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The City Council of the City of Charlotte, North Carolina, met in informal session on Monday, March 10, 1975, at 3:00 o'clock p.m., in the Council Chamber, City Hall, with Mayor pro tem James B. Whittington presiding, and Councilmembers Harvey B. Gantt, Pat Locke, Milton Short, Neil C. Williams and Joe D. Withrow present.

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

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#### INVOCATION.

The invocation was given by Councilman Neil C. Williams.

#### MINUTES APPROVED AS CORRECTED.

Motion was made by Councilman Short, seconded by Councilwoman Locke, and unanimously carried, approving the minutes of the Council Meeting on Monday, February 24, as submitted with the following correction on Page 281, reference to attendance requirements for members of Boards, Committees and Commissions:

"Councilman Short moved that the ordinance be amended to give the Chairman the authority to give two additional absences on the basis of sickness or unavoidable circumstances. The motion did not receive a second."

#### COMMENTS BY CHAIRMAN OF THE CITIZENS COMMITTEE ON THE APRIL 8 BOND REFERENDUM AND RESOLUTION OF CITY COUNCIL EXPRESSING ITS SUPPORT AND URGING THE SUPPORT OF THE COMMUNITY FOR THE APRIL 8 BOND AND TAX REFERENDUM.

Mayor pro tem Whittington stated on April 8, the City of Charlotte will have a municipal bond election authorized by this City Council. A bond election where the citizens of this community will be asked to support the expansion of the airport, to purchase the Charlotte City Coach Lines (that is the bus system), and to provide much needed sidewalks for this community and bikeways. All of which are important and all of which mean much to the City.

Today the Chairman of Charlotte's Citizen Committee for the upcoming April 8 Bond Referendum, Mr. Don Davidson is present. He has been associated with all the good things in this community for many, many years. He is President of Washburn Graphics, Inc., a graduate of Davidson College, the successful General Chairman of the 1973 United Way Campaign, Director of the Chamber of Commerce, a Ruling Elder in the Presbyterian Church, Past President of Charlotte Rotary Club, and he is married and has three children.

Mayor pro tem Whittington invited Mr. Davidson to come forward and say whatever he would like to Council. That he would like for him to know that Council is in support of these four important items, and will be behind him.

Mr. Davidson stated he comes today in a sense of both admiration and gratitude. After having studied the fact in regard to the referendum that Council will bring before the people on April 8, he sees that quite truly Council has risen against anything that might be selfish or partisan in a genuine unselfish interest of our community. He stated he sees Council in this action as responding to a mandate from the people.

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Mr. Davidson stated there will be very little money available for communicating the truth to the public. That we have been told this is a new day, and perhaps the new day will bring a people to people process in this election. That it thrills him to have understood that all seven members of this Council will join the Mayor in speaking out, and he wants to assure them that they will count on them. That Dr. Frank Caldwell is heading a Speakers Bureau and he will be calling on the members of Council to make some of these appearances.

He stated they are attempting to assemble a select committee of citizens. This Friday morning, March 14, in the Educational Center Board Room they will have a crisp presentation to Council and the Select Committee and the press involving the principal authorities on each issue, not the least of whom is Mr. Arnold Thompson, architectural consultant from New York City. He will bring the architectural renderings of the airport, and this will be the first unveiling.

Mr. Davidson urged the members of Council to come and join with the Select Committee who will join Council in trying to take the facts to the public.

He stated they have put together a preliminary list of facts which have been sent to Council and he thinks it is important for them to have these facts to begin their studies.

He stated as a citizen in this community he is truly grateful for the caliber of leadership the Mayor and Council has exercised, for the wisdom they have brought to bear for what he believes to be one of the most important issues that has affronted us in quite a while.

Mayor pro tem Whittington thanked Mr. Davidson on behalf of Council and the citizens of this community.

At the request of Mayor pro tem Whittington, Councilman Short presented the following resolution:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE EXPRESSING ITS SUPPORT AND URGING THE SUPPORT OF THE COMMUNITY FOR THE APRIL 8, 1975 BOND AND TAX REFERENDUM**

WHEREAS, the vitality and future of the City of Charlotte depend on a viable transportation system that considers all means of transportation for Charlotte's citizens; and

WHEREAS, the rising costs and shortages of gasoline, the environmental effects of auto usage, the increasing traffic congestion of our streets, the lack of parking facilities, and the demand for rapid and efficient travel require the City to look at alternative forms of transportation; and

WHEREAS, a new Airport Terminal Complex is vitally needed to serve the growing numbers of passengers and freight, to safely handle today's larger jets, and to meet the projected increase in Charlotte's future air traffic; and

WHEREAS, a publicly owned mass transit system will provide for the safe movement of over 28,000 passengers a day, deliver an improved level of service, and provide the initial step in a modern, efficient, and forward looking rapid transit system for the City of Charlotte; and

