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The City Council of the City of Charlotte, North Carolina, met in regular session on Tuesday, February 18, 1975, at 3:00 o'clock p. m. with Mayor John M. Belk presiding, and Councilmembers Harvey Gantt, Kenneth Harris, Pat Locke, Milton Short, James B. Whittington and Joe D. Withrow present.

ABSENT: Councilman Neil C. Williams

* * * * *

INVOCATION.

The invocation was given by Councilman Joe D. Withrow.

MINUTES APPROVED.

Upon motion of Councilwoman Locke, seconded by Councilman Whittington, and unanimously carried, the minutes of the Council Meeting on February 3, 1975 were approved as submitted.

WEEK OF FEBRUARY 16-23, 1975 PROCLAIMED AS OPERATION WHISTLESTOP WEEK.

Mayor Belk recognized Ms. Joan Lourie of B'nai B'rith Women, and presented her the proclamation declaring the week of February 16-23, 1975 as "Operation Whistlestop Week."

The purpose of the drive is to blow the whistle on crime as the whistle has been proven to be an effective deterrent of crimes against women.

Ms. Lourie responded to the proclamation and thanked the Mayor and Chairman of the County Commissioners for designating this week as Operation Whistlestop Week.

LETTER OF CONGRATULATIONS TO BE SENT TO MRS. SARAH POLK, FINALIST IN THE PILLSBURY BAKE-OFF.

Councilman Gantt stated Mrs. Sarah Polk, 2826 Botony Street, was a finalist in the National Pillsbury Bake-Off, and has been given an all-expense paid trip to San Francisco, California, to participate with 100 other finalists across the country in the Pillsbury Bake-Off. That he thinks it would be good for Council to write her a letter of congratulations.

Mayor Belk requested the City Manager to write Mrs. Polk and congratulate her for the Mayor and City Council.

MOTION TO INCLUDE DISCUSSION OF COMMUNITY DEVELOPMENT PLAN ON THE AGENDA FOR TODAY, LOST FOR LACK OF UNANIMOUS VOTE.

Councilman Gantt moved that the agenda today include a discussion of the Community Development Plan. The motion was seconded by Councilwoman Locke, and lost by the following vote:

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

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Council was advised that in accordance with their procedures it could not be included without unanimous consent of Council members present.

Councilman Harris stated he voted against the motion because Councilman Williams is absent today, and he would like to have the opportunity to discuss the plan also.

MEDICAL STUDENTS FROM BRAZIL PRESENT FLAG TO THE MAYOR, AND MAYOR RECIPROCATES WITH KEYS TO CITY.

Mayor Belk stated there are eleven Brazilian medical students present today, and he asked them to come forward to be recognized.

Jackson Pinto was spokesman for the group and introduced each one, stating they have been in Charlotte for three weeks and plan to stay another week.

Mayor Belk was presented with the Brazilian Flag. Mayor Belk responded by presenting each student with the key to the City, and stating that on the first clear day the flag will be raised over City Hall.

CITY OF CHARLOTTE EMPLOYEE PLAQUES PRESENTED.

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

- (1) Roosevelt Evans, Laborer I, Sewer Maintenance, Utility Department, employed January 9, 1969, and retired February 7, 1975.
- (2) Edward L. Plummer, Labor Foreman I, Sanitarion Division, Public Works Department, employed June 1, 1943 and retired February 1, 1975.

PRESENTATION OF WATER AND SEWER RATE STUDY AND EXTENSION POLICY BY THE COMMUNITY FACILITIES COMMITTEE.

Mr. William Harward, member of the Community Facilities Committee, presented the following written report:

"In accordance with our responsibility as outlined in the agreement between the City of Charlotte and Mecklenburg County with respect to the establishment of a City-County Utility Department, we submit the following report, statement of objectives, approach, and philosophy.

"We have held four public meetings on the recommended changes, have considered three alternative proposals as submitted by the City of Charlotte Finance Department, have taken considerable public evidence, and have deeply delved into the finances and into the applicable law. We have also studied the consultants' reports of 1960 and 1968.

- (1) We agree that the City-County Utility Department should be on a self-sustaining basis and should not incur deficits. We have considered the requirement of the Environmental Protection Agency which states that the wastewater treatment system must be self-sustaining and not subsidized by the water system or by general fund revenues.
- (2) We believe that all users of the water and sewer system should pay for services based on costs. We feel that the present allocation

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of costs needs further study so that a more accurate allocation of these costs can be determined. In the past, rates and rate increases have been set to generate required revenues rather than to recover costs incurred on a user basis. Our studies indicate that the minimum combined cost of water and sewer services is .562¢ as per Exhibit A. The minimum rate bracket, therefore, should be .281¢ per ccf of water delivered with 100% surcharge to cover sewer services. We feel, however, that current economic conditions justify phasing this increased cost in over a larger time period, and consequently our recommended rate schedule sets the minimum rate of 25¢ to be recovered from its user.

The minimum cost figure of .281¢ was the result of highest volume users (those in the minimum water-sewer rate bracket) being charged to their proportionate share of all water and sewer operating and maintenance costs, on the basis of metered usage. All collection and billing costs have been eliminated from the minimum rate bracket. Our recommendation allocates debt service (which is approximately half of the total cost of water and sewer services) to the minimum rate bracket, based on a three-to-one ratio - a more favorable ratio to industrial users than those recommended by outside consultants in both 1960 and 1968. If the minimum rate bracket were .281¢, projected figures for 1975-76 indicate that the highest volume users will account for approximately 20% of metered water consumption and will absorb approximately 5% of debt service costs.

