out when the low bidder is not recommended.

Councilwoman Locke moved award of contract to the second low bidder, Access Corporation, in the amount of \$168,123.00 subject to availability of LEAA funds, for document storage and retrieval system for Police Department. The motion was seconded by Councilman Withrow.

December 9, 1974
Minute Book 61 - Page 106

After explanation by Major Capell of the Police Department, the vote was taken on the motion and carried by the following vote:

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

The following bids were received:

Access Corporation	\$168,123.00
Ragen Precision Industries	158,000.00

Bids received not meeting specifications:

3-M Company	\$144,443.85
Bell & Howell Corporation	128,237.70
Eastman Kodak Company	54,774.80

Councilman Short stated he is voting against this because he thinks we should have the capability of a video terminal along with this system.

COMMENTS ABOUT POLICE DEPARTMENT FOLLOWING UP ON COMPLAINTS MADE BY CITIZENS

Councilman Withrow stated the most complaints he received about the police department is when a call is made to investigate a complaint and then the people never hear anything from the Department unless the people are caught. He asked if there is anyway to follow up on this and let the people know what is being done.

Chief Goodman stated if those people will contact him, he will find out why they have not been followed up.

ADDITIONAL NOMINATIONS FOR POSITION ON CITY COUNCIL.

Councilman Williams stated he would like to place in nomination four names for consideration to fill the vacancy on the City Council created by the resignation of Fred Alexander.

He placed in nomination the following names:

- (1) James Richardson
- (2) Robert L. Walton
- (3) Lena Sammons
- (4) Charles Dannelly

Councilman Williams stated all these people have expressed an interest in the job. Since we are getting it all out on the table, he thinks we should consider everyone.

Mr. Underhill, City Attorney, stated so there will not be any dispute about this, Robert's Rules of Order require that you vote nominees in the order in which they are nominated. Mr. Gantt was the first one nominated and will be voted upon first.

CITY MANAGER REQUESTED TO SET UP A MEETING ON FINANCE AS HE UNDERSTANDS THE MONIES FROM THE STATE WILL NOT BE AS PLENTIFUL AS THEY HAVE BEEN.

Mayor Belk requested the City Manager to arrange a meeting on finance. He understands we will not receive the amounts of money from the State; that the delegates will be surprised when they get up there next month. That he thinks it will have more bearing on the School Board and the County than it will the City. But he thinks we should get this information before getting into the revenue sharing, and see where we will come out. That he is talking about State funds as they relate to the City.

December 9, 1974
Minute Book 61 - Page 107

ADJOURNMENT.

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

Ruth Armstrong
Ruth Armstrong, City Clerk