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WHEREAS, the growing number of bicycles in our community suggests that the City should begin to develop a safe system of bicycle facilities for the safety and convenience of its citizens; and

WHEREAS, sidewalks are greatly needed to provide for the safe movement of pedestrians and an extensive program of sidewalk construction is required to ultimately provide a complete sidewalk network throughout Charlotte; and

WHEREAS, State law requires that citizens approve the use of property tax resources before such revenues can be used for the purpose of bus system operation; and

WHEREAS, Charlotteans will be asked to vote on a \$59.5 million bond package that will mean improvements in four methods of travel - flying, walking, biking, and riding the bus; and

WHEREAS, all of these items are part of a much larger plan for the betterment of the City of Charlotte and these items have been requested by the voice of the people in recognition of an improved quality of life.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte in regular session duly assembled, that it unanimously supports these community needs and urges the citizens of this city to vote "yes" for these improvements on April 8, 1975.

Councilman Short moved adoption of the resolution, which motion was seconded by Councilman Williams and carried unanimously.

PETITION NO. 75-1 BY LUCINDA C. AND VERONICA LEE BLACKMON FOR A CHANGE IN ZONING FROM R-6MF TO B-1 OF PROPERTY AT 1109 FAIRMONT STREET, DENIED.

Motion was made by Councilwoman Locke, seconded by Councilman Williams, and unanimously carried, denying subject petition for a change in zoning, as recommended by the Planning Commission.

Mayor pro tem Whittington asked if the Planning Commission discussed conditional parking for this lot, and the reply was they did not.

ORDINANCE NO. 554-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 LOCATED ON THE EAST SIDE OF NATIONS FORD ROAD, SOUTH OF THE INTERSECTION OF ECHODALE DRIVE AND NATIONS FORD ROAD, AS PETITIONED BY PI KAPPA PHI FRATERNITY.

Councilman Gantt moved adoption of the subject ordinance amending the zoning map by changing the zoning from R-9 to O-6 of property located on the east side of Nations Ford Road, approximately 525 feet south of the intersection of Echodale Drive and Nations Ford Road, which motion was seconded by Councilman Withrow, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 21, on Page 484.

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PRESENTATION BY DIRECTOR OF TRAFFIC ENGINEERING FOR CONSTRUCTION ON  
 PLAZA ROAD.

Mr. B. A. Corbett, Director of Traffic Engineering, stated on February 15 the State Highway Commission held a public hearing in preparation to receive citizen's ideas about the proposed widening of The Plaza. This project was initiated sometime ago, and the original plans were to make it a five lane section throughout its entirety. At the request of the City, it was later determined that a median should be put in in an attempt to retain the residential character of the neighborhood. There are however, along this project, certain businesses. Since the public hearing, and at the last session of the City Council, several people have made known to Council and to the Highway Commission, their objections to the construction of the median.

Mr. Corbett stated he was asked to meet with representatives of the Highway Commission to see if they could work out some possible solution to the problem. He stated on the walls today are maps which will illustrate what was covered at the meeting last week. Last Monday, the Highway Commission met in Raleigh and asked that one of their members meet with several of the cities representatives which included him, to discuss possible alternatives.

He referred to the maps and stated that business developments extend from Eastway Drive on the left hand side of the Plaza down to Camrose Drive; the original proposition was to construct a median from Eastway Drive northward to Camrose Drive. At that point a wide median would pick up and would be planted and would extend all the way out The Plaza to Kildare Drive, at which point the planted median would be terminated and they would pick up again with a median in the center of the street constructed of concrete. Around the corner on Plaza Road there was to be a median going from Milton Road eastward to be a plain concrete median, then a planted median ending at Fair Market Drive.

Mr. Corbett stated when he met with the State Highway officials they gave him three alternatives.

- (1) Eliminate the median beginning at Eastway Drive down to Camrose Drive. Construct the planted median all the way out to Kildare Drive; then eliminate the median at Kildare Drive from that point to Milton Road; then around the corner going eastward eliminate all the median.
- (2) Delete the median throughout the entire project. No grass median and no concrete median.
- (3) If the city would insist on retaining the median, which would be eliminated on the first alternative, then the State would not build the project.

Mr. Corbett stated the reasons for the third alternative is that there have been objections to the point of going to court, and in the interest of getting the project built because of the need, they felt it would be better to accept alternative number one. He stated the State is vitally interested in building the project, as is the City, and they would like to see it accomplished, and they felt it would be better to get the major part of the project at this time. They did tell him that at such time after the project is finished, if traffic conditions were to justify the placement of a median where it is proposed to be eliminated in alternative number one, they could go back and put it in at that time. But in the initial construction they would eliminate the median. Considering these three alternatives they decided, if Council

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is willing, to accept Alternative No. 1 to build the project utilizing that section from Eastway Drive down to Camrose as a five lane section, with the fifth lane provided for left turns, and that section from Kildare down to Milton Road as a five lane section, then around the corner on the Plaza a five lane section, with the wide planted median beginning at Camrose and extending all the way out to Kildare Drive.

