

January 29, 1968
Minute Book 50 - Page 20

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber in the City Hall, on Monday, January 29, 1968, at 3:00 o'clock p.m., with Mayor Stan R. Brookshire presiding, and Councilmen Fred D. Alexander, Sandy R. Jordan, Milton Short, Gibson L. Smith, James B. Stegall, Jerry Tuttle and James B. Whittington present.

ABSENT: None.

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INVOCATION.

The invocation was given by Reverend Bernard R. Fitzgerald, Minister of Providence Methodist Church.

MINUTES APPROVED.

Upon motion of Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, the Minutes of the last meeting, on January 22nd, were approved as submitted.

RESOLUTION CONFIRMING THE ASSESSMENT ROLL AS THE FINAL ASSESSMENT ROLL FOR IMPROVEMENTS COMPLETED ON CHESTERFIELD AVENUE, FROM BASCOM STREET TO HANOVER STREET, ADOPTED.

The scheduled hearing was held on the preliminary assessment roll for improvements completed on Chesterfield Avenue, from Bascom Street to Hanover Street, by constructing roll type curb and gutter, at a total project cost of \$9,194.76, of which the city's share is \$5,778.16 and the share to be assessed against the abutting properties is \$3,416.60, at an assessment rate of \$3.106 per front foot.

No one appeared to speak for or against the assessment roll.

Councilman Short moved the adoption of the subject resolution confirming the assessment roll as the final assessment roll for improvements completed on Chesterfield Avenue, from Bascom Street to Hanover Street. The motion was seconded by Councilman Jordan and carried unanimously, at 3:07 o'clock p.m.

The resolution is recorded in full in Resolutions Book 6, at Page 47.

RESOLUTION CONFIRMING THE ASSESSMENT ROLL AS THE FINAL ASSESSMENT ROLL FOR IMPROVEMENTS COMPLETED ON SHENANDOAH AVENUE, FROM ST. JULIAN STREET TO WESTOVER STREET, ADOPTED.

The public hearing was held on the preliminary assessment roll for improvements completed on Shenandoah Avenue, from St. Julian Street to Westover Street, by installing storm drainage facilities and constructing standard curb and gutter, at a total project cost of \$12,054.82, of which the city's share is \$6,326.46 and the share to be assessed against the abutting properties is \$5,728.36, at an assessment rate of \$5.2076 per front foot.

Mr. Joseph T. Nassar stated he lives at the corner of Shenandoah Avenue and Westover Street and has a 100-foot frontage. He stated they were promised one thing and another thing was done. That a man from the Engineering Department came to see him and they went out and looked it over and he was asked to sign a petition to fix the block and construct sidewalks. That there are a lot of children who attend Assumption School who go to the small store located behind him and they cannot walk in the street and they walk on the grass. He stated they were promised sidewalks and curbs if they signed the petition. That for two weeks six men came out and measured for sidewalks and measured the street; that about a week later they came back and took out the markings and told the people they were not going to build any sidewalks.

Councilman Short asked if the petition is not carried around by the neighborhood people? Mr. Josh Birmingham, Assistant City Engineer, replied the Engineering Department did not carry the petition around; that there has been some confusion about sidewalks because there were some old walks there but none of the blocks actually petitioned for sidewalks.

The City Manager advised costs were estimated for someone before the petition was circulated in the neighborhood and in each case the actual cost is less than the estimated cost; that there were no sidewalks to be included in either block; the estimated cost when the petition was circulated to the property owners was \$5.36 per front foot and the actual cost is \$5.20. Mr. Veeder stated if Mr. Nassar is interested in sidewalks, the city will be happy to discuss it with him this afternoon to explain what needs to be done. Mr. Nassar stated he signed the petition because he understood it would include sidewalks.

Councilman Whittington advised Mr. Nassar is speaking of the 2300 block which is the next item to be considered.

Councilman Tuttle moved the adoption of the subject resolution confirming the assessment roll as the final assessment roll for improvements completed on Shenandoah Avenue, from St. Julian Street to Westover Street. The motion was seconded by Councilman Short.

Mr. Birmingham advised that the improvements on Chesterfield Avenue did not include any storm drains and the curb and gutter was roll type which is about 75 cents less in cost than the \$2.50 for the standard curb and gutter on Shenandoah Avenue. That the less cost for the roll type curb and gutter as opposed to standard curb and gutter is the major reason for the difference in the cost per front foot on Chesterfield and Shenandoah, plus the fact there was no storm drains on Chesterfield.

The vote was taken on the motion to adopt the subject resolution and carried unanimously at 3:25 o'clock p.m.

The resolution is recorded in full in Resolutions Book 6, at Page 48.

RESOLUTION CONFIRMING THE ASSESSMENT ROLL AS THE FINAL ASSESSMENT ROLL FOR IMPROVEMENTS COMPLETED ON SHENANDOAH AVENUE, FROM WESTOVER STREET TO BASCOM STREET, POSTPONED FOR ONE WEEK.