- (3) The financial burden of expanding the water and sewer facilities in the past has been borne by the rate structure. We believe that in the future such expansion costs should be borne by those users requiring additional services and benefiting thereby.
- (4) Some of the cost incurred by the City-County Utility Department for fire protection should be borne by general tax revenues.

WE RECOMMEND THE FOLLOWING:

- (1) An annual review of the entire rate structure and an annual review of the City-County Utility Department's five year capital expenditure program.
- (2) In order to place the financial burden of expanding the water and sewer facilities on those persons requiring new services, we recommend that in the future all local service mains be financed by special assessment to the property owner(s) based on current construction costs at the time. We further recommend that in the future no rebates be granted for any water or sewer lines paid for by private interests. The total liability for such rebates as of June 30, 1974, is \$5,138,695 of which \$586,282 has been refunded to date. The projected annual cost to water-sewer users for rebates is expected to be over \$500,000 by fiscal 1977-78. This practice should be eliminated so that further liability will not be incurred.
- (3) An annual charge of \$120 per fire hydrant be provided from the general funds of the City and County to cover the cost of providing fire protection services. Estimated revenue for 1975-76 will be approximately \$480,000.
- (4) That the 100 percent surcharge on inside rates for outside users will remain in effect - in no case shall an outside user pay less than the maximum inside rate.

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- (5) We accept Mr. Fennell's projection that the interest earnings estimate will be approximately \$750,000 per annum.
- (6) We further recommend that the City Finance Director and the Director of the City-County Utility Department devise a cost accounting system which apportions distribution costs and allocates debt service to users based on a zone-type system. We feel that all other costs can be allocated either by number of accounts or by metered usage. The result of this study would be a system which allocates costs to users more accurately.
- (7) While the zone-type cost system is being developed, we recommend an interim rate increase (for the remainder of fiscal 1974-75 and all of fiscal 1975-76) based on the following rate schedule:

<u>Consumption in ccf</u>	<u>Recommended Rate Schedule</u>
First 33	44¢
Next 67	41¢
Next 100	32¢
Next 300	31¢
Next 1,500	26¢
Next 2,000	25¢

- (8) We recommend that apartments and condominiums served by master meter(s) not be placed in any minimum rate bracket. This recommendation is based solely on the proposition that the minimum cost is recovered from all users.

In the event that some minimum rate is set by Council below our recommended 25¢ per ccf, then we urge Council to assign all apartments and condominiums served by a master meter to a minimum rate. Such minimum rate should be the second bracket of the recommended rate schedule. In this manner costs not recovered from large users would be shared more equally by all residents of the City and County whether they reside in single or multiple family dwellings.

- (9) There should be no change in the minimum deposit requirement.
- (10) The current delinquent fee of \$3 should be increased to \$4.

"We hope that this information will be helpful to you in making your final decision on water and sewer rates. We wish to thank Mr. Fennell and Mr. Dukes for their unflagging efforts to provide us with the needed technical information. We also wish to thank all interested parties who provided us with much badly needed information from the private sector."

Discussion of the report followed between the Councilmembers and members of the Committee.

Mr. Herman Alley, citizen, requested that decision on this matter be postponed and give them an opportunity to study it and then either meet with Council's appointed representatives or with Council to present their viewpoints on this.

Mr. Jack Conn, a citizen, stated the fact that many disagree with the recommendations of the Community Facilities Committee does not detract from the fact that this committee has done an outstanding job and public

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service. He stated before Council takes any action on these recommendations, they in property management would like to present some unpublicized aspects of this. The Chamber and others have done an excellent job in attracting industry and their personnel to this area, and these people require shelter, as do the hundreds of new families starting each year. That while most of them in property management have tried to absorb the increasing costs, they have about reached their limits, and are now faced with another increase. This would force them to increase their rents and deny decent housing to many citizens. They feel it is time to hold the line as much as possible until economic conditions improve to the point where they can once again see their way clear to expand to where investors are again interested.

Mrs. David Johnston, 3615 English Garden Road, also spoke on the proposed rate increases, during which she stated that if Councilmembers do not have copies of the EPA regulations they should have copies and should have Mr. Underhill, City Attorney, review the standards. She also stated she does not understand why there is not just one residential category. That getting water to the user is no problem; that the problem is in the treatment of the waste. She also objected to outside city residents having to pay double the rate for water.

Mr. Jim Barnhardt, Barnhardt Manufacturing, spoke in opposition to the rate increases.

After further discussion, Councilman Short moved that Council accept the report of the Community Facilities Committee as recommendation and information, and that the members of the Committee be thanked for their time and efforts, and all the other citizens involved be thanked, and that this matter be placed on the Council agenda for handling on March 24. The motion was seconded by Councilman Harris, and carried unanimously.

Mr. Burkhalter, City Manager, stated he will ask Mr. Fennell to take this report and prepare an ordinance for Council's consideration at that time.