Councilman Gantt asked if there was not a public hearing held by the State on this project? Mr. Corbett replied on February 15. Councilman Gantt asked if the design of the road was discussed in terms of medians or no medians? Mr. Corbett replied it was, and they had maps larger than the ones being used today, showing the businesses and all the drive-ways and connections. Councilman Gantt stated in effect they are changing the design of the road without a subsequent public hearing on that basis? Mr. Corbett replied they propose to maintain the same width of the road, just eliminating the median on parts of the road. Councilman Gantt asked if the land uses are all zoned as businesses? Mayor pro tem Whittington stated as you pass the golf course, there is a church facing the Plaza; in the area between the golf course and the church, and the area beyond the church going out The Plaza is zoned multi-family on the right and left; behind the church there are duplexes, and behind the duplexes are single family homes backed up to the golf course. When you pass the curve, he thinks all of that is R-9 until you get to and beyond the creek where the bridge is, up to the Building and Loan, then you pick up office zoning there, and when you get up to the corner of Milton Road it is B-1; then you turn left and it is B-1 out to the end of the project. Councilman Gantt stated a landscaped median of 16-feet obviously makes for a better looking street and preserves the residential character of the neighborhood so that we do not get more Woodlawn Roads. He presumes that is the reason for the median in the first place; or is there another reason. Are we getting into a safety problem with that kind of five lane situation with the business development at the corner? Mr. Corbett replied as far as Traffic Engineering is concerned primarily the median is for the protection of the motorists as they move up and down the road. Persons who would move into the left hand turn lane to turn left would be protected by the median behind them. Any vehicles that are traveling the same direction would not necessarily be in the same lane as the left turn vehicles. If you replace that with a five lane section without any median, vehicles can travel in both directions in that fifth lane; there is no protection for anyone who stops to make the left turn. As far as the Traffic Engineering Department is concerned it is not as safe as with the median. One of the primary purposes of the median, other than traffic wise, was to maintain the residential integrity of the neighborhood; and hopefully to attempt to circumvent the possibility of strip commercial development in the future which occurs along many widened roads.

Councilman Gantt stated it would appear to him that we are in effect accepting alternative one, concluding that the intersections of this road will have business and office zoning; and that is a reasonable sacrifice of some safety to save those existing businesses. Mr. Corbett stated this is the State's position. The Traffic Engineering Department is willing to accept the proposal in order to have the median throughout the remainder of the project; Traffic Engineering would prefer the entire median be put in, and this was their recommendation to the State.

Councilman Williams stated the people who have contacted him about this were in favor of the planted median on The Plaza; but he is getting some calls from Sharon Amity where inhabitants of single family dwellings are upset about it. They say in order to go left, coming out of their driveway they would have to turn right and go whatever distance it is to the right until they could get to a cut through and then come all the way back on the other side of the median in order to go left. He asked why it would not be possible to put some cut-throughs every so

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many feet? Mr. Corbett replied the policy of the Traffic Engineering Department on projects where we have medians is always to have a median opening at least the equivalent of each two blocks; which is approximately 800 feet. You cannot put median openings at every intersection because of many factors. As far as he recalls there are openings every 800 feet.

Councilwoman Locke stated she thinks Council is committed to the median and the screening from here on for protection when we take these streets for widening. Mr. Corbett stated he would not want to mislead the Council and even though he is willing to accept this alternative at this time, he may, at a later date, come back to Council with a proposal to put the median in where it is now planned to be eliminated, if a problem should develop and they have a very serious adverse experience with accidents.

Councilman Short stated he believes Mr. Corbett has the authority to handle this matter without any prodding from Council, and he does not believe a motion is needed, as he has indicated he will proceed with Alternative No. 1.

Mrs. B. W. Armstrong, One Armstrong Drive, stated she is representing some of the small businesses at the end where Milton Road comes into the Plaza. They feel a median would prevent the traffic from coming into the small family type businesses. Their business is located behind the gas station where Milton Road comes into The Plaza, off The Plaza with an opening through McDonald's into Milton Road. Mr. Corbett stated no median is proposed along Milton Road at all; under the compromise reached with the State there will be no median there at all at the present time.

Mayor pro tem Whittington stated it was about 12 years ago that this Council proposed to widen The Plaza. In the last 12 years those people in the residential areas have been waiting for this improvement. Every person on this Council has heard from folks who attended the hearing on February 13. All the people who live there and have homes there, and have been there long before the commercial development came have commended this median and this plan. A lot of the problems of that community are at the intersection of Milton Road and Plaza Road. That he hopes they will move on with what has been presented today, and get this road finished.