The scheduled hearing was held on the preliminary assessment roll for improvements completed on Shenandoah Avenue, from Westover Street to Bascom Street, by installing storm drainage facilities and constructing

standard curb and gutter, at a total project cost of \$15,264.34, of which the city's share is \$9,755.54, and the share to be assessed against the abutting properties is \$5,508.80, at an assessment rate of \$5.008 per front foot.

Mayor Brookshire advised that Mr. Joseph T. Nassar's comments about sidewalks applies to the subject petition; that the petition did not cover sidewalks but if he wants sidewalks, the city will be glad to talk to him about putting the sidewalks in.

Councilman Tuttle moved that the subject resolution be postponed for one week and that the City Manager and Mr. Josh Birmingham, Assistant City Engineer, meet with Mr. Nassar and the gentleman allegedly promising the sidewalk and hear the resolution at that time. The motion was seconded by Councilman Short, and carried unanimously.

RESOLUTION CONFIRMING THE ASSESSMENT ROLL AS THE FINAL ASSESSMENT ROLL FOR IMPROVEMENTS COMPLETED ON SHENANDOAH AVENUE, FROM BASCOM STREET TO HANOVER STREET, ADOPTED.

The public hearing was held on the preliminary assessment roll for improvements completed on Shenandoah Avenue, from Bascom Street to Hanover Street, by installing storm drainage facilities and constructing standard curb and gutter, at a total project cost of \$11,922.37, of which the city's share is \$7,407.97, and the share to be assessed against the abutting properties is \$4,514.40, at an assessment rate of \$4.104 per front foot.

Councilman Whittington moved the adoption of the subject resolution confirming the assessment roll as the final assessment roll for improvements completed on Shenandoah Avenue, from Bascom Street to Hanover Street. The motion was seconded by Councilman Jordan, and carried unanimously at 3:27 o'clock p.m.

The resolution is recorded in full in Resolutions Book 6, at Page 49.

RESOLUTION CONFIRMING THE ASSESSMENT ROLL AS THE FINAL ASSESSMENT ROLL FOR IMPROVEMENTS COMPLETED ON SHENANDOAH AVENUE, FROM HANOVER STREET TO LORNA STREET, ADOPTED.

The scheduled hearing was held on the preliminary assessment roll for improvements completed on Shenandoah Avenue, from Hanover Street to Lorna Street, by installing storm drainage facilities and constructing standard curb and gutter, at a total project cost of \$16,194.29, of which the city's share is \$10,192.69, and the share to be assessed against the abutting properties is \$6,001.60, at an assessment rate of \$5.456 per front foot.

Upon motion of Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, a resolution confirming the assessment roll as the final assessment roll for improvements completed on Shenandoah Avenue, from Hanover Street to Lorna Street, was adopted at 3:27 o'clock p. m.

The resolution is recorded in full in Resolutions Book 6, at Page 50.

Councilman Whittington asked if all of Shenandoah will have curb and gutter all the way to the Chantilly Shopping Center when the 2300 block

of Shenandoah is approved? Mr. Josh Birmingham replied that is correct. Councilman Whittington stated the people on Shenandoah are to be commended as they initiated these improvements themselves.

HEARING ON PROPOSED WATER AND SEWER EXTENSION POLICY.

Mr. Ed Rousseau, President of the Home Builders Association of Charlotte, stated this association represents approximately 90% of the homes being built in this area, and also the primary developers of this area. He stated the draft of the new water and sewer proposal has been studied by their water and sewer committee and they would like to make some suggestions and meet with the City to work them out.

Councilman Short stated all those involved in the formulation of the policy have agreed that paragraph F is not clear. He stated paragraph F calls for privilege connection fees to be paid by consumers; and this wording should be inserted in paragraph F. That the intention of all involved was that these fees would be charged to those connecting to the system for consumer purposes and the acreage assessment would be charged to those connecting to the system for other than consumer purposes - that is developers. That the first sentence of paragraph F should read as follows: "A privilege connection fee will be collected by the City from each customer applying for water service for his personal consumer use in home or business prior to providing water and/or sanitary sewer service, as shown in the following schedule."

Mr. John J. Delaney, Chairman of the Water and Sewer Committee for the Home Builders Association, stated they have had an opportunity to review the document which was received on the 17th of January. The time has been insufficient to give it the full study and depth of study required. They propose that this matter be laid over for consultation with the city's technical people and with the representatives of the Home Builders Association as one of the parties which has much to do with it.

He stated he would like to give a few indications of why they are concerned. That Paragraph B invokes a new political subdivision called the Metropolitan area - who knows what it is? The metropolitan area as described by the census bureau goes into Cabarrus and Union Counties and a portion of Lincoln. This they think needs to be clarified.

