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The City Council of the City of Charlotte, North Carolina, met on Monday, January 7, 1974, at 3:00 p.m., in the Council Chamber, City Hall, with Mayor pro tem James B. Whittington presiding, and Councilmembers Fred D. Alexander, Pat Locke, Milton Short, Neil C. Williams and Joe D. Withrow present.

ABSENT: Mayor John M. Belk and Councilman Kenneth R. Harris.

* * * * *

INVOCATION.

The invocation was given by Reverend Bryant Clancy of Prince of Peace Lutheran Church.

MINUTES APPROVED AS CORRECTED.

Upon motion of Councilman Withrow, seconded by Councilman Williams, and unanimously carried, the minutes of Monday, December 17 and Tuesday, December 18, 1973 were approved, as submitted, with the following correction in the minutes of December 17.

Minute Book 59, Page 401 under approval of Minutes, first line change the name "Bryant" to "Withrow".

EMPLOYEE OF THE YEAR AWARD PRESENTED TO JOYCE HOYLE, SUPERVISOR OF SPECIAL EVENTS AND PUBLIC RELATIONS FOR THE PARK AND RECREATION COMMISSION.

Mr. Walter Barr, President-Elect of the Chamber of Commerce was present and stated his first official duty of the office he will take on this coming Thursday is to appear before Council to honor the 1973 Charlotte City Employee of the Year. This annual award was begun twelve years ago when the Chamber of Commerce first publicly recognized and honored an individual who symbolizes all our citizens of Charlotte in public service. The process begins each year by nominations of fellow employees. All nominations are then approved by a task force of the Chamber of Commerce made up of personnel managers of the City's major employers. Information on the nominees are then carefully reviewed by the City's personnel department and special emphasis on final selection is given those qualities which are above and beyond the requirements of the job each nominee may hold.

Mr. Barr stated the 1973 City of Charlotte Employee of the Year is Mrs. Joyce Hoyle and she upholds the high standards of service set by the eleven previous nominees. That Mrs. Hoyle is Supervisor of Special Events and Public Relations for the Park and Recreation Commission. She was cited by her workers for her perseverance, self-confidence, giving relentlessly of her time and energy and talents in furthering her professions.

Mr. Barr then cited some of Mrs. Hoyle's accomplishments.

Mrs. Hoyle was then presented with a plaque and a check for \$50.00 by Mr. Barr, and was congratulated by Mayor pro tem Whittington, and each of the Councilmembers present.

RECOGNITION AND PRESENTATION OF SPECIAL SERVICE AWARDS TO FIFTY-ONE CITY EMPLOYEES.

The Mayor and City Council recognized the following city employees and presented each with a service award:

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Thirty-Five Year Service Awards

Lieutenant C. C. Hagler, Police Department, employed November 23, 1938.
Patrolman J. A. Nickols, Police Department, employed April 1, 1938.
Detective L. W. Balentine, Police Department, employed April 1, 1938.

Thirty Year Service Awards

Fire Alarm Dispatcher II, H. C. Beck, employed February 15, 1943.
Fire Captain G. P. Canipe, employed March 1, 1943.
Fire Alarm Dispatcher I, I. M. Griggs, employed September 16, 1943.
Fire Captain A. T. Halger, employed February 4, 1943/
Fire Captain H. R. Henderson, employed February 15, 1943.
Fire Captain J. H. Honeycutt, employed December 29, 1942.
Police Detective J. A. Horton, employed July 1, 1943.
Fire Garage Supervisor H. H. King, employed December 29, 1942.
Fire Captain F. J. Martin, employed March 8, 1943.
Customer Serviceman L. E. McCorkle, Utility Department, employed May 3, 1943.
Firefighter J. M. McCoy, employed November 9, 1943.
Fire Captain E. C. Watts, employed February 4, 1943.
Police Patrolman J. E. Youngblood, employed April 16, 1943.
Auto Mechanic II W. I. Vance, Motor Transport, employed November 1, 1943.

Twenty-Five Year Service Awards

Airport Manager R. C. Birmingham, employed June 1, 1948.
District Fire Chief W. O. Black, employed August 1, 1948.
Police Detective K. T. Bolt, employed May 4, 1948.
Labor Foreman II H. A. Burleson, Sanitation Division, employed August 16, 1948.
Firefighter Engineer G. L. Calebro, employed August 1, 1948.
Labor Foreman I C. E. Church, Traffic Engineering, employed July 1, 1948.
Assistant to Urban Redevelopment Director Kathryn M. Davenport, employed September 6, 1948.
Police Sergeant S. A. Funderburk, employed October 1, 1948.
Police Patrolman R. P. Gammon, employed December 1, 1948.
Fire Captain C. E. Gettis, employed November 1, 1948.
Equipment Operator III L. D. Giles, Sanitation Division, employed April 16, 1948.
Police Patrolman J. D. Gunter, employed August 16, 1948.
Fire Captain R. E. Honeycutt, employed November 1, 1948.
Director, Traffic Engineering H. J. Hoose, employed February 1, 1948.

Fire Captain H. C. Horne, Jr., employed August 1, 1948.
Fire Captain J. A. House, employed August 1, 1948.
Equipment Operator II J. E. Kiser, Sanitation Division, employed November 16, 1948.
Engineering Aide II O. C. Martin, Utilities Department, employed April 1, 1948.
Building Inspection Coordinator J. R. McClelland, employed July 15, 1948.
Fire Captain J. L. McHam, employed March 18, 1948.
Police Patrolman P. M. Metcalf, employed December 1, 1948.
Research Assistant I Pauline H. Miller, employed March 16, 1948.
Police Captain R. E. Phillips, employed December 16, 1947.
Fire Captain O. M. Philman, employed November 1, 1948.
Firefighter Engineer W. B. Preslar, employed November 16, 1948.
Labor Foreman II J. W. Pressley, Sanitation Division, employed December 1, 1948.
Electrical Inspector III C. B. Sparrow, Building Inspection, employed March 1, 1948.
Fire Captain E. O. Stacker, employed November 1, 1948.
Fire Captain J. H. Suddeth, employed November 1, 1948.
Police Sergeant F. A. Teeter, employed December 1, 1948.
Fire Captain C. E. Wallace, employed August 1, 1948.
Fire Captain R. W. Wentz, employed November 1, 1948.
Fire Captain D. A. Werner, employed August 16, 1948.
Police Patrolman J. S. Zagar, employed September 16, 1948.

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PRESENTATION BY OFFICIALS OF CHARLOTTE CITY COACH LINES, INC. ON REQUEST FOR FARE ADJUSTMENTS.

Mr. Merle C. Morrow, Chairman of the Board of the Charlotte City Coach Lines, stated for the 20 years they have been in Charlotte it has always been their policy to first come to the City Council before making any decisions regarding Charlotte City Coach Lines. That is the reason they are here today.

Mr. Joseph G. Poquette, President of Charlotte City Coach Lines, stated they have followed the practice, as a courtesy, to come before Council before going to the Utilities Commission with any type of proposals. The last time they had an adjustment in their fare structure in Charlotte was on September 1, 1970.

He stated during the past year they have made many studies, and surveys and worked with the City in many avenues to improve and perfect the mass transit system in the City of Charlotte. That they appreciate all the help they are getting from the City.