Mayor pro tem Whittington requested Mr. Corbett to contact Mr. Larry Owens and give him the information that was presented here today, and anyone else he has had letters from so they will know what Council has approved.

**REPORT BY DIRECTOR OF URBAN REDEVELOPMENT DEPARTMENT ON PROPOSAL FOR MOVING AND REHABILITATING SINGLE FAMILY HOUSES IN FIRST WARD URBAN RENEWAL PROJECT; APPROVAL OF COUNCIL TO REHABILITATE TEN (10) HOUSES AS PROPOSED.**

Mr. Vernon Sawyer, Director of Urban Redevelopment Department, stated this project was planned as a new residential neighborhood recognizing that it was located within the inner city; that it had a considerable array of problems that had to be overcome or compromised in order to make it successful. It was planned to have a variety of types of new housing units, taking into account the economics of the project, the land, the existing Earle Village, and the benefits and facilities to be provided. One consideration during the plan was that there be offered to the property owners, primarily owner-occupants, the opportunity to rehabilitate their houses either in place if properly located, or moved to the proper location elsewhere in the project area, and continue living in the First Ward community.

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He stated an area was designated for that purpose in the area bounded generally by Ninth Street on the north, Myers Street on the east, Eighth Street on the south, and Alexander Street on the West. This was the section of the project which appeared from their examination that the best houses were already located. It was anticipated that only property owners would be interested in rehabilitating their houses so no money was included in the budget of the city for the project on rehabilitation. As instructed by the City Council they studied the housing in the area, and have found ten houses, which they believe can be rehabilitated and brought up to acceptable standards and remain permanently in the project.

Mr. Sawyer stated four of the structures are located in the area, two on Ninth Street and two on Eighth Street, and can remain. Where they are on undersized lots, additional land will have to be added to each one. He referred to an illustration of how the remaining land can be replanned.

He stated they have provided Council with some cost estimates that include the cost of moving six, plus the rehabilitation of all ten to a standard that they feel will be acceptable. They added in round figures \$3,000 per lot, \$30,000 for the ten lots, to this total which is \$175,000 to complete the whole rehabilitation. This provides housing for low and moderate income families at an average cost of \$8.33 a square foot.

Concerning the question as to what the City might do with the structures after rehabilitation, it was suggested in the motion of Council that instructed them to investigate the possibility that they proposed turning the houses to the Housing Authority for maintenance and operation. The City does the work and owns the structures and could sell them on the open market, or could turn the structures over to MOTION, an agency to rent and manage them. There are several realistic alternatives.

Mr. Sawyer stated they are maintaining several structures now as temporary housing; they are doing this because they find it necessary to spend longer periods of time working with families for their successful relocation. There is an acute shortage of houses for the families they work with; they are learning more and more that they are engaged in longer periods of maintenance and management of structures they buy. While they are under the Redevelopment's management they do improve them to the extent they feel necessary to make them comfortable so that the families living there will not suffer.

Mr. Sawyer stated they recommend that Council approve the rehabilitation of the ten structures, if they can find the money, and that they be authorized to proceed.

Councilman Gantt stated he has supported this idea from the beginning; that the only reservations he has is that we do not have enough of this housing to move around. In looking at the overall plan, it seems we only have a small amount of this housing so that the one block where we do have the single family housing and where this will go, it seems we would want to make it as attractive as we possibly can. That he wonders if they can do some things such as making the lot sizes even bigger than subdivision standards so that we can reduce the kind of catalysis to get homeowners into the neighborhood. Can the lots be made larger?

Mr. Sawyer replied they can bring the lots together. As a planning concept they had planned to keep the area between the rear property lines of Earle Village and Ninth Street as open space; this was to lead into the more dense housing. It is just a path between the two, and it could be done; or it could be eliminated. Councilman Gantt stated he does not think it should be eliminated, but they should add a few more feet to the property of the single family housing.

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Councilman Gantt stated Mr. Sawyer seems to be suggesting that he might have the authority to do the rehabilitation himself. He asked if MOTION or some other agency could get involved in rehabilitation under Mr. Sawyer's supervision? Can the Department do rehabilitation? Mr. Sawyer replied they never have except through their NIP and NAP programs; and that is a management level and not a direct contract. Councilman Gantt asked if there is anything in the law to prevent the City from doing this from a construction standpoint? Mr. Underhill, City Attorney, replied the urban renewal laws is sufficient as it is presently written to permit an urban renewal department of the city to exercise urban renewal plans, and engage in rehabilitation within the urban renewal area. Councilman Gantt stated somehow, somewhere along the line with the housing shortages we have now, some agency is going to have to step in and build housing where private development never treads. This might be a case where you might start with rehabilitation; but the longer range view is that we may have to have some kind of urban redevelopment housing corporation that will build, improve or rehabilitate the housing. The only problem now is that he has ten units with a site that would probably accommodate as many as 20 to 25 houses at \$8.33 a square foot.