He stated they believe the whole document is a move in the right direction; that Charlotte and Mecklenburg County are very urgently in need of some competent understanding under which there can be made available to the perimeter area and the county area, water and sewer. That they are running out of areas in the city limits and to a degree within the perimeter area. They are in agreement on the objectives of the policy; they find much to comment upon on the details.

He stated the six different plans are somewhat confusing. Developers have worked in the City and in the perimeter area under basically one plan since 1946.

Mr. Delaney stated under the existing plan the city is partially financing some of the programs; the city may fully finance it or it may be on the basis of special assessment. The assessment needs clarification because it necessitates that a guarantee be made to the federal government in connection with a FHA or VA mortgage that either the builder or the purchaser will not have special assessment against the premises purchased. Their people are not wholly in agreement on this and it is an area that needs to

be explored and needs interpretations from those most likely to be affected. That the amounts paid under this provision in excess of the actual cost of local service mains will be refunded when annual revenues from the extension exceeds 12% of total construction costs. He stated in the April program they agreed on an increase from 10 to 12% in face of the rising cost and the necessity of the city having sufficient funds. He asked if you have an extension to a given piece of property and someone goes down the street, what credit is there for the pipe in place which has been paid for by the first developer? There is no mention in the policy of this as a credit factor.

Paragraph (c). The applicant shall contract with the city guaranteeing a minimum monthly service charge of not less than one percent of that portion of the cost financed by the city. Mr. DeLaney stated he thinks this can be worked out, but it does not say when the payment begins.

Paragraph (d). Where a trunk line also serves as a street service line, the equivalent cost of a 6 inch water line in the case of water, or an 8 inch line in the case of sewer, will be computed and financed as a local service line, and the balance financed as a transmission or trunk line. Mr. DeLaney stated it is conceivable that a 6 inch line is all that will be extended, perhaps 1,000 or 1,200 feet. It is conceivable that an 8-inch line is all that will be needed for sewer extension. That they are not normally trunk lines but they are so classified here; therefore the subdivider who makes the connection must put up the money without recourse, without refund or without consideration to refund on such a line.

Paragraph (2). The applicant may deposit 100% of the total cost. The City will refund to the applicant this total deposit, less the cost of local service street mains, in the following manner: (a) 35% of the monthly service charges collected from properties identified and served by each extension will be refunded each month. All refund to terminate 20 years after the anniversary date of the first service connection. Mr. DeLaney stated the 100 per cent deposit by the developers is borrowed money; borrowed money today is costing the subdividers seven percent or more. That there is a provision at the end of the document that creates a moratorium of five years before any money is given back. This is a 35 per cent increase on the basis of interest charges over and above the cost of installation. They think this is wrong.

Councilman Short stated Paragraph D(2) is not a part of the moratorium. Mr. DeLaney stated this money is being asked for by the City without interest. It is a means and method of financing that is perhaps acceptable on a short term basis, but as it goes into long terms basis cannot be.

Paragraph (3). Contingent upon the availability of funds, the City may agree to partially finance water and sewer extensions in cooperation with citizens desiring to develop acreage: (a) the cost of constructing necessary water transmission and sewer trunk lines shall be financed by the City to the extent that such costs are not more than three times the amount of acreage charges collected from the developer under D(3)(b). Mr. DeLaney stated this is the first mention of acreage charges; acreage charges are new to the developers insofar as the City government is concerned.

Mr. DeLaney stated he ran a study on the basis of a small subdivision of 34 acres, 52 lots which were recently completed. The cost of the sewer and water installation is \$34,914 and the work was done by the City. If a comparable subdivision were to be undertaken in this area as they read the

documents initially, there would be in addition a \$200 charge per acre for 34 acres and a privilege fee for 5/8th meters amounting to \$3,120, which has been cleared up. This means there would be a \$41,000 cost out of pocket to be spread over the 52 lots against the \$34,914 cost of the city type of operation. On a 100 acre subdivision, it would be \$20,000 for water and sewer; \$200 an acre over and above the cost of the installation.

Mr. DeLaney stated Paragraph F calls for \$60.00 for a 5/8 inch meter and it is a big assessment to put on someone moving into a house for the first time; that a one inch is what most reasonably-sized houses with air conditioning will have and it is \$100.00. This is out of the pocket of the person buying the house. These costs must be considered by the financing agency; they will be taken into consideration by the Federal Housing Administration; they must be balanced out against their income; there is no distinction where the man in the \$8,000 house is going to pay \$60.00 additional to get water service. He stated if the revenue is needed, the place to put the difference is in the rate structure to balance off by using the curves of the rate structure.