REFUND OF CHECK TO THE JUNIOR WOMAN'S CLUB WHICH WAS PRESENTED TO BE USED FOR THOMPSON ORPHANAGE CHAPEL PRESERVATION FUND.

Councilwoman Locke moved that the City return to the Junior Woman's Club the \$419.29 which was presented to the City on May 29, 1973 to be used for the Thompson Orphanage Chapel, as requested by the Club. The motion was seconded by Councilman Harris, and carried unanimously.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, RELATING TO THE TRANSFER OF LAND IN THE FIRST WARD URBAN RENEWAL AREA, PROJECT NO. N. C. R-79.

Councilman Harris moved adoption of the subject resolution transferring control of eleven residual parcels of vacant land from the City Real Estate Department to the Urban Redevelopment Department in return for a credit to the City of the fair market value of ten parcels. The motion was seconded by Councilman Withrow, and carried unanimously.

The resolution is recorded in full in Resolutions Book 10, beginning at Page 326.

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REPORT THAT ROCK CHURCH ON McDOWELL STREET WILL BE DEMOLISHED, AND REPORT ON HOUSES TO BE SAVED AND MOVED SHOULD BE COMPLETED BY END OF WEEK.

Councilwoman Locke asked what is to happen to the rock church on North McDowell Street, now occupied by McDonald's Gallery? Mr. Sawyer, Director of Urban Redevelopment Department, replied the church was purchased in December 1974; it is occupied by McDonald Art Gallery, and they are in the process of assisting them in their relocation. When the Art Gallery is relocated they plan to demolish the church. That he does not believe that it could be moved as it is a rock building and would probably fall apart.

Councilman Whittington asked Mr. Sawyer if he is going to give Council a report on these homes that are to be saved and moved; and if so, when is he going to make the report? Mr. Sawyer replied they are going to make this report; they are preparing the study now; they have gone through the area and have selected the houses they think can be moved; they have gone through the process of getting cost estimates on moving the structures; they are in the process now of firming up their estimates on the rehabilitation of the structures following the move. It should be ready by the end of the week, and they will turn it in to be presented to Council.

RESOLUTION APPROVING AND PROVIDING FOR THE EXECUTION OF A THIRD AMENDATORY CONTRACT AMENDING LOAN AND GRANT CONTRACT NO. N. C. R-43(LG) BY AND BETWEEN THE CITY OF CHARLOTTE (SUCCESSOR TO REDEVELOPMENT COMMISSION OF THE CITY OF CHARLOTTE) AND THE UNITED STATES OF AMERICA.

Motion was made by Councilman Whittington, seconded by Councilman Harris, and after explanation by Mr. Sawyer, Director of Urban Redevelopment Department; the subject resolution passed unanimously.

The resolution is recorded in full in Resolutions Book 10, at Page 328.

The City Manager stated Council has just given \$264,000 more to the Housing Authority in this city for this very fine project.

LEAA SUBGRANT AWARD FOR CONTINUATION OF THE PIEDMONT CRIMINAL INTELLIGENCE COUNCIL PROJECT, APPROVED, AND ORDINANCE NO. 537-X AMENDING ORDINANCE NO. 214-X THE 1974-75 BUDGET ORDINANCE, AMENDING REVENUES AND EXPENDITURES TO PROVIDE AN APPROPRIATION FOR THE LEAA-FUNDED PIEDMONT CRIMINAL INTELLIGENCE COUNCIL PROJECT, ADOPTED.

Councilman Harris moved approval of the LEAA Subgrant Award between the City of Charlotte and the North Carolina Department of Natural and Economic Resources, Division of Law and Order, for continuation of the Piedmont Criminal Intelligence Council Project, and adoption of the subject ordinance amending revenues and expenditures to provide an appropriation of \$9,431.00 for the project. The motion was seconded by Councilman Whittington, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 21, at Page 467

OPERATIONAL PLAN FOR THE GOVERNMENTAL PLAZA PARKING GARAGE, APPROVED.

Upon motion of Councilman Whittington, seconded by Councilman Harris, and unanimously carried, the operation plan for the Governmental Plaza Parking Garage, was approved as follows:

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- (a) Ordinance No. 538-X amending the 1974-75 Budget Ordinance, amending the revenues and expenditures in the amount of \$12,000 to provide an appropriation for the operation of the Governmental Plaza Parking Facility for the remainder of the fiscal year.
- (b) Contract with Allright Piedmont Parking, Inc. for the operation and management of the garage for a three year term, at \$500.00 a month, and seven (7) per cent of the gross receipts in excess of \$7,100 per month.
- (c) Monthly rental parking permits will be issued to police personnel without charge for use on the surface parking lot only. The permits to be non-transferable and any abuse of the use of the permit or in the use of the facility to be cause for revoking the parking privilege to an employee.

The permits will be turned over to the Police Chief who will designate a person to be responsible for proper issuance and monitoring of the permits, with this person to be the contact for the parking facility operators to report the misuse of permits.

The ordinance is recorded in full in Ordinance Book 21, at Page 468.

CONTRACT WITH WILBUR SMITH AND ASSOCIATES FOR APPRAISAL OF ALL PHYSICAL ASSETS OF CHARLOTTE CITY COACH LINE, INCORPORATED, APPROVED.