In this connection they have made a number of studies as to what their financial situation would be in the calendar year 1974. They feel in 1974 they will need some adjustments to their fare structure, and/or adjustment in their schedules. That at the end of the year, they saw it was going to become more difficult, and then they hit the national fuel crisis. With the advent of the energy crisis, they felt there was a good possibility that there would be an increase in their ridership, rather than the decrease in ridership they had been experiencing. Contrary to that their ridership in November and December declined in a more rapid rate than it did in the early part of 1973. To compound this is the inflationary factors they have been going through and the cost of living escalation going at a more rapid rate. Based upon this they made a projection using the 12-months ending September, 1973. Based upon that projection, they anticipate that Charlotte City Coach Line, for the calendar year 1974 will lose \$269,000. Included in that increase is a \$50,000 increase in cost other than labor, depreciation and things of that sort in anticipation of the increase in the cost of living. Of that \$50,000, \$9,500 is an increase in the cost of fuel. Based upon the fuel prices they received on January 2, 1974, their fuel increase will not be \$9,500 but will be \$80,000. If Charlotte gets the same price for fuel that they received from Amoco in Jacksonville, it will not be a \$9,500 increase in 1974, it will be \$155,000. This is what is happening to fuel. He stated in Jacksonville, Fla. in 1973, up through November 1, fuel was running at approximately 12 1/2 cent a gallon exclusive of tax. In January it is 27 1/2 cents a gallon. One cents a gallon for fuel costs them \$10,000 per year. Going at the rapid increases we are now experiencing in fuel, the inflation is much more rapid.

Mr. Poquette stated based upon these figures they have projected, not including this rapid increase, they are going to lose \$270,000. To accomplish a reasonable return, they have determined they are going to apply to the North Carolina Utilities Commission for an adjustment in their rate structure as follows:

ADULTS:

Cash fare from 30¢ to 40¢
Tickets, from 7 for \$2.00 to 5 for \$2.00
Transfers, from 10¢ to 20¢
Cone fares will remain the same at 5¢.

STUDENTS:

Cash fare from 15¢ to 20¢
Tickets from 8 for \$1.00 to 5 for \$1.00
Transfers, from 5¢ to 10¢
Passes (College), from \$2.50 to \$3.25.

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He stated based upon the fare structure and based upon the projections they made, they are projecting, as shown on Page 19 of his exhibits, that this will produce a profit to Charlotte City Coach Lines of \$86,649 for the calendar year 1974, instead of a loss of \$269,504. He stated in the costs that are shown in the exhibits, they only have a \$9,500 increase in their fuel costs. At present time it is \$80,000; therefore they are \$70,000 short in their fuel. If it continues, which they anticipate it will be based upon everything they hear in the news, their fuel costs will be higher than \$80,000. If it goes to what they are experiencing in Jacksonville, it will go to \$155,000 or approximately \$145,000 over the costs they are showing. This is to give an indication of what happens to their industry because of the risk factor, and what happens when they get into a multiple factor such as fuel. Labor is also affected in here in that they have their labor contract increases, and they have estimated a possibility of an escalation.

Mr. Poquette stated there are two basic areas in which they can adjust their financial plight. One is in cost and two is in revenue. Revenue is through an adjustment in their fares. Costs is through an adjustment in their scheduling. He stated Page 8 of the exhibits shows the trend they have taken. The extreme left shows both lines at 100; the dotted lines are the miles operated for the 12 months ended, and the solid line is the adult passengers they are carrying. The miles operated have increased to where they are slightly over 105 percent of the miles they operated in 1965. However, at the same time, passengers have dropped to where they are approximately 83 1/2% of the adult passengers they carried in 1965. Although they have had a tremendous drop in passengers, they have taken the policy of keeping service out so that people would have the service. They have felt that a person who had service out there would prefer to pay a 40¢ fare to ride than to have the fare at 30¢ and no bus to ride because they had reduced service.

He stated what is going to occur in 1974 with this fuel crisis they cannot completely answer at this point. They feel if there is gas rationing that there may be an increase in their riders; they felt when the energy crisis hit there would be an increase in their ridership; however it has continued at about a 3 1/2 percent decline in the month of December.

He stated these exhibits are brought before Council as a courtesy so that it will be aware of their situation; they are lengthy and detailed. Filing will be made tomorrow with the Utilities Commission in Raleigh requesting the implementation of these rates. They are sorry they have to come before Council with this kind of information, but they are probably one of the few businesses in the City of Charlotte that have not had their prices changed since September 1970. They wish they could continue not having an adjustment; and they wish the adjustment did not have to be as severe as it is. He stated they feel their figures are quite accurate.

Councilman Alexander stated Council appreciates Mr. Morrow and Mr. Poquette coming to Council with this information. And also appreciate the addition of the eight buses that were promised in their last conference. He asked if he can give any idea of what to expect from an improved service capacity from what it is now? That it involves a lot of things, such as route changes and things of that sort that would produce a bus on a better time schedule. Mr. Poquette replied as a public utility they recognize that they are in the public eye; as a corporation they are trying to do a better job each day. Since they met with Council in October, they have put into service eight additional buses; they have eight buses on order to be delivered next summer at a cost of approximately \$328,000. Also, they have improved their street supervision; they have been put into a green blazer for identification; they have hired two new supervisors, and they will be on duty about January 16; they have also hired a gentleman from another state who works with a state department transportation, who has had a great deal of experience in transportation, both in private, public owned systems, and in state transportation department. Initially he will be based in Charlotte and will be a coordinator of this type of plan and study of all their systems in the Carolinas. He stated they have had the people from Motorola in to analyze their system with respect to a radio dispatch control system - a system where they will be able to determine where each bus is at any particular time,

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based upon signals that are sent out from installations along the streets. Based upon their first perusal of the system, their initial estimate is \$400,000 for this system. He stated they are studying that, and they are also studying that type of system in another community and they can get the benefit of that. All of these things are being done; some of them have occurred, and some will occur on the 16th, and some shortly thereafter; some of them this summer. They are now trying to come up with a location for an automatic bus washer. They are working through Mr. Hoose's office right now trying to develop an origin-destination survey; one that can be adopted in Charlotte and put into the computer for analysis; they also have sent to Mr. Hoose a strip map of each of these routes; they are reviewing this with their staff and hopefully will be in a position to put those to the printers. He stated each of the things they are doing will cost money, and they are quite concerned that the passenger decline has continued and even increased in November and December with the fuel crisis. That they are trying to improve their service and to keep up with the times.

Councilwoman Locke asked how the franchise is set up? The City Attorney replied this bus company is operating as a successor to some original franchises; that it may be the third or fourth successor from the original franchise which was granted as long ago as the late 1800's, and which has been assigned to them through Councils in the past. Councilwoman Locke asked if it is an open-end franchise that cannot be terminated, or how it is terminated? Mr. Underhill replied the charter only permits a franchise to be terminated when there has been a definite showing that the company has failed to provide either equal treatment, good service or a just and reasonable rate. That is rather general language. There is some law in this state which seems to be that when a franchise is granted by the city and it fails to stipulate a term, there is a maximum in this state of 60 years as to its life. He stated what franchise you would apply this 60 years to is a great puzzle to him; that he traced the original franchise back to 1883, but there have been franchises granted since then.

Councilwoman Locke requested the City Attorney to check into this a little more thoroughly. Mr. Underhill replied he will be happy to look at it again, but he did spend three days in the Clerk's office trying to trace these franchises and they are very broadly worded; in some instances there are some stipulations as to terms, and in others there are not. In the present one there is none. He stated it is very difficult to check from the Clerk's records the different franchises. He stated he would like to think about some of these questions being raised before he gives Council an opinion on these things.

Councilman Short stated a few years ago, Council endorsed the idea of the Utility Commission approving a rate increase; and he asked if that constitutes a ratification of any then operating charter? Mr. Underhill replied he does not know the answer to that now, and he would have to look into it further.

During the discussions, Councilman Williams asked Mr. Poquette how he would feel about the sale of the assets of this company to the city or a governmental authority? Mr. Poquette replied they have sold systems in other communities to the city and to the authorities. Some cities have subsidized the systems, others have gone out and acquired capital to provide things such as the radios he mentioned, or other new equipment, or have had outright purchases of the system. In December, 1972 they sold their system in Jacksonville to the Transportation Board of Jacksonville through a state and federal grant, and they now manage that system for the Board at this point. In 1968 they were hired to manage the System in Asheville. He stated there are many avenues of going at this. He stated they want to do what the local people feel is best for them.