After further discussion, Councilman Short moved approval of the rehabilitation of the ten houses along the plan discussed by Mr. Sawyer, and that the City Manager be requested to seek the funds listed and that Council go ahead and decide now to place these houses with MOTION for rental. The motion did not receive a second.

Following the discussion, Councilwoman Locke moved that Council give Mr. Sawyer, Director of Urban Redevelopment Department, the authority to seek the funds and rehabilitate ten houses. The motion was seconded by Councilman Gantt.

Councilman Gantt requested another report from Mr. Sawyer when the plans are more refined prior to proceeding.

The vote was taken on the motion and carried unanimously.

#### ACQUISITION OF TWENTY-NINE PARCELS OF PROPERTY IN THE FIRST WARD AREA FOR THE FIRST WARD URBAN RENEWAL PROJECT, AUTHORIZED.

Motion was made by Councilwoman Locke, and seconded by Councilman Williams for discussion approving the acquisition of twenty-nine parcels of property in the First Ward Area for the First Ward Urban Renewal Project.

Mr. Ted Fillette, Legal Aid Society, stated he is speaking in regard to pending litigation with the City and the Redevelopment Department, particularly regarding First Ward. That he tried to talk with the attorneys for the Redevelopment Department and for the City prior to this. His concern is that they had an agreement with the Attorney for the Redevelopment Department and Mr. Sawyer that we would not proceed with any demolition in First Ward until after the City and Council had answered their discovery in the Harris and HUD lawsuits.

One of the issues regarding that is whether or not the City has placed the housing, one for one, which is standard and affordable for people who are to be relocated out of First Ward. The discovery they are seeking would tend to answer that. The proposal before Council is to acquire 29 and condemn 18 other units. As they have seen earlier, there are only ten units that are proposed to be retained. That he assumes from previous remarks that all units that are not going to be in this rehab block will be demolished.

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The proposal before Council is essentially the first step leading to demolition of the 29 units in Agenda Item 7, and the 18 units in Agenda Item 8. His concern is that if there is not sufficient relocation for the people occupying these dwellings, then under the court order they cannot be demolished; therefore it seems to him it might not be wise for Council to acquire these properties and condemn these properties with a view of demolishing them if they, in fact, may not be able to be demolished. His suggestion would be to defer action on these two items for a week or two to see whether or not from their point of view there will be sufficient reasonable relocation before acquiring these properties. If they are acquired now, they will remove from the private sector to the public sector a lot of units, some of which might be viable units.

Mr. Fillette stated they had an architect who was prepared to discuss with Council a few weeks ago that some of the other houses that were not on this list of ten are viable units, and potentially viable units, and they might have been rehabilitated by some means not yet proposed. He stated he is suggesting to Council that they not cut off one alternative that is leaving houses in the private sector which might be rehabilitated.

He stated this situation is different from any other in two respects. One, there is a court order in the federal district court. There is a very great doubt in their minds as to whether or not the city is complying with the court order; that is why they have the outstanding discovery to come in about whether the city is in compliance. All that Council has heard in the last three or four months about the dire shortage of relocation facilities can confirm that. If there is no place to go, and Council takes a position today that will lead it to further litigation just because people living there do not have any other place to go, it seems to him to be a terrible waste of the city's resources.

He stated he has not seen a proposal for where these people are going to live. There has not been any proposal put forward that he can see, or any public information made available, as to what relocation facilities for these particular units are. The Harris against HUD order says there must be available prior to the demolition, sufficient relocation facilities. He stated all he is suggesting is that Council might defer action on this until Council can satisfy itself that it is in compliance with the law.

Councilman Short stated he cannot believe that Mr. Sawyer is actually misleading Council about placing people in other good locations. Mr. Fillette replied he is not suggesting that; he is saying this is a partial proposal. There is a proposal to acquire, but there is no information before Council which reassures them they will be able to relocate the people if this plan takes place.

Councilman Gantt stated when the City acquires the property, the city requires at the time of action there be a place for that family to relocate; or is it before demolition you have to do this? Mr. Sawyer replied it is before the family is moved. There is no requirement as he understands it that you have to have a place for that family to go when acquiring. The policy is once you acquire the property, then they begin to work with the family. They do not work with the family prior to acquiring the property. They do not get involved with other peoples' tenants. He stated they have been able to find some housing; they have reported to Council that it has slowed down, but they are still able to find housing that meets all the tests.

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Mr. Sawyer stated as they acquire property they are maintaining it; and in most cases improving it to some extent for the greater comfort of the occupants. Generally speaking, the owner of the private enterprise knowing the project is here, and once the negotiations begins, they do not respond too readily, and there is some backlog which the Urban Redevelopment Department inherits. Families are more comfortable under the city's ownership.