Councilman Whittington moved approval of the contract with Wilbur Smith and Associates for the appraisal of all physical assets of Charlotte City Coach Line, Incorporated, including all land, buildings, buses, and service vehicles, tools, equipment and supplies at a fee of \$12,750.00. The motion was seconded by Councilwoman Locke, and carried unanimously.

AGREEMENT WITH ERVIN COMPANY FOR PURCHASE OF WATER MAINS IN FOUR SEASONS SUBDIVISION.

Councilwoman Locke moved approval of an agreement with the Ervin Company for the purchase of water mains in Four Seasons Subdivision, located north of N. C. 27 (Albemarle Road), and west of Delta Road, outside the city limits, at a total negotiated price of \$95,864.51. The motion was seconded by Councilman Short, and carried unanimously.

CONTRACT WITH DAVANT REALTY, INC. FOR CONSTRUCTION OF SEWER LINES TO SERVE PARK SELWYN.

Councilwoman Locke moved approval of a contract with Davant Realty, Incorporated, for the construction of 545 linear feet of 8-inch sewer lines to serve Park Selwyn (5132 Park Road), at an estimated cost of \$9,913.20, the applicant having deposited 10% of the estimated construction cost, and the remaining 90% to be deposited by the applicant before the construction begins, with refund as per the agreement. The motion was seconded by Councilman Withrow, and carried unanimously.

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

Motion was made by Councilwoman Locke, seconded by Councilman Withrow and unanimously carried, adopting the resolution authorizing the refund

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of certain taxes in the total amount of \$572.20, which were levied and collected through clerical error and illegal levy against seven tax accounts.

The resolution is recorded in full in Resolutions Book 10, at Page 329.

RESOLUTIONS AUTHORIZING CONDEMNATION PROCEEDINGS.

Councilman Harris moved adoption of a resolution authorizing condemnation proceedings for the acquisition of property belonging to Coventry Woods Limited Partnership, a limited partnership; N. B. Boney, Jr., Trustee; and New York Life Insurance Company; Sam T. Bealle, III and George R. Hennant, Trustees for General Partners and Limited Partners as Noteholders, located at 4600 Coronado Drive (Coventry Woods) in the City of Charlotte for the Sharon Amity Road Widening Project. The motion was seconded by Councilman Whittington, and carried unanimously.

The resolution is recorded in full in Resolutions Book 10, at Page 331.

Motion was made by Councilwoman Locke, seconded by Councilman Whittington, and unanimously carried, adopting a resolution authorizing condemnation proceedings for the acquisition of property belonging to Coventry Woods Limited Partnership, a limited partnership; N. B. Boney, Jr., Trustee; New York Life Insurance Company; and Sam T. Bealle, III and George R. Hennant, Trustees for General Partners and Limited Partners as Noteholders, located at 4601 Coronado Drive (Coventry Woods) in the City of Charlotte for the Sharon Amity Road Widening Project.

The resolution is recorded in full in Resolutions Book 10, at Page 332.

Upon motion of Councilman Whittington, seconded by Councilwoman Locke, and unanimously carried, resolution was adopted authorizing condemnation proceedings for the acquisition of property belonging to Hawley Hunter and wife, Louise H. Hunter; Louie P. Hunter (widower); John L. Hunter and wife, Eleanora A. Hunter; Reece Hunter and wife, Lila O. Hunter; Sarah Hunter Ladd and husband, John W. Ladd; Vinton L. Hunter and wife, Julia C. Hunter; S. N. Hunter and wife, Blanche W. Hunter, located on Hewitt Drive (near Derita) in the City of Charlotte for the Annexation Area II (7) Sanitary Sewer Additions Project.

The resolution is recorded in full in Resolutions Book 10, at Page 333.

LEASE WITH ERVIN COMPANY FOR SPACE IN EXECUTIVE BUILDING FOR WATER BILLING DEPARTMENT.

Councilman Whittington moved approval of the lease with the Ervin Company for Suite 405, Executive Building, for the Water Billing Department for period beginning January 1, 1975 and ending December 31, 1975, at \$5.25 per square foot or a monthly payment of \$215.25. The motion was seconded by Councilman Harris, and carried unanimously.

PROPERTY AT THE CORNER OF I-77 AND TYVOLA ROAD EXTENSION AUTHORIZED ADVERTISED AND OFFERED FOR SALE.

Councilman Short moved that the Real Estate Division be authorized to advertise and offer for sale at public auction, 22.281 acres of property at the corner of I-77 and Tyvola Road Extension at an opening bid of \$307,000, and the proceeds of this sale be placed in a fund to be

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added to the capital improvements for those streets that had to be deleted from the bond referendum. The motion was seconded by Councilman Whittington, and carried unanimously.

RESOLUTION TO RESCIND AUTHORIZATION TO INSTITUTE CONDEMNATION PROCEEDINGS AGAINST PROPERTY BELONGING TO MARATHON FINANCE COMPANY FOR THE SHARON AMITY ROAD WIDENING PROJECT.

Upon motion of Councilman Whittington, seconded by Councilwoman Locke, and unanimously carried, resolution was adopted to rescind authorization to institute condemnation proceedings against property belonging to Marathon Finance Company for the Sharon Amity Road Widening Project.

The resolution is recorded in full in Resolutions Book 10, at Page 334.

PROPERTY TRANSACTIONS AUTHORIZED.