Mr. DeLaney stated there is also a privilege fee for sewer connection. That laterals are still put in by the subdividers and the city is reimbursed if it puts the laterals in. To sell these houses, you must have clearance with the mortgagee, the Federal Housing Administration, and with the Veterans Administration. That these burdens make more troubles and more difficulties and make less buyers available.

Councilman Smith stated he would like for the Home Builders Association to work with Mr. Veeder and the administrative group from the city; that Council realizes there will be amendments to this policy and wants to work with all these people to bring up something that is acceptable to all. Councilman Smith moved that the Home Builders Association representatives be turned over to the City's administration group to try to work out something. The motion was seconded by Councilman Tuttle, and carried unanimously.

Mr. William Trotter stated he is also a builder in Charlotte. That it is encouraging to see the objectives set forth and it is a big step in the right direction to establish a revolving fund which will provide for the capital expenditure of extending water and sewer in and outside the City of Charlotte.

Mr. Trotter stated the policy starts off with the statement that it will be uniformly applicable; but later on in the document, it turns out that the policy discriminates in favor of the large industrial users. When it gets down to the large industrial users, it does not say if the city has the money; it says the city will do it. That he thinks all should be treated equally. At another point it discriminates against apartment builders by charging them a per unit fee where no correlation is found between this and any other large user. If you are going to charge so much per apartment unit, why not charge per square foot of an A & P Store or so much for a volume of industrial plant.

Councilman Smith suggested this all be taken up with the city's administration; that Council is with him and would like to do it, and he sees no reason to prolong it on public discussion when they will go through the whole thing.

Councilman Short stated Mr. Trotter is bringing up some good points and Council should hear him; that the purpose of the hearing is to accumulate facts.

Mr. Trotter stated a public utility has to operate on a business like procedure and you have to set the rates structure for a growing organization. Do not be afraid to make a profit; that you will either make a loss or a profit; but do not be afraid to make a profit.

Mr. John Byers speaking for the Community Facilities Committee for the Board of Realtors stated they have not had sufficient time to study the policy and do not agree with some of the policies and would like to be able to consult with the technical staff on the revisions and recommendations.

Councilman Smith moved that the Board of Realtors be instructed to communicate with the administration group. The motion was seconded by Councilman Whittington, and carried unanimously.

Mr. William Allan, with Trotter and Allan Construction Company, stated he would like the administrative hearing to be a truly open hearing. That his company is not a member of the Home Builders Association and they would like to be invited to the administrative hearing.

He stated the previous speakers have indicated this policy is a step in the right direction, but his company does not agree, and they would like to be present at the hearings to represent their own interest.

Councilman Alexander moved that Trotter and Allan be permitted to participate in the administrative hearing. The motion was seconded by Councilman Smith, and carried unanimously.

Councilman Short stated a great deal of the money that would go into the water and sewer construction fund is coming out of the rate structure - from the users. In the first place, money comes from all users because seven per cent of the yield of the system goes into the water and sewer construction fund. Then we add further onto the money that comes from users by providing that the outside surcharge will go into this fund. So outside users get a further penalty. Then there is a provision that applies to new users; they are involved with payment of the connection privilege fees. In addition, the City already has some 60 water and sewer projects under way in its capital improvements program, and this comes through water and sewer yield or through bond monies. About the only part of the water and sewer construction fund that does not come from users of the system as is now set up is the acreage assessments; these are refundable to those who put up the money in advance; but to those who apply later or develop later off a line put in by some other applicant, the acreage assessment is not refundable.

He stated the comment heard from those who are the technical experts in this business is that this is an extremely small contribution to ask from the developers. That they have a strong interest in these extensions. The users already have the water service and strapping more rates onto them, you have to use a certain judgment there. The comments about rate structure are easily rebutted by the fact that already a great percentage of the cost of expanding the system comes from the users. That it is only good judgment and good government that we also provide for this small percentage to apply to developers.

Councilman Short stated on the subject of communication he believes base was touched periodically and over a long period of time with essentially the same group of developers who were contacted last March and April when the previous policy was adopted. That this is much more liberal than the

previous policy. That following the public hearing of last March the same type of conferencing that is now being set up was held, and this was very beneficial and it is in order that we follow through the same procedure again.

PETITION NO. 68-8 BY DOROTHY ALEXANDER POTTER FOR A CHANGE IN ZONING FROM R-15MF TO B-1 OF A TRACT OF LAND AT THE SOUTHEASTERLY CORNER OF PROVIDENCE ROAD AND SARDIS ROAD, POSTPONED.

Councilman Jordan moved that decision on the subject petition be postponed for an indefinite period. The motion was seconded by Councilman Tuttle.

Councilman Jordan stated some of the Councilmen have not been able to see this property yet and there are some things the petitioner would like to recommend and Council has been asked by the Attorney who brought the petition to Council for the postponement.