Following was a lengthy discussion. After which the City Manager advised that these matters are before Council and they have been checked out by the City Attorney and are placed on the agenda with his approval.

The vote was taken on the motion and carried unanimously.

RESOLUTION AUTHORIZING THE EXECUTION OF A PROPOSED AMENDATORY AGREEMENT TO FUNDING AGREEMENT NO. 4 FOR NEIGHBORHOOD DEVELOPMENT PROGRAM FOR N.C. A-3 (DOWNTOWN PROJECT).

Mr. Sawyer, Director of Urban Redevelopment, stated this represents the final action necessary to complete this amendment which was started back in June of last year. At that time we received word that the project could be extended and more money was available. We applied for that money, and then Council gave a substance approval, and now the amendment has finally cleared HUD and this is an acceptance of action started previously.

Motion was made by Councilman Withrow, seconded by Councilwoman Locke, and unanimously carried, adopting the resolution authorizing the execution of a proposed amendatory agreement to Funding Agreement No. 4 for Neighborhood Development Program for N.C. A-3 (Downtown Project).

The resolution is recorded in full in Resolutions Book 10, at Page 343.

RESOLUTION AUTHORIZING THE MAYOR TO SIGN AMENDMENT NO. 1 TO THE GRANT AGREEMENT FOR PROJECT NO. 8-37-0012-08 FOR GROOVING RUNWAY 5/23 AT DOUGLAS MUNICIPAL AIRPORT.

Upon motion of Councilwoman Locke, seconded by Councilman Withrow, and unanimously carried, the subject resolution was adopted authorizing the Mayor to sign Amendment No. 1 to the Grant Agreement for Project No. 8-37-0012-08 for Grooving Runway 5/23 at Douglas Municipal Airport.

The resolution is recorded in full in Resolutions Book 10, at Page 344.

RESOLUTION AUTHORIZING MR. DAVID A. BURKHALTER, CITY MANAGER, TO FILE APPLICATION REQUESTING STATE GRANT ASSISTANCE FOR WATER WORKS IMPROVEMENTS AT SHARONVIEW-OLD PROVIDENCE ROAD, IN ANNEXATION AREA I-2.

Motion was made by Councilman Gantt, seconded by Councilwoman Locke, and unanimously carried, adopting the resolution authorizing Mr. David A. Burkhalter, City Manager, to file application requesting State Grant Assistance for Water Works Improvements at Sharonview-Old Providence Road, 16" Water Main, on Annexation Area I-2.

The resolution is recorded in full in Resolutions Book 10, at Page 345.

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\$2.1 MILLION REMOVED FROM PROJECTION 70 ACCOUNT TO BE USED FOR FLOOD CONTROL OR OTHER PURPOSES, AND CITY MANAGER TO PREPARE ENGINEERING PLANS FOR FLOOD CONTROL ON SUGAR CREEK, FROM FOURTH STREET TO PRINCETON AVENUE.

The consideration of an item to designate the \$2.1 million from the Projection 70's Budget for Flood Control Improvements was put before the City Council.

Mr. Hopson, Public Works Director, stated this would be very helpful in getting them going on a plan for flood control work in the area of the old Project 70's project in the area of East Boulevard and Morehead Street. Staff would have to come back to Council with a plan before spending any substantial amounts of money.

Mayor pro tem Whittington stated what staff is asking today is for Council to pass a resolution designating this \$2.1 million for flood control improvements in the Project 70 area.

Councilwoman Locke moved that the \$2.1 million from the Projection 70's budget be designated for flood control improvements. The motion was seconded by Councilman Gantt for discussion.

Councilman Gantt asked if in this type of project, could we still do a project of the scale, size and scope of the Sugar Creek at some later point in time? Mr. Hopson replied some of it would be useable; they would try to make it very compatible with a future plan as Al Groves has designed. There would be some loss, and that is the reason they want to come back to Council with what could be planned along this way. It would be very similar to the Corps of Engineers projections, between Princeton and Archdale.