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Mr. Poquette stated they own and operate three systems, manage three and own and operate two taxicab companies. He stated in Jacksonville they have 50,000 riders a day at a fare of 25 cents; they have a senior citizens fare of 10 cents; the increase cost of fuel there they anticipate at approximately \$225,000 annually; that will be funded by the city. They are currently reviewing their budget to see if they will have to go back to the city and ask for more funds. In Jacksonville if they do not have sufficient funds they go back to the city, and if those funds are not forthcoming, or if the operating assistance from the federal government do not come, then the transit system is in the same positions they are now in Charlotte.

Councilman Short asked the cash fare in the three privately operated cities? Mr. Poquette replied it is 40 cents in Greenville, 30 cents in Raleigh; the cash fare in the three municipally owned but privately managed are Jacksonville, 25 cents, 30 cents in Asheville and 35 cents in Grand Rapids. As a result of the reduced fare in Jacksonville the ridership has increased.

Councilman Short stated the subsidy in Asheville with a 30 cent rate is \$100,000, and the subsidy in Jacksonville with 25 cent rate is \$1.0 million. Mr. Poquette stated in Grand Rapids it is approximately \$350,000. That Grand Rapids is a 35 plus operation, Asheville is a 35 plus operation and Charlotte is a 108 plus operation.

Mayor pro tem Whittington thanked Mr. Poquette and Mr. Morrow for bringing this information to Council.

CITY OF CHARLOTTE EMPLOYEE PLAQUES PRESENTED TO RETIRING EMPLOYEES.

Mayor pro tem Whittington and members of City Council recognized the following employees, who were present, and presented them with a City of Charlotte Employee Plaque, and thanked them for their services to the City:

- (1) William M. Penninger, Equipment Operator II, Sanitation Division of Public Works, employed May 27, 1947 and retired December 25, 1973.
- (2) Harold E. Ward, Laborer Foreman II, Sanitation Division, Landfill, Public Works, employed October 2, 1942 and retired December 25, 1973.

Also to receive plaques, but not present were the following:

- (1) George D. Philemon, Broommaker, Motor Transport Division, Public Works, Employed November 1, 1952 and retired December 25, 1973.
- (2) Edward Haskell, Equipment Operator I, Street Maintenance Division, Public Works, employed April 30, 1956 and retired December 18, 1973.

SLIDE PRESENTATION ON CHARLOTTE CENTER CONCEPT BY MR. BUDDY CARSON.

Mr. Buddy Carson, Associate in the firm of Freeman and McClintock, stated Council will be given a copy of all the remarks they are making for perusal at a later time.

Mr. Carson then made a lengthy presentation entitled Charlotte Center Complex with Phase I featuring a Downtown Transportation Center Concept, showing slides and graphs.

Assisting Mr. Carson in the presentation was Mr. Jack Hemphill.

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STATEMENT BY CHAIR PERSON OF ASSOCIATION FOR BETTER TRANSPORTATION ON PROPOSED RATE INCREASES AND REQUEST THAT COUNCIL TAKE ACTION IMMEDIATELY IN THE MATTER OF MOVING PEOPLE BY BUS.

Mrs. Sara Spencer, Chair person of the citizens group, Association for Better Transportation, stated they are here today in response to what they have just heard proposed for transportation in Charlotte.

She asked that Council not be diverted from the need of the people today to move by public transportation quickly, efficiently and cheaply from where they are to where they want to go. That she is very concerned about some of the things she has heard today. A raise from 30 to 40 cents is a tremendous jump, and when you take the transfer fee from 10 to 20 cents - that is double. She stated there are people who cannot afford to pay that as individuals, and the community cannot afford to have the lives governed in this way. That really takes the choice away from people who might use transportation that is public and forces them into their automobiles in a way that will be harmful to the City now and in the future.

She stated we cannot rely on the North Carolina Utilities Commission to solve our problems for us; this is a community problem here in Charlotte; it will be a tremendous waste of energy if they must go to them and fight a rate increase like this. It is the responsibility of this city today to deal with its transportation needs. That the place it needs to start is right here in this room.

Mrs. Spencer urged Council to very quickly move in a constructive and aggressive way to move people by bus in Charlotte. She also urged Council to respond to what the County Commission has suggested. They are setting the date of February 4 at which time it will be the termination point their motion calls for action to begin.

She urged Council to move with all speed as we have to move the people in the way they want to be moved.

COUNCIL ACTION OF DECEMBER 10 CALLING PUBLIC HEARING ON PETITION TO CLOSE ALLEYWAY OFF FARISH AVENUE RESCINDED, AND NEW RESOLUTION DECLARING AN INTENT TO CLOSE A CERTAIN ALLEYWAY AND CALLING A PUBLIC HEARING ON THE QUESTION ON FEBRUARY 4, 1974 ADOPTED.

Council was requested to rescind its action on December 10 adopting a resolution declaring an intent to close a certain alleyway and calling a public hearing on the question today as an error had been made, and the statutory requirements must be met before the hearing is held.

Upon motion of Councilman Alexander, seconded by Councilman Withrow, and unanimously carried, Council's action of December 10 was rescinded, and a resolution declaring an intent to close a 10-foot alleyway off Farish Avenue, and calling for a public hearing on the question on February 4, 1974 was adopted.

The resolution is recorded in full in Resolutions Book 9, Page 359.

RESOLUTION CONFIRMING THE ASSESSMENT ROLL FOR LOCAL IMPROVEMENTS ON GILBERT STREET, FROM NEWLAND ROAD TO DEAD-END.

The public hearing was held on the confirmation of the assessment roll for improvements made to Gilbert Street, from Newland Road to dead-end, by paving with a base course and surface course, at a total cost of \$10,837.55, of which the City's share is \$191.70, and the share to be assessed against abutting properties is \$10,645.85, at an assessment rate of \$4.34 per front foot.

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A petition was filed by 15% of the abutting property owners, representing 51.97% of the lineal feet of frontage, a distance of 1,226 feet and individual notices of the hearing were mailed to the owners of abutting property subject to assessment, insofar, as they could be ascertained, on Friday, December 21, 1973.

Mr. Barnhill, one of the residents, stated as far as he has been able to ascertain everyone is pleased with the work that has been done with some few exceptions, and the Engineering Department has already agreed to make those corrections. That the residents would like to express their appreciation to the City for making this improvement possible.

No one else spoke to the confirmation of the assessment roll.

Motion was made by Councilwoman Locke, seconded by Councilman Alexander, and unanimously carried at 4:35 o'clock p.m. adopting the resolution confirming the assessment roll for improvements on Gilbert Street, from Newland Road to dead-end.

The resolution is recorded in full in Resolutions Book 9, at Page 361.

HEARING ON MODIFICATION NO. 2 TO THE REDEVELOPMENT PLAN FOR THE GREENVILLE URBAN RENEWAL AREA, PROJECT NO. N. C. R-78, TO PROHIBIT THE ERECTION OF ADVERTISING BILLBOARD SIGNS.

The public hearing was called on Modification No. 2 to the Redevelopment Plan for the Greenville Urban Renewal Area, Project N. C. R-78.

Mr. Vernon Sawyer, Director of the Urban Redevelopment Department, stated this is a modification to the redevelopment plan rather than an amendment. That their Attorney, Mr. Creasy, has given them the opinion that this could be done, but he also recommended that a public hearing be held prior to Council making a decision.

Mr. Sawyer stated the original plan of the Greenville project area permitted advertising signs in the light industrial sections; however, it took a reference to another section of the plan, the neighborhood business section, in order to clarify on which parcels of land advertising signs were permitted. When they experienced the need for an amendment that involved a number of changes, they took that opportunity to clarify the sign provisions, making it clear that advertising signs would be permitted only on parcels where no other business or permitted use was established. That is the status of the plan today. When this amendment was presented to the Planning Commission, the Planning Commission objected to permitting advertising signs in the project area, and requested them to bring its objections to the attention of the City Council to see what the wishes of City Council were in respect to advertising signs. He stated they did that, and Council instructed them to prepare the necessary change and bring it back for consideration.