Motion was made by Councilman Gantt, seconded by Councilman Short, and unanimously carried, approving the following property transactions:

- (a) Acquisition of 30' x 246.96' off 10350 Sterling Lane (off Old Pineville Road), from F. D. Austin, Sr. heirs, at \$250.00 for Kings Branch Outfall.
- (b) Acquisition of 6.35' x 140.58' x 21.33' x 25.85' x 125.18' plus construction easement, at 3930 North Sharon Amity Road, from William T. Webster and wife, Fay E., at \$550.00 for Sharon Amity Road Widening, Section III.
- (c) Acquisition of 6.00' x 100' x 6.00' x 100' plus construction easement, from Arlindo B. Garmon, Jr. and wife, at 4430 North Sharon Amity Road, at \$300.00 for Sharon Amity Road Widening, Section III.
- (d) Acquisition of 6.00' x 100' x 6.00' x 100' plus construction easement, at 4426 North Sharon Amity Road, from Ralph D. Johnson, Jr. and wife, at \$300.00 for Sharon Amity Road Widening, Section III.
- (e) Acquisition of 6.00' x 100' x 6.00' x 100' plus construction easement, at 4418 North Sharon Amity Road, from Daniel Grindstaff and wife, at \$300.00 for the Sharon Amity Road Widening, Section III.
- (f) Acquisition of 6.00' x 100' x 6.00' x 100' plus construction easement, at 4410 North Sharon Amity Road, from Bonnie D. Johnson (widow), at \$300.00 for Sharon Amity Road Widening, Section III.
- (g) Acquisition of 6.00' x 100' x 6.00' x 100' plus construction easement, at 4400 North Sharon Amity Road, from Frank L. Headen and wife, at \$300.00, for Sharon Amity Road Widening, Section III.
- (h) Acquisition of 6.00' x 100' x 6.00' x 100' plus construction easement, at 4320 North Sharon Amity Road, from Laura T. Maness (widow), at \$300.00 for Sharon Amity Road Widening, Section III.
- (i) Acquisition of 6.02' x 74.20' x 6.00' x 74.20' plus construction easement, at 4316 North Sharon Amity Road, from A. F. Dancy, Sr. and wife, Lila L., at \$225.00, for Sharon Amity Road Widening, Section III.
- (j) Acquisition of 6.32' x 161.49' x 6.35' x 161.58' plus construction easement, at 3912 North Sharon Amity Road, from Thomas S. Owens and wife, at \$800.00 for Sharon Amity Road Widening, Section III.

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- (k) Acquisition of 6.32' x 103.99' x 6.32' x 103.99' plus construction easement, at 3900 North Sharon Amity Road, from Joseph L. Biron and wife, at \$600.00 for Sharon Amity Road Widening, Section III.
- (l) Acquisition of 6.03' x 100.39' x 33.52' x 28.26' x 122.62' plus construction easement, at 3975 North Sharon Amity Road, from James W. Clay and wife, Mary Frances, at \$675.00, for Sharon Amity Road Widening, Section III.
- (m) Acquisition of 6.01' x 110.65' x 6.01' x 110' plus construction easement, at 3901 North Sharon Amity Road, from Lillie P. Presson, at \$500.00, for Sharon Amity Road Widening, Section III.
- (n) Acquisition of 6.01' x 74.92' x 6.01' x 75' plus construction easement, at 3815 North Sharon Amity Road, from Louie Franklin Miller and wife, at \$550.00, for Sharon Amity Road Widening, Section III.
- (o) Acquisition of 6.00' x 74.93' x 6.01' x 75' plus construction easement, at 3829 North Sharon Amity Road, from Bessie B. Neill (widow), at \$750.00, for Sharon Amity Road Widening, Section III.
- (p) Acquisition of 36.54' x 179.27' x 56.01' x 175' plus construction easement, at 3139 North Sharon Amity Road, from Marathon Finance Company, owner and Webster Service Stations, Inc., contract purchaser, at \$4,400.00, for Sharon Amity Road Widening.
- (q) Acquisition of 6.00' x 99.62' x 6.00' x 99.68' plus construction easement, at 3823 North Sharon Amity Road, from William R. Echols and wife, and Rodney L. Purser and wife, at \$800.00, for Sharon Amity Road Widening, Section III.
- (r) Acquisition of 6.00' x 99.67' x 6.00' x 99.73' plus construction easement, at 3815 North Sharon Amity Road, from Rudolph Cribb and wife, at \$750.00, for Sharon Amity Road Widening, Section III.
- (s) Acquisition of 100' x 200' x 100' x 200' on the west side of Wilmont Road on Spratt Circle, from Scalybark, Inc., at \$4,015.00 for the Master Plan Land Acquisition, Airport.

SETTLEMENTS IN VARIOUS CASES AUTHORIZED.

Councilwoman Locke moved approval of the settlement in the case of Richard E. Robertson and wife, vs. Thomas Structure Company, vs. City of Charlotte in the total amount of \$2,400.00, with the City's share \$350.00, and the remainder of \$2,050 to be paid by the Thomas Structure Company's insurance carrier as recommended by the City Attorney. The motion was seconded by Councilman Withrow, and after explanation by the City Attorney, carried unanimously.