Councilman Smith stated while this is being deferred consideration should be given to the Atlantic Service Station that is non-conforming and also the Hunter Store which is non-conforming, and request the Planning Commission to look at these with the idea that the non-conforming areas should be considered to conform with this. Councilman Smith stated he makes this as a substitute motion. The motion did not receive a second and Councilman Smith withdrew the substitute motion.

The vote was taken on the motion and carried unanimously.

PETITION NO. 68-11 BY LONE STAR BUILDERS, INC. FOR A CHANGE IN ZONING FROM R-15 TO R-15MF OF A TRACT OF LAND ON THE EAST SIDE OF QUAIL HOLLOW ROAD, BEGINNING SOUTH OF SHARON ROAD, POSTPONED.

Councilman Tuttle stated he sees no point in making a decision on the subject petition until it is determined by the Court what is to be done with this property; that he understands the School Board has instituted condemnation proceedings, and he moved that before decision is made Council wait on the decision of the Court. The motion was seconded by Councilman Whittington, and carried unanimously.

CHANGE ORDER NO. G-1 IN CONTRACT WITH JUNO CONSTRUCTION COMPANY FOR LAW ENFORCEMENT CENTER, APPROVED.

Upon motion of Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, the subject change order in contract with Juno Construction Company for the construction of the Law Enforcement Center increasing the contract price by \$2,238.00 was approved.

APPRAISAL CONTRACT WITH HENRY E. BRYANT AUTHORIZED.

Councilman Jordan moved approval of a contract with Henry E. Bryant for appraisal of two parcels of land for land acquisition in the terminal area at the airport. The motion was seconded by Councilman Whittington, and carried unanimously.

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ORDINANCE NO. 787-X AMENDING ORDINANCE NO. 655-X, THE 1967-68 BUDGET ORDINANCE, ALLOCATING \$150,000 OF THE PROCEEDS OF THE SALE OF \$2,900,000 AIRPORT BOND ANTICIPATION NOTES.

Upon motion of Councilman Tuttle, seconded by Councilman Alexander, and unanimously carried, the subject ordinance was adopted allocating funds to be used to acquire land in the terminal area under Project No. 562.18.

The ordinance is recorded in full in Ordinance Book 15, at Page 200.

AMENDMENT NO. 2 TO CITY-FEDERAL AVIATION ADMINISTRATION LICENSE FOR AIR NAVIGATION FACILITIES AT DOUGLAS MUNICIPAL AIRPORT, AUTHORIZED.

Motion was made by Councilman Whittington authorizing the Mayor and City Clerk to execute Amendment No. 2 to City-Federal Aviation Administration License No. FA-SO-373, for air navigation facilities at Douglas Municipal Airport. The motion was seconded by Councilman Tuttle, and carried unanimously.

SANITARY SEWER CONSTRUCTION AUTHORIZED.

Motion was made by Councilman Alexander, seconded by Councilman Stegall, and unanimously carried, approving the construction of sanitary sewer mains, as follows:

- (a) Construction of 200 feet of main in Amy James Avenue, inside the city, at the request of Norman's Realty Company, at an estimated cost of \$1,575.00. All cost of construction will be borne by the applicant whose deposit in the full amount has been received and will be refunded as per terms of the agreement;
- (b) Construction of 290 feet of 8-inch trunk and 2,500 feet of 8-inch main to serve a portion of Eastbrook Woods, inside the city, at the request of William Trotter Development Company, at an estimated cost of \$14,365.00. All cost of construction will be borne by the applicant whose deposit in the full amount has been received and will be refunded as per terms of the agreement.

ORDINANCE NO. 788-X ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 1213 SOUTH CHURCH STREET PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 15, CHAPTER 160 OF THE GENERAL STATUTES OF NORTH CAROLINA.

Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, the subject ordinance was adopted and is recorded in full in Ordinance Book 15, at Page 201

JOHN H. VICKERS RE-APPOINTED FOR TWO YEAR TERM TO FIREMEN'S RELIEF BOARD OF TRUSTEES.

Councilman Whittington moved the re-appointment of Mr. John H. Vickers to the Firemen's Relief Board of Trustees for a two year term effective at the expiration of his present term. The motion was seconded by Councilman Tuttle, and carried unanimously.

SPECIAL OFFICER PERMIT AUTHORIZED.

Motion was made by Councilman Smith, seconded by Councilman Jordan, and unanimously carried, approving renewal of special officer permit to Mr. Woodrow Freeman for period of one year for use on the premises of the Charlotte Park and Recreation Commission.

TRANSFER OF CEMETERY LOTS.

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

- (a) Deed with Miss Opal Winstead for Graves No. 1 and 2, in Lot No. 154, Section 4-A, Evergreen Cemetery, at \$3.00 for need deed;
- (b) Deed with Mrs. Lennie B. Kiser for Graves No. 3 and 4, in Lot No. 154, Section 4-A, Evergreen Cemetery, transferred from Mrs. Ann Barentine Brown, at \$3.00 for transfer deed;
- (c) Deed with Mrs. Florence T. Shuford, for Graves No. 2, 3, 4, 5 and 6, Lot No. 160, Section 5, Oaklawn Cemetery, at \$255.00.