He stated the purpose of the hearing today is to hear those who would object to the modification, or to hear those in favor of the modification, to change the plan to prohibit advertising signs within the Greenville Project area as recommended by the Planning Commission, and further recommended by the Urban Development Advisory Committee when they met on November 23.

Mr. Sawyer then indicated on a map the area within the project area where light industrial zoning will be effective - that he says "will be" as it is not presently zoned as no change in zoning has been requested by the Redevelopment Department; they will formally make the request after acquiring all the property.

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Councilman Short asked if the Redevelopment Commission has heretofore sold any B-2 or Industrially zoned land? Mr. Sawyer replied yes; the Brooklyn Project Area was zoned B-2 almost in its entirety; there was one small section of the project across Independence Boulevard, next to the railroad, designated for light industrial; a portion of it has been changed to suit the requirements for a restaurant that is being constructed at present. He stated no signs were permitted in any of the Brooklyn Project area.

Councilman Alexander stated at the time this matter came before Council some months back, he asked that the decision be deferred to give the sign people an opportunity to be heard on this, and that is the reason for the hearing today.

Mr. Sawyer stated his office notified by letter every advertising firm listed in the Yellow Pages of the Telephone Directory.

Councilman Williams asked the reason this light industrial area is being treated differently from all the others? Mr. Sawyer replied it is not really being treated differently than any other urban renewal project area; that they can impose, by State Law, restrictions over and above our ordinary zoning regulations, and this is done in the project areas.

Mr. Fred Bryant, Assistant Planning Director, stated in this particular instance the matter related to the fact that this was an opportunity to exercise an additional type of control in an area in which total redevelopment is occurring; at least it was an opportunity to apply at greater extent control than normal zoning would allow. The normal zoning because of the I-1 nature would allow advertising signs in that area. Here, because the city and government in general is contributing to the rebuilding of a total area, they felt it was an opportunity to exercise additional control. Also, much of this property is along Interstate-77 and along the Northwest Expressway, and it was felt it would not be in keeping with the general nature of the redevelopment of the area.

Councilwoman Locke stated Council received this information Friday night, and it is a lot of material for her to digest, and it is very difficult for her to understand the whole prior procedure of what has happened and what is happening now.

Mayor pro tem Whittington suggested that the sign representatives speak and then if Council concurs, Mr. Sawyer and Mr. Bryant can furnish her with the information, and leave it open until the next meeting.

Mr. John Hunter, Attorney representing Lamar Dean Advertising Signs, stated he appears to present their objections to this matter. The redevelopment plan, as presently drawn, would permit off-premise advertising signs in the light industrial districts within the Greenville Area. The proposed modification submitted would completely prohibit off-premise advertising signs. They base their objections on a number of reasons.

They believe the modification is arbitrary; is discriminatory and impedes the legitimate pursuits of needed industry; it prohibits needed informative and directional signs for out-of-town travelers and light industrial districts are proper areas for the location of these signs.

He stated in the area as proposed now, the only place that off-premise advertising signs can be located would be in the light industrial district; also this particular district is adjacent to a federally funded highway project and they have their requirements; one of which is the spacing of 500 feet.

Mr. Hunter stated he has estimated that the maximum number of signs that can be put in this area would be six. That is what we are talking about today - prohibiting six off-premise advertising signs in this particular area. They believe with the 500 foot space of the small area talked about and the fact they have to lease the property from the present property owners that chances are very slim they would get six signs to begin with. They do not object to

proper restrictions, and they will work within these guidelines; but they think total prohibition is unreasonable. They see no difference in this particular district than in an adjacent district just because it is outside the Greenville Urban Renewal area. They do not believe it should be said that the urban renewal area is any different than an industrial district outside. He stated there is a need for these off-premises billboard signs and they do serve a purpose. One is public service in advertising; the federal government uses them. When you come into a city you are not familiar with, you normally come in on an interstate or expressway. That you might be looking for some particular place, and these signs are used for directional signs for someone coming into Charlotte. They feel that a light industrial area is the proper location for the off-premises advertising signs.

Mr. Marc Silverman, Manager of Schloss Outdoor Advertising Signs, stated he opposes these recommendations. He stated he has worked with Mr. Sawyer for over five years in various redevelopment projects. That he has worked with him in particular on this project for the past two years, and unfortunately they have lost a few locations and they have tried to buy the property. He stated one piece of property they now own is in the Greenville project; it fronts on the Northwest Expressway, is east of I-77 and is next to the H. K. Porter property; one side is inaccessible because of the highway right of way fence; there are sewer and water easements throughout the property.

He stated he would like to keep this piece of property and have it zoned for signs and to retain the advertising rights to it. He stated all the property around it is zoned industrial. That the property has virtually no value except for signs.

Mr. Silverman stated he is asking that signs be allowed to go on this one lot and that the zoning of the lot be industrial, and that in all other areas of the city other than redevelopment areas that signs be allowed in the industrial area. He stated they will landscape the property, and it will be subject to the review and approval of the Urban Redevelopment Department. He stated he would like to use this as an experiment to see how outdoor advertising can be integrated into the environment of a redevelopment area.

He asked that they be allowed to keep the property and that it be zoned properly for the sign and that they be allowed in the area.

Mayor pro tem Whittington asked approximately how many signs have been lost because of zoning, expressways and this type of thing? Mr. Silverman replied in the redevelopment areas they have probably lost a couple of hundred; through zoning, expressway right-of-way and widenings, they have lost 300 signs going back to 1964-65. Mr. Hair of Lamar Dean Company stated they have lost 15 or 20.

Councilman Williams asked how many are left inside the city, and Mr. Silverman replied roughly 450 signs, and they have lost between 200 and 300.

Councilman Short asked how Schloss became the owner of this piece of land; did they bid it in the redevelopment commission, and won the bid? Mr. Silverman replied they bought this property along with a number of others in this area before he knew it was going into redevelopment; that he did know where the Northwest Expressway and I-77 were going. He bought it back in the middle 60s. Councilman Short asked why he still owns it, and why the government does not own it? Mr. Silverman replied it has not been acquired at this time; there is virtually no use for it as it is roughly 75' x 100' in an industrial area. Councilman Short asked how he can count on getting this property back from the redevelopment area, and Mr. Silverman replied he was hoping they would not lose it; that he was hoping the redevelopment would not buy it, and it would be zoned industrial. It is in the project area. Mr. Sawyer stated they will acquire the property and offer it for sale.

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Councilman Alexander stated if you go out and look at this piece of property you would get a better picture of what is being talked about. That he has no objections to improving a plight of a community by various means; that he does not say he agrees wholly that signs need to be put out of business. That he does not agree with the ecologists' thinking that everything somebody thinks is bad, is bad. With this piece of property he does not see where anything is to be gained in not letting that piece of property, which has no use whatsoever, to anyone else other than someone who wants to put a sign on it, why it should not remain so it could be used for sign purposes.