Motion was made by Councilman Harris, seconded by Councilman Whittington, and unanimously carried, approving the settlement in the case of the City vs. James F. Price, et al, for Parcel 104, Airport Expansion Project, in the amount of \$169,960.00, as recommended by the City Attorney.

Upon motion of Councilman Harris, seconded by Councilman Withrow, and unanimously carried, settlement was approved in the case of the City vs. Lillian Freedom Hudson, et al, for Parcel 146, Airport Expansion Project, in the amount of \$177,950.00, as recommended by the City Attorney.

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CONTRACTS AWARDED FOR VARIOUS BID ITEMS.

Councilman Short moved award of contract to the low bidder, Barnett Nurseries, Inc., in the amount of \$36,085.70, for street tree planting on various streets. The motion was seconded by Councilwoman Locke, and carried unanimously.

The following bids were received:

Barnett Nurseries, Inc.	\$ 36,085.70
Landscape Consultants	41,161.50
Gillmore Plant & Bulb Co., Inc.	43,243.00
Ray Bracken Nursery, Inc.	48,210.00
Parks Enterprise, Inc.	50,895.00
L. A. Reynolds Co.	59,143.00
Fairforest Nursery	70,689.72
Wilson Nursery & Garden Center	71,550.00

Councilwoman Locke moved award of contract to the low bidder, O. L. Nixon Grading Company, in the amount of \$129,059.90, on a unit price basis, for water main construction along Arrowood Boulevard, Pioneer Avenue, Continental Boulevard and Granite Street (Arrowood-Southern Industrial Park). The motion was seconded by Councilman Withrow, and carried unanimously.

The following bids were received:

O. L. Nixon Grading Company	\$129,059.90
Burnup and Sims, Incorporated	130,796.78
Sanders Brothers, Inc.	132,651.10
Dickerson, Incorporated	133,185.00
P & H Construction Company, Inc.	134,368.85
Harrison-Wright Company	135,898.85
RDR, Incorporated	137,089.04
Propst Construction Company	137,145.85
Blythe Brothers Company	140,195.60
Gilbert Engineering Company	140,661.25
Thomas Structure Company	141,610.00
Rand Construction Company	142,510.20
A. P. White & Associates	142,989.30
Joe R. Abernethy & Company	143,548.01
C. M. Allen and Company	148,805.75
F. T. Williams and Company, Inc.	257,865.00

Councilman Withrow moved award of contract to the low bidder, Crowder Construction Company, in the amount of \$55,979.00, on a unit price basis, for storm drainage improvements, 1975. The motion was seconded by Councilwoman Locke, and carried unanimously.

The following bids were received:

Crowder Construction Company	\$ 55,979.00
Blythe Brothers Company	69,744.00
F. T. Williams Company	104,467.00

Councilman Whittington moved award of contract to the low bidder, Crowder Construction Company, in the amount of \$84,586.50, on a unit price basis, for sidewalk construction program, 1975. The motion was seconded by Councilman Withrow, and carried unanimously.

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The following bids were received:

Crowder Construction Company	\$ 84,586.50*
Moretti Construction Company, Inc.	75,830.70
Hipp Construction Company	92,992.15
Skidmore Construction Company	93,079.00
Cardinal Construction, Inc.	99,575.00
Blythe Brothers Company	118,884.75

* The days bid for construction of this project was evaluated at \$100 per calendar day to assist in determining the low bidder.

APPOINTMENT OF CHAIRMAN AND VICE CHAIRMAN OF PARADE PERMIT COMMITTEE DEFERRED.

Motion was made by Councilman Short, seconded by Councilman Harris, and unanimously carried, to defer the appointment of Chairman and Vice Chairman of the Parade Permit Committee.

APPOINTMENT OF ISAAC HEARD, SR. FOR UNEXPIRED TERM TO CHARLOTTE-MECKLENBURG PLANNING COMMISSION.

Councilman Short moved the appointment of Isaac Heard, Sr. to fill the unexpired term of Paul Drummond on the Charlotte-Mecklenburg Planning Commission. The motion was seconded by Councilman Whittington.

Councilwoman Locke stated since Ike Heard, Jr. works in the Planning Commission office, some people on the Planning Commission have contacted her as they feel it is a conflict and will interfere with Ike Jr.'s ability to work there. She asked the City Attorney to speak to that matter.

Mr. Underhill replied Mr. Short last week asked him if there would be a legal conflict in Mr. Heard, Sr. serving on the Planning Commission while his son was an employee of the Commission. Mr. Underhill stated in his opinion there is no legal conflict; that the Planning Commission is an advisory commission and they recommend policy but do not establish policy, only the City Council and the County Commissioners do that. There are some codes of ethics in some cities which might relate to this, but the City of Charlotte does not have this.

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

PROPOSED CODE OF ETHICS TO BE SENT TO CITY COUNCIL SOON.

Councilman Harris asked what has happened to the Code of Ethics that was to be brought to the Council for consideration? The City Manager stated they have been working on this, and it is ready, and it will be sent to Council soon.

COMMUNITY DEVELOPMENT REVENUE SHARING PROPOSALS TO BE ON THE NEXT AGENDA.

Councilman Gantt asked if the Community Development Revenue Sharing proposals will be on the next agenda? Mr. Burkhalter, City Manager, replied it will be on the formal agenda for next week.

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REPORT ON COLLEGE STREET CLOSING.