CONTRACT AWARDED SOUTHERN STATES CHEMICAL COMPANY FOR ALUMINUM SULPHATE.

Councilman Smith moved award of contract to the low bidder, Southern States Chemical Company, in the amount of \$21,900.38, on a unit price basis, for 405 tons of aluminum sulphate. The motion was seconded by Councilman Whittington, and carried unanimously.

The following bids were received:

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|--|--------------|
| Southern States Chemical Co. | \$ 21,900.38 |
| American Cyanamid Company | 25,237.58 |
| Industrial Chemical Div., Allied Chemical Corp. | 25,487.87 |

CONTRACT AWARDED MORELAND CHEMICAL COMPANY FOR HYDRATED LIME.

Motion was made by Councilman Smith, seconded by Councilman Whittington, and unanimously carried, awarding contract to the low bidder, Moreland Chemical Company, in the amount of \$12,251.23 on a unit price basis for 560 tons hydrated lime.

The following bids were received:

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|---------------------------|--------------|
| Moreland Chemical Company | \$ 12,251.23 |
| Asher-Moroe Company | 12,395.43 |

CONTRACT AWARDED SOUTHERN STATES CHEMICAL COMPANY FOR ACTIVATED CARBON.

Councilman Whittington moved award of contract to the only bidder, Southern States Chemical Company, in the amount of \$7,242.96 on a unit price basis, for 40 tons activated carbon. The motion was seconded by Councilman Jordan.

Councilman Smith asked why there is only one bid on the activated carbon? Mr. Veeder, City Manager, advised there is only one manufacturer of this commodity in the southern part of the country, and there is only this one company that retails it. That this has been a one bid item in Charlotte for quite a period of time. The price this year represents an increase of 58 cents a ton.

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

CONTRACT AWARDED SOUTHERN STATES CHEMICAL COMPANY FOR ANHYDROUS AMMONIA.

Motion was made by Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, awarding contract to the low bidder, Southern States Chemical Company, in the amount of \$3,543.20, on a unit price basis, for 16 tons of anhydrous ammonia.

The following bids were received:

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|------------------------------|-------------|
| Southern States Chemical Co. | \$ 3,543.20 |
| Moreland Chemical Company | 3,790.40 |
| Jones Chemicals, Inc. | 4,251.84 |

CONTRACT AWARDED MORELAND CHEMICAL COMPANY FOR LIQUID CHLORINE.

Upon motion of Councilman Whittington, seconded by Councilman Alexander, and unanimously carried, contract was awarded the low bidder, Moreland Chemical Company, in the amount of \$12,730.80, on a unit price basis, for 120 tons liquid chlorine.

The following bids were received:

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|--|--------------|
| Moreland Chemical Co. | \$ 12,730.80 |
| Industrial Chemical Div., Allied Chemical Corp. | 12,829.68 |
| Jones Chemicals, Inc. | 12,978.00 |
| Southern States Chemical Co. | 13,052.16 |

CONTRACT AWARDED BURRIS CHEMICALS, INC. FOR SODIUM SILICOFLUORIDE.

Motion was made by Councilman Jordan, seconded by Councilman Alexander, and unanimously carried awarding contract to the low bidder, Burris Chemicals, Inc., in the amount of \$16,991.91, on a unit price basis, for 90 tons sodium silicofluoride.

The following bids were received:

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|---------------------------|-------------|
| Burris Chemicals, Inc. | \$16,991.91 |
| Moreland Chemical Company | 17,112.42 |
| Continental Oil Company | 17,168.04 |
| Asher-Moore Company | 17,316.36 |

CONTRACT AWARDED O. J. RICHARDSON FOR BUNKER SUITS.

Upon motion of Councilman Tuttle, seconded by Councilman Whittington, and unanimously carried, contract was awarded the low bidder, O. J. Richardson, in the amount of \$2,620.32, on a unit price basis, for 40 bunker suits.

The following bids were received:

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|--------------------------------|-------------|
| O. J. Richardson | \$ 2,620.32 |
| The Leslie Company | 2,739.72 |
| Goodall Rubber Company | 2,854.26 |
| C. W. Williams Company | 2,878.50 |
| The Globe Mfg. Co. | 3,234.20 |
| Dixie Fire & Safety Equip. Co. | 3,337.20 |

PETITION NO. 67-67 BY T. T. KINZIE, ET AL, FOR A CHANGE IN ZONING OF PROPERTY EXTENDING FROM 1417-TO-1445 EAST SEVENTH STREET AND FROM 415-TO-417 BEAUMONT AVENUE TO BE PLACED ON DOCKET FOR DECISION AT NEXT MEETING.