Councilman Alexander stated aside from that he comes back to a peoples' reason why he is concerned with this particular situation. That Mr. Silverman has said they have lost over 200 boards in the City of Charlotte out of zoning regulations. This firm was a firm that before there was any forcing of equal employment opportunity regulations opened up its doors to employing Negroes, and upgrading them in sign work. It has afforded a means of employment for many Negroes, and just as it has afforded means of employment it has begun to have its other effect in that as they are being required now to reduce their signs, they are also reducing their labor forces. That he does not know where you begin to put human values, but if he is going to die, then he is not too concerned about which way he is going to die. If he is going to die from inhaling gas fumes, and if he is destined to die he is going to die. If he is going to die because he does not have any job to maintain himself and buy food and take care of his family, that is death too. What difference does it make? He ends up dying. So he says we have to give some people consideration to the fact that in all we are doing, if we are taking people off a job and throwing them off jobs where they end up on welfare, we are not improving any community situation whatsoever. That he thinks we have to look at some of these things that we are doing now from the point of view of what comes first, the chicken or the egg. When we change one situation, what have we created through this change. Have we actually improved something? Or have we put ourselves in another hole just as deep, or deeper, where people are concerned. In this case, when the sign business goes out of business from the fact that they no longer have billboards, some people are going out of jobs, and these people are going on relief rolls. When they get on relief rolls, then here we come again with public tax funds having to take care of them. That he says we have to give another thinking to some of our end approaches to what we are doing. This is why he was concerned with this particular ground that has no use. That he is in favor of this piece of ground being maintained as it is for a sign, and let the owners hold this. That he has no objections to deferring action until the other members of Council have a chance to be further informed. But when it does come back to Council, he is prone to so move that this piece of property be permitted to remain as it is, or whatever zoning is necessary to keep it there that the original owners be entitled to keep.

Councilman Alexander stated his general position is that he does not think that in every instance we can outlaw all signs. In this industrial area out there, as far back as some of that land is from the highway, he cannot see where there is any objection to some signs in some of those areas.

Mayor pro tem Whittington stated at the request of Councilwoman Locke decision will be delayed for one week, and Mr. Sawyer is requested to give the Councilmembers the information they need.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA,
RELATING TO RETENTION OF LAND IN THE DOWNTOWN URBAN RENEWAL PROJECT NO.
N. C. A-3.

Motion was made by Councilman Short, seconded by Councilman Withrow, and unanimously carried, adopting the subject resolution relating to the retention of Parcel No. 5 of the Downtown Urban Renewal Project No. N. C. A-3, consisting of 5,632 feet which will be developed as a public pedestrian right of way to be known as Independence Square.

The resolution is recorded in full in Resolutions Book 9, at Page 363.

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PETITION NO. 73-46 BY E. C. GRIFFITH COMPANY FOR A CHANGE IN ZONING OF PROPERTY AT THE SOUTHEAST CORNER OF EAST BOULEVARD AND MARYLAND AVENUE, EXTENDING TO QUEENS ROAD WEST, DEFERRED

Motion was made by Councilman Withrow, seconded by Councilman Alexander, and unanimously carried, to defer decision on the subject petition until a full Council is present.

ORDINANCE NO. 63-Z AMENDING CHAPTER 23, SECTION 23-40 OF THE CITY CODE TO ALLOW CONDITIONAL APPROVAL FOR PETROLEUM PRODUCTS STORAGE ON PROPERTY BETWEEN MONROE ROAD AND SEABOARD COAST LINE RAILROAD, AS PETITIONED BY HORACE E. HALL.

Councilwoman Locke moved adoption of the subject ordinance allowing conditional approval for petroleum products storage on property zoned I-2, located between Monroe Road and Seaboard Coast Line Railroad, near Fugate Avenue, and adjacent to Antioch Baptist Church property. The motion was seconded by Councilman Short, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 20, at Page 407.

ORDINANCE NO. 64-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE OF THE CITY OF CHARLOTTE AMENDING THE ZONING MAP BY CHANGING THE ZONING OF PROPERTY AT 700 SUGAR CREEK ROAD, AS PETITIONED BY MECKLENBURG BAPTIST ASSOCIATION BOARD.

Upon motion of Councilman Withrow, seconded by Councilwoman Locke, and unanimously carried, the subject ordinance was adopted changing the zoning from R-9 to O-6 of a tract of land 270' x 666' at 700 Sugar Creek Road, as recommended by the Planning Commission.

The ordinance is recorded in full in Ordinance Book 20, at Page 408.

RESOLUTION APPROVING A GRANT OFFER FROM THE FEDERAL AVIATION ADMINISTRATION FOR CAPITAL IMPROVEMENT PROJECT FOR PROPOSED LAND USE STUDY, ADAP PLANNING GRANT PROJECT A-370012-02.

Motion was made by Councilman Short, seconded by Councilman Alexander, and unanimously carried, adopting the subject resolution approving a Grant Offer from the Federal Aviation Administration, in the amount of \$30,870.00, for Capital Improvement Project for Proposed Land Use Study, ADAP Planning Grant Project A-370012-02.

The resolution is recorded in full in Resolutions Book 9, at Page 369.

RENEWAL AGREEMENT WITH YELLOW CAB COMPANY FOR GROUND TRANSPORTATION TO AND FROM DOUGLAS MUNICIPAL AIRPORT, DEFERRED.

After discussion with the Airport Manager, Councilwoman Locke moved that decision on the renewal agreement with Yellow Cab Company for Ground Transportation to and from Douglas Municipal Airport be deferred. The motion was seconded by Councilman Alexander, and carried unanimously.

Councilman Alexander stated this matter is being deferred in order to give anyone else who so desires an opportunity to bid on this service.

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RESOLUTIONS AUTHORIZING MR. DAVID A. BURKHALTER, CITY MANAGER, TO FILE APPLICATIONS REQUESTING STATE GRANT ASSISTANCE FOR WASTEWATER COLLECTION SYSTEM IMPROVEMENTS UNDER THE NORTH CAROLINA CLEAN WATER BOND ACT OF 1971.

Upon motion of Councilman Alexander, seconded by Councilman Short, and unanimously carried, the following resolutions were adopted authorizing Mr. David A. Burkhalter, City Manager, to file applications requesting State Grant Assistance for wastewater collection system improvements under the North Carolina Clean Water Bond Act for 1971:

- (a) Garsed Trunk Lines to Eliminate the Stonehaven Lift Stations.
- (b) Annexation Section I (2) Carmel Road - Sardis Road Water Distribution Main Project, New Mains.

The resolutions are recorded in full in Resolutions Book 9, beginning on Page 370.

CONTRACT WITH THE NORTH CAROLINA DEPARTMENT OF NATURAL AND ECONOMIC RESOURCES FOR THE OPERATION OF "CHARLOTTE-MECKLENBURG BLOOD ALCOHOL EQUIPMENT".

After explanation by Mr. Severs of the Police Department, motion was made by Councilwoman Locke, seconded by Councilman Williams, and unanimously carried, approving the contract with the North Carolina Department of Natural and Economic Resources, in the amount of \$3,375.00, for the operation of "Charlotte-Mecklenburg Blood Alcohol Equipment".

During the discussion Mr. Severs advised that the information gained is admissible in the Courts under N. C. General Statutes 20-16.2. That this equipment will be used to test the drinker who gets out and drives and cannot blow into a breathalyzer. That frequently people are involved in accidents and are injured or the accident could cause their death, and this will permit them to run the proper test. The blood will be taken at the hospital by a licensed physician or a nurse.

CONTRACT BETWEEN CITY OF CHARLOTTE'S MODEL CITIES DEPARTMENT AND MINORITY ECONOMIC DEVELOPMENT CORPORATION, APPROVED.

Councilman Alexander moved approval of contract between City of Charlotte's Model Cities Department and Minority Economic Development Corporation to provide technical assistance and identify sources of and secure funds for any business defined as minority or disadvantaged and in need of such services as determined by the Corporation. The motion was seconded by Councilman Locke.

During the discussion, Dr. Travland advised that \$100,000 has been appropriated for this. This is a combination of efforts between the Progress Association Economic Development and the Charlotte Chamber of Commerce. This money is primarily for staffing for the program.