Councilman Harris asked for someone to explain the College Street closing for six months. That he received some calls this morning and he would like to refer them to someone.

Mr. Corbett, Director of Traffic Engineering, stated the Traffic Engineering Department is vitally concerned about the dis-service to the citizens and merchants Uptown because of the closing. They began last year meeting with the contractor to attempt to avoid this situation; but there are many things involved. There were many major utilities, including water, sewer, power and telephone lines that had to be moved. Earlier in the meetings they decided that rather than closing College Street they would get the owners of each of the utilities to move them one by one. They had to be lowered for the tunnels to be built. They agreed to do this in order to keep as much of College Street open as long as possible. This has been going on for a year. Last fall the contractor was ready to close that part of College Street he could to begin the construction of the tunnels. In talking to the various representatives of the merchants Uptown, they met with the contractor and prevailed upon him not to do this during the very important Christmas shopping period. He agreed to wait until after the first of the year. Last week they met with him, and according to his best estimates, it will take him some three months to build these two tunnels - one which crosses College Street at Fourth Street, from the south side; and one crosses College Street diagonally from the northwest corner of the intersection to the southeast corner of the intersection. Mr. Corbett stated if the contractor estimates it will take three months, and it rains, snows, sleet between now and then, the city will put out a public announcement that it might take six months. In the meantime, they want to do everything they can to get the contractor to complete this in three months.

Mr. Corbett stated in the best interest of serving the public they felt it would be better to close College Street and detour the traffic over to Caldwell Street and get the job completed as soon as possible. College Street will be closed at both intersections at the same time. You will be allowed to turn right on College at Third Street; there will be a minimum of one lane of traffic at Fourth Street and most of the time there will be two lanes.

Mr. Corbett stated in meeting with the contractor on Friday they mentioned the possibility of constructing a motel on top of the parking facility. He stated they informed the contractor if he should do this at a later date, we will not permit him to close any part of any of the three streets which abut the property. He must do it all within the property of the parking facility. Mr. Corbett stated the Traffic Engineering Department is very interested in the future, and wherever possible limiting all contractors from closing any part of any street whatsoever to construct any building. They can be built without using the streets, and the Traffic Engineering Department expects to work very hard to see this is done.

REQUEST THAT TRAFFIC ENGINEERING WORK WITH COMMUNITIES TO DESIGNATE CERTAIN STREETS AS SNOW HILLS FOR CHILDREN TO RIDE THEIR SLEDS.

Councilman Harris stated during the past ice storm another problem was resurrected, which he has received a number of calls about. That is the idea of designating certain hills as "snow hills," that could be closed for sledding and this type of play by children.

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Mr. Corbett, Traffic Engineering Director, replied they do work with members of a community when they would like to use the street for a block party, or skating party, and provide what service they can. That they would be glad to work with neighborhoods in this same direction on the "snow hills." Councilman Harris stated he would like to have them posted with signs to indicate to motorists that the streets will be closed.

REPORT ON PLAZA ROAD EXTENSION AND MEDIAN TO BE CONSTRUCTED.

Councilman Whittington stated Mayor Belk has requested the City Manager to give a report to Council on the priorities on these streets in the 1973 bond issue so that Council can give recommendations on what staff should do and how to proceed.

The bond issue, as he understood it, said that the Plaza Road would be widened from Eastway Drive to Milton Road. All morning he has been called by merchants, ministers, and everyone out there who say this road will be widened beyond the Plaza and Milton Road, to the left and right. He stated he has also been told that the State said that they had nothing to do, and were not in favor of putting medians in Plaza Road. That this was all from the Planning Commission staff. He would like to know what is going to take place out there. That twelve years ago he started trying to get something done about this road. It has been delayed unnecessarily. That he would like to get all of this in the report; that Council should know if these medians will be put down and why they will be put down. That the State held a hearing in the area the other night and they are saying that the City said to put in the medians and they do not want them.

Mr. Corbett, Traffic Engineering Director, replied the original plan of the widening did not include a median. In working with the Planning Commission, considering the aspects of the neighborhood, the effect of a widened four to five lane facility through a predominately residential area, they hoped to eliminate the possibility of a similar situation as Woodlawn Road. It was recommended that a facility be constructed with a median which would be planted with adequate greenery. The Traffic Engineering Department concurs in this as they had recommended in the widening of the Plaza that five lanes be constructed at all major intersections. There were several alternate possibilities. One was to build a continuous five lane facility throughout the entire length, whereby left turns could be made at any point, but it would require more right-of-way, and would permit left turns at any possible place. Another possibility would be to eliminate left turns, and have a standard four lane facility, and anyone attempting to turn left would block the lane, and reduce the ability of the roadway to carry traffic, and thereby circumvent the exact purpose for the reason to widen the road. Left turn lanes are needed. Another alternate, in order to accommodate left turns would be to build a six lane facility, and use one of those lanes as left turns. In working with Traffic Engineers and the Planning Commission the thought was to provide a four lane facility with a median of approximately 16 feet wide, utilizing the fifth lane at major intersections. There are many intersections that are blocked and do not have cross-overs. They carefully calculated the need for left turns and in order to keep the facility safe decided against it.