Councilman Williams stated he is sympathetic to the concept of doing some work to Sugar Creek in the center part of the City; but he does not feel that this is the way to go about it. It looks to him as if this might be a piece-meal approach to going ahead on Projection 70. That he did not know until now that it was intended that this whole \$2.1 million would be used for flood control only in the Projection 70 area, or whatever part of it. In any event, it looks as if it may be approaching piece-meal until we are beyond the point of no return, and then have to go on and try to complete it, when there are so many other needs for this sum of money - \$2.1 million is a lot of money. We hassle over spending \$10,000 sometimes; but think about how much consideration \$2.1 million should have if we give that much attention to \$10,000. Just today we have talked about where other monies are needed; \$50,000 for the Community Crisis Program; approximately \$175,000 for these ten houses in the First Ward area. There are three others he had in mind even before they came up today. The Transit site at Brevard and Trade Street, he thinks should be acquired sometime in the near future, which will probably cost in the neighborhood of \$1.0 million. Two weeks from today, Council will be asked to increase the water and sewer rates. In looking at the pamphlet which Council received in November from Mr. Fennell's office, it looks as if the water and sewer deficit for next year will be in the neighborhood of \$3.0 million, according to the figures on Page IV. Some of that \$3.0 million goes for the purchase of private systems, he suspects in the annexed areas, which total nearly \$750,000. If we could use some revenue sharing money to purchase that, then correspondently we should be able to hold the water and sewer rate increase down. Another possibility concerns the street improvements which had to be deleted from the April 8 bond referendum. There was something over \$5.0 million originally set. That has been deleted, but the need is no less urgent now than it was.

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Councilman Williams stated he points all of this out just to illustrate that it is a matter of priorities. There are so many other areas where we should spend some money and will have to spend some money. He stated as he said in the beginning, he sympathizes with Projection 70, and the concept of Projection 70. But he wonders if it has to be an all or nothing situation. Can it not be compromised in some way and be a little less ambitious in our undertaking.

Councilwoman Locke asked if it would not take any less than \$2.1 million to flood control two and a half miles? Do the people not need that two and a half miles to be flood controlled, because we are flood controlling it on the upper end, and the lower end? Councilman Williams replied he is not convinced that it would cost \$2.1 million just to accomplish flood control in that two and a half miles. The County has appropriated something like \$559,000 as was pointed out recently. That is their budget appropriation for the entire 1974-75 on all the creeks in the County. Councilwoman Locke replied but they will not do the flood control work required on that two and a half miles. The Corps of Engineers says we have to do it in order to conform to the upper and the lower end. Councilman Williams stated he agrees something needs to be done, but he questions whether or not it would cost that much. Councilwoman Locke asked if he would be willing to let staff come back with a plan and let Council hear what they have in mind? Councilman Gantt stated in that connection he wonders why we need to put the \$2.1 million figure in there at all as Mr. Hopson says he will come back with a plan; that he assumes a budget will be included.

Councilman Withrow stated he was in hopes we would release the money and not designate it for any particular project. That is the way he would like to see it. Mayor pro tem Whittington stated that is exactly what it says - to designate the \$2.1 million from the Projection 70 flood control; that is all we are saying at this time. Councilman Withrow stated he will vote to take it out of that account, but not to designate it.

Mr. Burkhalter, City Manager, stated Staff would like to have some money to plan for the flood control, if we do not do 70. There is no money for this purpose now. If Council approves this motion, they can use some of it for the planning purposes. Number two, they cannot do anything and do not know what to tell Council - whether it is \$2.0 million or \$1.0 million or \$500,000 or anything; they do not have any idea until some of this is done what it will cost to do the flood control part of the two and a half miles. Council will have another opportunity when Staff brings the plans back with the estimated cost. The money is sitting there, and Staff sensed that Council did want to take it out of this account. When Council votes this today, it is not spending the money, it is just moving it from one area to another.

Mayor pro tem Whittington stated he sees this as a move to take the money out of Projection 70; that is what Mr. Burkhalter has said, and what the motion says. We are almost together, for the first time in several years, with the Corps of Engineers on flood control improvements on the creeks or creek. What we need to do today is approve this motion and at the same time instruct the Department of Public Works and Engineering Department with our consultants to come back to Council as quickly as they can - he does not mean in the fall, but right away - with a plan to get into flood control. It is his understanding by the middle of the summer we will have a recommendation or report from the Corps of Engineers as to what they are going to do. The initial study pushed us over the million mark and the Corps of Engineers cannot spend over a million dollars in a particular city.

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This is what he thinks Council should do today. All it is doing is authorizing the removal of this \$2.1 million from Projection 70 for flood control improvements. Which creek or creeks it is going to be on, and how much it will cost, no one knows until Mr. Hopson and his staff come back to Council with recommendations. At that time, Council will either take action or forget it. Councilman Williams replied that is too much of a blank check to write for flood control, whether it is Sugar Creek or Briar Creek or any number of creeks. Mayor pro tem Whittington stated the County has about nine people in their drainage control program, and they have 15 people in another program. Their drainage commission works in an area of a creek or a branch that drains 600 plus acres. That is cutting and getting the debris out of the creek. What Council is talking about here in flood control is widening, dredging and concreting the banks of a creek so that the water can flow. We are also talking about the improvement of the culverts at Princeton Avenue and Archdale with the Corps of Engineer's project. You have to put it all together, and come back with a program so Council will know what to do.