Councilman Alexander stated this is the continuation of the Business Development Corporation that was operated on Beatties Ford Road under PAED. Now the Chamber of Commerce through its establishment of a Business Resources Center combined all these functions. This is the Business Development Corporation concept. Out of the Business Development Corporation will grow other situations where businesses or institutions have money loaned. The only thing this is doing is establishing, in a sense, a new Business Development Corporation in conjunction with the Chamber of Commerce and the BDC and the PAED. This has all been combined, and what was the PAED Board now becomes members of the Board of the new BRC. This is a 21 member board, with 10 appointed by PAED, 10 appointed by Chamber of Commerce, and one appointed by the Mayor.

The vote was taken on the motion and carried unanimously.

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ORDINANCE NO. 65-X AMENDING THE TABLE OF ORGANIZATION FOR THE PUBLIC WORKS SANITATION DIVISION TO DELETE ONE LABORER I POSITION AND ADD ONE CLERK II POSITION.

Upon motion of Councilman Short, seconded by Councilwoman Locke, and unanimously carried, the subject ordinance was adopted amending the Table of Organization for the Public Works Sanitation Division to delete one Laborer I position and add one Clerk II position.

The ordinance is recorded in full in Ordinance Book 20, on Page 409.

ENCROACHMENT AGREEMENT WITH THE DEPARTMENT OF TRANSPORTATION AND HIGHWAY SAFETY, APPROVED.

Motion was made by Councilman Short, seconded by Councilman Withrow, and unanimously carried, approving the subject encroachment agreement with the Department of Transportation and Highway Safety permitting the City to construct an 8-inch c. i. water main in Lawyers Road, SR 3128, in an easterly direction for approximately 400 feet.

AGREEMENT WITH CALVARY UNITED METHODIST CHURCH FOR LEASING OF OFFICE SPACE AT 512 WEST BOULEVARD TO HOUSE THE WILMORE NEIGHBORHOOD IMPROVEMENT PROJECT OFFICE, APPROVED.

Councilman Alexander moved approval of the subject agreement with Calvary United Methodist Church for the leasing of 2,260 square feet of office space at 512 West Boulevard, at a monthly rental of \$432.00, to house the Wilmore Neighborhood Improvement Project Office, which motion was seconded by Councilman Withrow, and carried unanimously,

CONFIRMATION OF APPOINTMENT OF A. BOYCE CROTHERS BY MECKLENBURG BOARD OF COUNTY COMMISSIONERS TO THE CHARLOTTE-MECKLENBURG HISTORICAL PROPERTIES COMMISSION.

Motion was made by Councilman Alexander, seconded by Councilwoman Locke, and unanimously carried, confirming the appointment of A. Boyce Crothers by the Mecklenburg Board of County Commissioners, to the Charlotte-Mecklenburg Historical Properties Commission to fill the unexpired term of William Kibler to expire July 16, 1974.

CONSTRUCTION OF WATER MAINS AND SANITARY SEWERS, APPROVED.

Motion was made by Councilman Short, seconded by Councilman Withrow, and unanimously carried, approving construction of water mains and sanitary sewers as follows:

- (a) Contract with The Wallace Corporation for the construction of approximately 2,290 feet of 8" C. I. water main and three (3) fire hydrants to serve a portion of Century Park Project, Phase I, inside the City, at an estimated cost of \$15,000.00. Funds will be advanced by applicant under the terms of existing City policies as related to such water main construction.
- (b) Contract with Day Realty of Charlotte, Inc. for the construction of approximately 540 feet of 6" C. I. water mains and one (1) fire hydrant, to serve the Days Lodge Apartment Complex, inside the City, at an estimated cost of \$2,800.00. Funds will be advanced by applicant under the terms of existing city policies as related to such water main construction.

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- (c) Contract with Godley Construction Company, Inc., for the construction of approximately 592 linear feet of 8-inch sewer pipe to serve Odell Street, located in Craighead Park, inside the City, at an estimated cost of \$5,000.00. The applicant is to construct at his own proper cost and expense and the City is to own, maintain and operate at no cost to the City.
- (d) Contract with Wallace Corporation for construction of approximately 2,045 linear feet of 8-inch sanitary sewer trunks and mains to serve Century Park - Phase I, off I-85, near Tuckaseegee Road, inside the City, at an estimated cost of \$15,360.00. The applicant has deposited 100% of the estimated cost and the City is to own, maintain and operate at no cost to the City. Refund is as per agreement.
- (e) Contract with J. Donnell Lassiter for construction of approximately 445 lineal feet of 8-inch sanitary sewer to serve 3201 Carmel Road, outside the City, at an estimated cost of \$3,240.00. The applicant has deposited 100% of the estimated cost and the City is to own, maintain and operate at no cost to the City and refund is as per agreement.

CHANGE ORDERS CONCERNING CIVIC CENTER CONSTRUCTION APPROVED.

After discussion Councilman Alexander moved approval of the following Change Orders concerning the construction of the Civic Center, which motion was seconded by Councilwoman Locke, and carried unanimously:

- (a) Change Order No. G-7, with McDevitt & Street Company, in the amount of \$24,631.00.
- (b) Change Order No. P-5, with Poole & Kent Corporation, increasing the contract in the amount of \$773.95.
- (c) Change Order No. M-4, with Hicks and Ingle Corporation, increasing the contract in the amount of \$1,593.51.
- (d) Change Order No. E-5, with Watson Electric Company, increasing the contract in the amount of \$5,267.94.

During the discussion Councilman Short asked if this comes within the bond funds for this project? Mr. Hopson, Public Works Director, replied this will leave us with about \$13,000, of which they have some graphics they want to do, and it will bring it down to around \$5,000.

Councilwoman Locke asked the City Manager to give Council a scheduling and operations costs for the Civic Center.

PROPERTY TRANSACTIONS AUTHORIZED.

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

- (a) Option on 49.89' x 150.07' x 50.19' x 150.05' of property at 622 Parkwood Avenue, from Wilbur T. Foushee and wife, Charlotte C., at \$6,700.00, for Belmont Neighborhood Service Centers Project.
- (b) Option on 133.10' x 150.05' x 178.64' x 151.25' of property at 616 Parkwood Avenue, from Wilbur T. Foushee and wife, Charlotte C., at \$8,400.00, for Belmont Neighborhood Service Center Project.