Mr. Corbett stated one situation has just been brought to his attention. It is on the Plaza Extension beyond where it intersects with Milton Road where it involves certain retail outlets and where there is no median opening. There is a possibility of median openings there; but

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any that might be put there would contribute to the reduction capacity of the facility, and a more dangerous situation which would not be in the best interest of the public.

The State had a public hearing last week which was advertised in the local media. As far as he knows, the only opposition brought forth at that public hearing was the desire of some of the residents to have traffic signals.

Councilman Whittington stated he hopes before approving this plan that we not do on the Plaza to those two or three churches what was done to Sharon Methodist Church on Sharon Road. Also, he hopes they give some consideration to the shopping center on the left of the Plaza, and at the "Y" he is talking about; also there are two schools out there. That he thinks they are right in closing off, and not opening the median at some of the intersections. After passing Eastway Drive, there is really no bottleneck as far as left and right turns are concerned, until you get to Shannonhouse Drive.

Mayor Belk stated there will be some extra monies from the State and Federal Governments, and if Council has its priorities ready, he thinks we will get some of these funds. That is the reason he has suggested that the City Manager bring the priorities to Council, so we will be ready to go.

REPORT ON RIGHT TURN ON RED FROM ELIZABETH AVENUE INTO HAWTHORNE LANE TO BE GIVEN TO COUNCIL SHORTLY.

Councilman Withrow stated he has asked several times about the right turn on red at Elizabeth Avenue and Hawthorne Lane. That at five o'clock in the afternoon there is no way for traffic to move straight ahead. Mr. Corbett, Traffic Engineering Director, replied that is under study and will have a solution very shortly.

CITY MANAGER STAFF REQUESTED TO MAKE RECOMMENDATIONS TO COUNCIL ON A ONE-STOP FOR LISTING AUTOMOBILE, BUYING STATE TAGS AND BUYING CITY DECALS.

Councilman Short stated each January the City-County Tax Department is trying to list about 250,000 automobiles for tax listing. At the same time the City is trying to sell 180,000 to 190,000 license plates somewhere in the city to those who are owners of automobiles and who live in the City; at the same time the state is trying to sell 250,000 or so license plates. This is all three governments trying to do this business concerning automobiles in January. The only one of the three operations that is going to be successful is the State because if you do not have the license plate on the car you cannot drive without it being instantly obvious. The City and County efforts to list automobiles for property tax and to sell the City decal is not fully successful. Last year the owners of approximately 45,000 automobiles did not purchase a city license, at a cost to the city of \$45,000. The failure to list automobiles for the property tax is a great deal more costly than that. The 27,000 who did not list their automobiles even for the property tax adds up to more than 1/2 million dollars of yield that is either lost entirely or the Tax Collector has to go out and try to find them.

He stated what is needed is a one-stop shopping center where all three of these automobile matters can be handled at one time, either in person or by mail. He stated there are about 25 states that have some such system in the larger cities. He requested the City Manager's office to try to get into this matter and see if they can make some recommendation to Council.

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CITY MANAGER REQUESTED TO MAKE AN EXCEPTION AND PICK UP LIMBS THAT FELL DURING THE ICY CONDITIONS.

Councilman Withrow stated, due to the icy conditions several weeks ago, a lot of limbs have fallen from trees and the elderly people are not able to get them cut into the proper size for removal. He asked the City Manager to look into this, and see if they can be removed without being cut up.

PROGRESS REPORT REQUESTED ON PARK AND RECREATION BECOMING A DEPARTMENT OF THE CITY.

Councilwoman Locke asked for a progress report on the Park and Recreation Commission becoming a department of the City. Mr. Bobo replied he met with the Chairman and discussed the matter, and he has a report that is coming to Council. Councilwoman Locke requested that she be furnished with minutes of the Commission's meeting where they discussed this possibility.

CITY ATTORNEY ADVISES THAT LEGISLATION ON ANTI-DISCRIMINATION BILL WILL NOT HAVE TO BE ALTERED IN ORDER FOR THE CITY TO ADOPT AN ORDINANCE FOR CITY USE ONLY.

Councilwoman Locke asked if the City will be able to have an ordinance on the Anti-Discrimination Bill if the County decides not to go along with us in approving the Bill? Mr. Underhill, City Attorney, replied there is no need to change the legislation; the way it is written it could still be just a city ordinance.

Councilwoman Locke stated she feels this should be deferred for the 25 days until the County decides what to do, and if they decide not to pass it, the City could proceed.

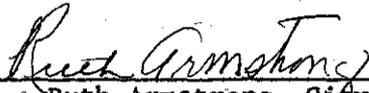
COMMENTS ON 80-20 PER CENT RATIO IN CDRS PROGRAMS.

Councilman Gantt stated he has spent some time going over the CDRS program, and he has passed to each member of Council his position on some of it, and he would appreciate Councilmembers discussing it with him individually.

Councilman Short stated we need to know whether the Federal guidelines definitely has this 80-20 per cent feature. Mr. Coffman, Assistant City Manager, replied Joe Michie phoned the Regional Agency in Atlanta this morning and they say very definitely they are expecting cities to follow the 80-20 per cent. He asked about the HUD Information Officer from D. C. quoted in the Charlotte Observer, and the man said very often they are the last to find out about things like this. But, he very strongly said the 80-20 per cent still holds.

ADJOURNMENT.

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


Ruth Armstrong, City Clerk