Councilman Alexander moved that the subject petition be placed on the docket for Council decision at the next Council Meeting on February 5th. The motion was seconded by Councilman Stegall, and carried unanimously.

CONTRACT WITH RCA FOR DATA-PROCESSING EQUIPMENT AUTHORIZED.

Motion was made by Councilman Smith, seconded by Councilman Stegall, and unanimously carried, authorizing contract with RCA for data processing equipment.

Councilman Short asked if this indicates the possibility there will be model changes all along that would produce the need for a complete switch in the computer system; could this be a chronic situation? The City Manager replied this type of equipment has been changing very rapidly, and new models will be coming along shortly. That whether it will change or settle down in the future, only time will tell.

CONTRACT AUTHORIZED WITH FREEMAN-WHITE ASSOCIATES FOR AIRPORT TERMINAL IMPROVEMENTS.

Councilman Whittington moved approval of contract with Freeman-White Associates for architectural services for airport terminal improvements with the architect's payment to be 6.5% of the project construction cost. The motion was seconded by Councilman Smith, and carried unanimously.

PROPERTY TRANSACTIONS AUTHORIZED.

Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, property transactions were authorized, as follows:

- (a) Acquisition of 412.07 sq. ft. of property at 2800 South Boulevard, from Biggers Brothers Company, at \$824.00, for South Boulevard Intersections;

- (b) Acquisition of approximately 2.5 acres of property in Berryhill Township on Browhill Circle, from Wesley Benjamin Daniel and wife, at \$23,500 for Airport Capital Improvements;
- (c) Acquisition of sanitary sewer easement 151.8 sq. ft. on Bryant Street, from Karl Giner and wife, at \$25.00 for relocation of sanitary sewer in Irwin Creek Outfall;
- (d) Acquisition of easement 4122.60 sq. ft. adjacent to Smith Chevrolet, Pineville Road, from Ann D. Thomas and Edward H. Thomas, at \$412.26 for Kings Branch Pumping Station Sanitary Sewer.

CENTRAL CITY RENEWAL.

At the request of Mayor Brookshire the following statement was made a part of the record:

"With reference to our Central City Master Plan, paid for by the City and the Central Charlotte Association (formerly Downtown Association), with extensions and refinements engineered by Southern Railway and offered by Southern as a cooperative development plan, we need now to establish some definite guidelines that can lead to orderly and early development.

Basic to the concept and of first priority importance is the boulevard with median, made possible by Southern's proposal, the development of which we are already pursuing with all possible haste. Establishing its location and rights-of-way requirements must precede engineering design and construction. The City, seeking Southern's cooperation in the cost of rights-of-way, has already indicated its willingness to build the boulevard and will undoubtedly have to resort to general obligation bonds for financing.

Of next importance is the proposed conventions and civic center, which poses three, as yet, unresolved questions: location, extent of facilities, and financing. Southern's proposed location offers the advantage of using largely air rights over the dual lane boulevard and median, plus the esthetic advantage of hiding the rails in the median. It also maintains a pedestrian mall level with Independence Square, providing a two level development on a one land cost basis.

The extent of facilities has yet to be spelled out. If the City is to undertake the burden of costs, then the method of financing may be a determining factor. With a statutory limitation on general bond indebtedness, it is apparent that the City cannot at this time cover the cost of both the boulevard and the center without exceeding its margin of credit. With revenue bonds as the City's only alternative, the center would have to include enough revenue producing facilities to assure debt retirement as well as operation and maintenance costs. This would suggest the inclusion of parking facilities, restaurants, shops, etc., all in one complex, and might even include a high rise hotel above the complex. Presumably, the strictly commercial facilities could be leased to private enterprise, such as is the practice at our airport.

If the center can be planned and developed to qualify for financing through revenue bonds, then possibly private enterprise might undertake it on a profit motive, with the City providing some of either or both land and air rights, which would make a cooperative venture of it. Personally, I dislike seeing government, on any level, doing anything that the private sector can and will do.

With the challenge before us, and the plans advanced thus far, both the boulevard and the center deserve high priority in that order. I believe the steps we are following can and will lead to success in this venture, though both time and patience, as well as effort, will be required.

Recognizing that the downtown business interests have much at stake in the central city renewal program, we hope to have their full cooperation. At the same time, however, we must bear in mind the fact that this is a program that will benefit the entire city in its forward thrust into its third century as a leading regional city."

STATEMENT BY COUNCILMAN SMITH REGARDING CIVIC CENTER.

Councilman Smith stated there has been a good bit of comment in the press about the Civic Center. That he agrees it is a great idea but it has to be put into perspective as to money available to do these things. He stated the North-South Expressway and Northwest Expressway should have the city's priority; that Belt Roads have hung on the apple tree a long time; that Convention Boulevard should be pushed; water and sewer in the perimeter area is something that will require revenue bonds but will probably be \$5 or \$6 million; Police is something the Council should get behind; and in connection with this urban renewal goes along with the Police.