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- (c) Acquisition of 15' x 516.60' of easement at 3527 Fincher Blvd., from Samuel W. Lee and wife, Avis R. Lee, at \$1,000.00, for Derita Woods Area Sanitary Sewer Trunks Project.
- (d) Acquisition of 15' x 220.80' of easement at 5009 Hoover Drive, from Walter R. Griffin and wife, Naomi Griffin, at \$222.00, for Derita Woods Area Sanitary Sewer Trunks Project.
- (e) Acquisition of 15' x 54.66' of easement at 5124 Hoover Drive, from Charles B. Barnwell and wife, Betty K., at \$110.00, for Derita Woods Area Sanitary Sewer Trunks Project.
- (f) Acquisition of 15' x 244.82' of easement at 3201 Lake Drive, from James C. Thompson and wife, Lillian Thompson, at \$300.00, for Derita Woods Area Sanitary Sewer Trunks Project.
- (g) Acquisition of 15' x 164.15' of easement at 5203 Cheviot Road, from William L. Farrow and wife, Betty M., at \$185.00, for Derita Woods Area Sanitary Sewer Trunks Project.
- (h) Acquisition of 15' x 512.77' of easement at 3100 Lake Drive, from Steven A. Robinette and wife, Shirley M., at \$650.00, for Derita Woods Area Sanitary Sewer Trunks Project.
- (i) Acquisition of 15' x 194.18' of easement at 3120 Allen Road, from Raeford L. Chapman and wife, Jane E., at \$290.00 for Derita Woods Area Sanitary Sewer Trunks Project.
- (j) Acquisition of 7.5' x 1.97' of easement at 3100 Allen Road, from Raeford L. Chapman and wife, Jane E., at \$25.00, for Derita Woods Area Sanitary Sewer Trunks Project.
- (k) Acquisition of 10.5' x 48.11' of easement at 5245 Manning Road, from James W. Sharpe and wife, Thelma L., at \$90.00, for Derita Woods Area Sanitary Sewer Trunks Project.
- (l) Acquisition of 15' x 1,129.18' of easement at 3600 Arvin Drive, from Hubert M. Howard and wife, Grace, at \$1,700.00, for Sanitary Sewer to Serve Derita Woods Area Trunks Project.
- (m) Acquisition of 15' x 81.45' of easement at 1801 Summerhill Drive, from Archie G. Locklair and wife, Hester H., at \$185.00, for Sanitary Sewer to Serve Annexation I Area (4) Monroe Road Area Project.
- (n) Acquisition of 15' x 103.92' of easement at 1817 Summerhill Drive, from Antom M. Viditz-Ward and wife, Vera C., at \$275.00, for Sanitary Sewer to Serve Annexation Area I (4) Monroe Road Project.
- (o) Acquisition of 15' x 55.01' x 8.96' x 22.5' of easement at 1823 Summerhill Drive, from Conley E. Robinson and wife, Rosa Alice G., at \$250.00, for Sanitary Sewer to Serve Annexation Area I (4) Monroe Road Project.
- (p) Acquisition of 15' x 297.52' of easement at 7530 Dwight Street, from Glenn H. Kirkpatrick and wife, Thelma Q., at \$550.00, for Sanitary Sewer to Serve Annexation Area I (4) Monroe Road Area Project.
- (q) Acquisition of 15' x 117.12' of easement at 1829 Summerhill Drive, from James D. Hoagland and wife, Anne W., at \$300.00, for Sanitary Sewer to Serve Annexation Area I (4) Monroe Road Project.
- (r) Acquisition of 20' x 118.13' of easement at 6519 Castle Hayne Court, from Earl H. Haywood and wife, Mary N., at \$650.00, for Hickory Grove Area Sanitary Sewer Trunks Project.

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- (s) Acquisition of 15' x 32.61' of easement at 225 Shenandoah Circle, from William L. Mellichamp and wife, Martha T., at \$200.00, for Hickory Grove Area Sanitary Sewer Trunks Project.
- (t) Acquisition of 7 1/2' x 419' of easement at 6315 U. S. Highway 29 - North (North Tryon Street), from Elise Hunter Hood and Lloyd N. Hood, at \$500.00, for Sanitary Sewer to serve 6300 North Tryon Street Project.
- (u) Acquisition of 7.5' x 419.09' of easement at 6401 U. S. Highway 29 - North (North Tryon Street), from Robert Leonard Hunter and wife, Esther C., at \$475.00, for Sanitary Sewer to Serve 6300 North Tryon Street Project.
- (v) Acquisition of 15' x 239.63' of easement at 2720 Dillard Drive, from The Kingston Corporation, at \$240.00, for Sanitary Sewer to Serve 4400 Dillard Drive Project.
- (w) Acquisition of 15' x 71.56' of easement on Eastside of Barrington Drive, from M. McFall Babb, Susan S. Shaw and Cynthia Ann Simpson, at \$75.00, for Sanitary Sewer to Serve 4400 Dillard Drive Project.
- (x) Acquisition of 15' x 153' of easement at 8815 Idlewild Road, from W. R. Allen, Jr., and wife, Madeline M., at \$200.00, for Sanitary Sewer to serve Cross Winds Subdivision Project.
- (y) Acquisition of 15' x 55' of easement at 8915 Idlewild Road, from Meredith Wilson Mullis and wife, Shirley C., at \$55.00, for Sanitary Sewer to Serve Cross Winds Subdivision Project.
- (z) Acquisition of 15' x 1,208.62' of easement at 8721 Idlewild Road, from Ed Griffin Company, at \$1.00, for Sanitary Sewer to Serve Cross Winds Subdivision Project.
- (aa) Acquisition of 15' x 13.36' of easement at 2730 Interstate Street, from Lincoln Company, Inc., at \$15.00 for Sanitary Sewer to Serve Interstate 85 and Alleghany Street Project.
- (bb) Acquisition of 25' x 1,716.81' of easement at 8101 Albemarle Road, from Waverly Swim Club, at \$2,050.00, for McAlpine Creek Outfall Extension Project.

CLAIM FILED BY PAUL BAILEY FOR DAMAGES TO RENTAL UNIT, APPROVED FOR PAYMENT.

Motion was made by Councilman Withrow, seconded by Councilman Alexander, and unanimously carried, approving the claim filed by Paul Bailey, in the amount of \$2,510.00, for damages to rental unit he owns at 322 Walnut Avenue, as recommended by the City Attorney.

AMENDMENT TO THE CONDEMNATION IN THE CITY VS. CAROLINA GOLF CLUB, INC., ET AL DEFERRED.

Mr. Tom Pfaff, Vice-President of the Carolina Golf Club, Inc., was present and stated they share the concern of some of the members of Council that has been expressed relative to the fact that it is necessary to ask for additional funds to purchase the land for the extension of this road. That he shares this concern as a taxpayer as it seems unwise that a road would be designed initially in anticipation of this piece of land at something like \$4,000, and the request is now up to \$34,000. He stated from his viewpoint we are really talking about a great deal more money than that. This first came to their notice last June when they realized what was involved. When this was known they submitted a letter to the City outlining the things they found that had not been taken into consideration in the valuation of the

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property taken. That resulted in the City coming up with a change involving the redesigning of two tees and one green. It is that redesign that represents the additional amount of money. They do not feel that is an adequate solution to the problem caused by this land that was taken, and expressed themselves and asked that the matter be given further consideration.

Mr. Pfaff stated in their opinion, which they will contest as being absolutely the minimum necessary to replace the course, is at least \$65,000. While all of this is going on, it will take two of these holes out of play, and this means quite a number of months that the course will not be playable. That they can pretty well document loss of revenues to the club in excess of \$30,000. When you put these figures all together, the \$34,000 project in their opinion is a good \$100,000 project. That will be the position they will take. He stated they really do not want the \$100,000; they want the road moved. They are well satisfied with the course the way it is. He stated they request that the City consider the possibility of redesigning the road; if not, that the City consider that the \$30,000 will not be enough.

During the discussion the Public Works Director again explained the project to the Council. Also speaking was Mr. Porter Gibson, Golf Architect, and Mr. Sam Woodard, Attorney for the Club.

Councilman Alexander moved that Council defer decision for another week, and gather any additional information needed. The motion was seconded by Councilwoman Locke.

Mayor pro tem Whittington requested that Council go out and look at this project tomorrow after they complete their meeting at the Airport, and that Mr. Hopson and his staff be there to point out what is necessary. Mr. Woodard stated they would like to be present also and point out their viewpoints.

Mr. Ralph Whitehead was present and explained the project.

The vote was taken on the motion and carried unanimously.

SPECIAL OFFICER PERMITS AUTHORIZED.

Upon motion of Councilman Short, seconded by Councilman Withrow, and unanimously carried, the following Special Officer Permits were authorized:

- (a) Renewal of permit to Bowell Adams for use on the premises of Morris Speizman Company, Inc., 508-14 West Fifth Street.
- (b) Renewal of permit to Woodrow Freeman for use on the premises of Charlotte Park & Recreation Commission.
- (c) Renewal of permit to Milton P. Therrell for use on the premises of Charlotte Branch - Federal Reserve Bank of Richmond.

CONTRACT AWARDED A. E. FINLEY & ASSOCIATES, INC. FOR TILT BED TRAILER.

Motion was made by Councilman Short, seconded by Councilman Alexander, and unanimously carried, awarding contract to the only bidder, A. E. Finley & Associates, Inc., in the amount of \$5,523.00, on a unit price basis, for one 22-ton Tilt Bed Trailer.

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CONTRACT AWARDED CONTRACTORS SERVICE & RENTALS, INC. FOR ONE HYDRAULIC TRUCK-MOUNTED CRANE.

Councilman Short moved award of contract to the low bidder, Contractors Service & Rentals, Inc., in the amount of \$12,522.20, on a unit price basis, for one hydraulic truck-mounted crane, which motion was seconded by Councilman Withrow, and carried unanimously.

The following bids were received:

Contractors Service & Rentals, Inc.	\$12,522.20
Utilities Service, Inc.	14,430.00
Baker Eqpt. Engr. Company	14,694.71
Fruehauf Corporation	17,806.00
A. E. Finley & Associates, Inc.	20,644.00

CONTRACT FOR REAR LOADING REFUSE COLLECTION PACKER BODIES, DEFERRED.

Councilman Short moved that contract for the ten rear loading refuse collection packer bodies be deferred. The motion was seconded by Councilman Withrow, and carried unanimously.

CONTRACT AWARDED MECKLENBURG ENGINEERS AND CONTRACTORS, INC. FOR SANITARY SEWER CONSTRUCTION TRUNK TO SERVE RAMBLEWOOD TOWNHOUSES.

Motion was made by Councilman Alexander, seconded by Councilman Short, and unanimously carried, awarding contract to the low bidder, Mecklenburg Engineers and Contractors, Inc., in the amount of \$15,520.15, on a unit price basis, for sanitary sewer construction trunk to serve Ramblewood Townhouses.

The following bids were received:

Mecklenburg Engineers and Contractors, Inc.	\$15,520.15
Sanders Brothers, Inc.	22,256.00
Dellinger, Inc.	23,019.00
R. W. Wiggins Company	27,618.50
Thomas Structure Company	31,534.00
Ben B. Propst Company	33,018.50

CONTRACT AWARDED PIEDMONT GRADING COMPANY FOR DEMOLITION AND SITE CLEARANCE DOWNTOWN NEIGHBORHOOD DEVELOPMENT PROGRAM, PROJECT NO. N. C. A-3.

Councilman Withrow moved award of contract to the low bidder, Piedmont Grading Company, in the amount of \$19,995.00, for demolition and site clearance Downtown Neighborhood Development Program Project No. N. C. A-3. The motion was seconded by Councilman Short and carried unanimously.

Piedmont Grading Co.	\$19,995.00
D. H. Griffin Wrecking Co.	29,250.00
Dore Wrecking Co.	56,525.00

CONSIDERATION OF METHODS OF TAX COLLECTIONS TO BE BROUGHT TO COUNCIL FOR DISCUSSION PRIOR TO MAILING OF NEXT TAX BILLS.

Councilman Alexander requested that the reconsideration of our method of tax payment collections be placed on the agenda. This has not been done in some time, and there are a lot of considerations to consider. He would like to discuss a possible change, whether or not it would affect the amount of money collected, plus the method of making payments due on the last day of the year, and the bottlenecks that arrive therefrom. People are not going to pay in the money when they do not receive a discount, and just about every person waits until the last minute as they do not have anything to gain in not doing it. That many people who hope to use their tax receipts in their income tax returns will not be able to do it because they are not going to be stamped properly. Also we might give some consideration to hiking our percentage to incur payment.

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Mr. Burkhalter, City Manager, stated this is very involved, and every year a detailed study is made by the finance people to see whether or not giving a discount cost money or makes money. This has to be done each year. That they will not have any information until they go a little further to see how many people are going to pay their taxes; that this will be brought to Council for discussion as soon as feasible, and before the tax bills are sent out.

MOTION ON COMPREHENSIVE PLAN TO ACQUIRE AND OPERATE BUS SYSTEM, AND POSSIBLE CREATION OF TRANSIT AUTHORITY TO OPERATE BUS SYSTEM TO BE PLACED ON AGENDA FOR NEXT MEETING

Councilman Williams requested that a motion be placed on the agenda for the next Council Meeting on January 14 to instruct the City Manager and professional staff to present Council with comprehensive plans to do two things:

- (1) The City to acquire and operate our bus system,
- (2) The possible creation of a transit authority to operate the bus system in Charlotte and Mecklenburg County.

Councilman Williams stated he has set a time of February 4 for the report to be brought to Council; this may push the officials somewhat, particularly if it is not adopted until next week. He stated he set the fourth as that is the date Staff is planning to present the matter of mass transit to Council. That he would like to have the plans as soon as possible. That one of these plans might require some legislative action, and he is thinking about the adjournment of the Legislature.

MOTION ON APPOINTMENT OF COUNCIL COMMITTEE ON TRANSIT TO WORK WITH CITY MANAGER AND STAFF IN THE MATTER OF PUBLIC OWNERSHIP OF BUS SYSTEM TO BE PLACED ON THE AGENDA FOR NEXT MEETING.

Councilman Short requested that a motion be placed on the next agenda to consider having the Mayor appoint a Council Committee on transit to work with the City Manager and staff, and anyone else interested in the matter of public ownership of the bus system; and transit matters is general.

MOTION TO GO INTO EXECUTIVE SESSION ADOPTED.

Councilman Alexander moved that the City Council meet in Executive Session immediately upon the conclusion of this meeting to confer with the City Attorney regarding a lawsuit entitled "North State Law Enforcement Officers Association, et al, v. the City of Charlotte, et al.", and also to consider the proposed acquisition of real property. The motion was seconded by Councilwoman Locke, and carried unanimously.

TELEGRAM CONGRATULATING MAYOR BELK ON ELECTION AS CHAIRMAN OF NATIONAL RETAIL MERCHANTS ASSOCIATION TO BE SENT.

Councilman Alexander stated on January 8, 1974 (tomorrow), Mayor Belk will be elected as Chairman of the National Retail Merchants Association. This is a national organization composed of some 26,000 member stores with headquarters in New York City.

Councilman Alexander moved that the City Council send a telegram of congratulations to Mayor Belk for this high honor. The motion was seconded by Councilman Short, and carried unanimously.

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CITY MANAGER REQUESTED TO MAKE AN INDEPENDENT INVESTIGATION OF THE POLICE DEPARTMENT, THE LARCENY, AND RESIGNATIONS OF POLICE OFFICERS THIS PAST WEEK, AND REPORT BACK TO COUNCIL.

Mayor pro tem Whittington requested the City Manager to make an independent investigation, as independent as it can be, of the police department, the larceny and the resignation of the police officers which took place last week which was publicized in both newspapers, and report back to Council, just as quickly as it can be done.

COMMENTS ON BICYCLE PATHS AND NEWS MEDIA REQUESTED TO REPORT THAT COUNCIL HAS NOT ABANDONED THE BICYCLE PATH PLANNED FOR EASTWAY DRIVE TO UNIVERSITY OF NORTH CAROLINA AT CHARLOTTE.

Mayor pro tem Whittington stated he has been told by two different citizens that the bicycle paths from Eastway Drive to the University of North Carolina at Charlotte are going to be abandoned. He asked if anyone knows anything about that? Mr. Bobo, Assistant City Manager, replied, meetings are being held with neighborhood groups all over the city trying to obtain from them where they would like for these paths to be built. No one has made a decision as yet on where they will be built. When the plan is ready it will be brought to Council for approval.

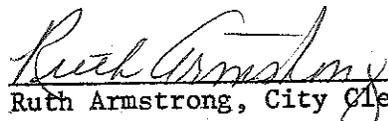
Mayor pro tem Whittington stated he wished that the news reporters present would try to get this across to the citizens that the city has not abandoned this bicycle path.

APPOINTMENT OF COUNCILMAN SHORT AS COUNCIL'S REPRESENTATIVE TO COUNCIL OF GOVERNMENT.

Councilman Alexander moved appointment of Councilman Short to represent the City Council on Council of Governments. The motion was seconded by Councilwoman Locke, and carried unanimously.

ADJOURNMENT.

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


Ruth Armstrong, City Clerk