Councilman Smith stated he thinks the Civic Center is seventh on the list; that the city can be promoted more with water and sewer than with a Civic Center and there is a lot that can be done on the human element level that is more important than convention and civic centers.

He stated this Council cannot talk about \$6 or \$7 million to have priority over human rights and human betterment.

SUGGESTION THAT BEAUTIFICATION COMMITTEE BE ASSIGNED PLACE IN THE OVERALL PROGRAM OF CENTRAL CITY DEVELOPMENT.

Councilman Alexander stated he does not think too much consideration has been given to beautification in the overall program of central city development. That he wonders if a place can be found for Mr. Don Bryant so there will be some representation of beautification along with the development that is being done. Mayor Brookshire stated he agrees with the sentiments to consider beautification in the downtown renewal, but he believes the development of the concept will have to be further along to know what to beautify.

Mayor Brookshire stated the government plaza area has reached the stage where the Beautification Committee can and is going to plan the beautification.

COMMENT BY COUNCILMAN REGARDING CHARLOTTE NEWS AD FOR SALE OF PISTOLS IN FORT MILL, SOUTH CAROLINA.

Councilman Tuttle stated the Charlotte News has an outstanding record of service in this city and he cannot understand its advertising in a very small ad that reads "You do not need a permit to buy pistols from Consolidated Arms, Fort Mill, South Carolina." That it lists the price of pistols and a 6.5 mm. deer rifle at \$11.95.

Councilman Tuttle stated he questions their wisdom in this, particularly when the Charlotte News has taken a strong position for a federal gun control law.

CITY ATTORNEY REQUESTED TO STUDY POSSIBILITY OF AMENDING EXISTING CITY ORDINANCES REGARDING LITTER.

Councilman Tuttle stated Charlotte is not as clean as it could be; that the vacant lots and parking areas - public and private - are windblown with papers and debris.

Councilman Tuttle requested that the City Attorney's office study the possibility of either amending the existing City ordinances regarding littering, or drafting a new ordinance giving the city authority to place a lien for the costs involved against the property of individuals or businesses, who by their failure to place and keep litter in proper containers, make it necessary for the city to clean up their litter; and that this lien be levied only after first warning the violators to correct the situation and their failure to do so.

Councilman Short stated this is an excellent suggestion; that the ordinance of several years ago was aimed at public places and what Mr. Tuttle is saying gets into the private area. That it may be the State has preempted this.

CITY MANAGER'S OFFICE COMMENDED FOR WAY IN WHICH COMPLAINTS HAVE BEEN HANDLED.

Councilman Jordan commended the City Manager and Mr. Bobo and the office staff for the fine way they have been handling the complaints that he has been giving them. That he has gotten excellent service and the matters have been attended to at once.

RESOLUTION AUTHORIZING MAYOR STAN R. BROOKSHIRE TO EXECUTE MODEL NEIGHBORHOOD PLANNING GRANT CONTRACT.

Mr. Veeder, City Manager, advised the city received an extension of time from HUD to revise material for the Model Cities Application and the extension ends Wednesday, January 31st. That the material is now ready to be sent out to the Model Neighborhood Commission members today. That the material should be submitted to HUD no later than Wednesday.

He requested Council to approve a Resolution authorizing the Mayor to sign a re-submission of the application.

Upon motion of Councilman Whittington, seconded by Councilman Smith, and unanimously carried, a resolution authorizing Mayor Stan R. Brookshire to execute Model Neighborhood Planning Grant Contract was adopted.

The resolution is recorded in full in Resolutions Book 6, at Page 51.

GRADY SIGN COMPANY PERMITTED TO PLACE GOLDEN GLOVE AD ON RAILROAD OVERPASSES ON FOURTH AND TRADE STREETS.

Councilman Whittington stated last week Mr. Foard, President of Grady Sign Company, came before Council regarding signs placed on the railroad overpasses. He stated he has talked with the people connected with the Golden Gloves this morning and they need an answer on this; that this is a charitable function as all the funds are used for charity. That he thinks the City would be wrong to not make these places available for charitable projects.

The City Manager advised he will have a report for Council in some detail so that they will be able to make a judgment on the request.

Councilman Whittington advised the Golden Gloves are held in February every year and they need an answer. That he is talking about civic and charitable organizations only; if it is beyond that, there is a real reason to turn the request down.

Councilman Smith moved that Mr. Foard with Grady Sign Company be allowed to put the Golden Gloves Ad on the overpasses at Fourth Street and Trade Street. The motion was seconded by Councilman Whittington, and carried unanimously.

ADJOURNMENT.

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



Ruth Armstrong, City Clerk