Councilman Gantt stated he hears what Mr. Williams is saying. The question is whether it will be \$2.1 million or whether or not we allocate or authorize the Department to proceed with plans for flood control when the fact is we would simply re-designate the \$2.1 million we had allocated in Projection 70. There are other uses where these funds can be put to immediately. Are we in fact tagging \$2.1 million for flood control, or are we simply going to take it away from Projection 70 and have Mr. Hopson proceed with plans, and come back with a new budget. Mayor pro tem Whittington stated the point is now the money is pinned to Projection 70. Councilman Gantt asked if the money can be put in an authorized or undersigned contingency? Mayor pro tem Whittington replied we can do anything we want to do with it. All Staff is doing is asking Council to pass a motion.

Councilman Withrow made a substitute motion to release the \$2.1 million, non-designated, from Project 70. The motion was seconded by Councilman Gantt.

Councilman Withrow stated this is taking it out of the Project 70 account, and Council can do whatever it wishes with the funds. Councilman Gantt stated he hopes this is not saying that we do not want the Engineering Department to proceed with the planning for flood control. Councilman Withrow replied we are not saying that; you are not designating it; you will designate it at a later date.

Mr. Burkhalter stated he does not quite see any need for the motion, as he cannot spend it now. That he wants some money to do some planning for flood control to Sugar Creek. Council can leave it there and tell him to use some of it for the planning. If Council wants the planning done for Sugar Creek he needs authorization to tell him where the money is coming from.

Councilman Short offered a substitute motion that Council instruct the City Manager to plan and give Council a budget on flood control for Sugar Creek, from Elizabeth Avenue to Princeton Avenue. The motion did not receive a second.

Councilman Gantt stated the important thing he is trying to get said here is that the \$2.1 million is no longer designated for Projection 70. We can then use portions of these funds to do flood control planning, and at the proper time we can decide what to do with the remainder of the money.

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Councilman Withrow restated his motion and adding to it for it to read as follows:

"That the \$2.1 million be released from Project 70, and that we allow the City Manager to use a portion of this money for the study of flood control of Sugar Creek, from 11th Street to Princeton Avenue."

Councilman Gantt who seconded the motion accepted the restated motion.

The question was called to vote on the motion, and carried as follows:

YEAS: Councilmembers Gantt, Locke, Short and Williams.

NAYS: Councilman Withrow.

Councilman Short asked if the person who seconded the original motion can also second the substitute motion? To cure that situation he then seconded Councilwoman Locke's original motion.

The vote was taken on the substitute motion, and fail to carry as follows:

YEAS: Councilmembers Withrow and Gantt.

NAYS: Councilmembers Locke, Short and Williams.

The vote was taken on the original motion, and failed to carry as follows:

YEAS: Councilmembers Locke and Short.

NAYS: Councilmembers Gantt, Williams and Withrow.

After further discussion, Councilman Withrow moved that the \$2.1 million be removed from the Projection 70 account to be used for flood control or other purposes, and that the City Manager be instructed to prepare preliminary engineering plans for flood control of Sugar Creek from Fourth Street to Princeton Avenue. The motion was seconded by Councilman Gantt.

Mr. Hopson stated he will try to come back to Council with some costs.

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

YEAS: Councilmembers Withrow, Gantt, Locke and Short.

NAYS: Councilman Williams.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE FOR CONDEMNATION ACTION IN THE FIRST WARD URBAN RENEWAL PROJECT NO. N. C. R-79.**

The subject resolution for the condemnation of eighteen (18) parcels of property was presented for Council's consideration.

Councilman Short stated earlier in the meeting he indicated that one of the parties involved in the condemnations died recently. She was a very lovely citizen of this city, Mrs. H. V. Lang.

The City Attorney suggested that Council move to approve all the condemnations with the exception of Block and Parcel 34-2 relative to Mrs. H. V. Lang, N. Alexander Street.

Councilman Short moved adoption of the resolution as presented with the exception of the property of Mrs. H. V. Lang, N. Alexander Street. The motion was seconded by Councilwoman Locke.

The vote was taken on the motion and carried unanimously.

The resolution is recorded in full in Resolutions Book 10, at Page 341.

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CONSIDERATION OF AMENDMENT TO SECTION 3.01 AND SECTION 3.61 OF THE CITY CHARTER.

Councilman Withrow stated he thinks it would be well to defer consideration of this amendment until after meeting with the county; that he believes they will have their report back on consolidation this month.

Mayor pro tem Whittington stated Councilman Harris is not present today, and he was the one to request this item on the agenda. That without objections from Council this will be delayed.

ORDINANCES FOR UMTA REIMBURSEMENT FOR 1974-75 TRANSIT OPERATING ASSISTANCE.

Motion was made by Councilman Williams, seconded by Councilman Gantt, and unanimously carried, adopting the following ordinances for UMTA Reimbursement for 1974-75 Transit Operating Assistance.

- (a) Ordinance No. 555-X amending the 1974-75 Budget Ordinance establishing an appropriation within the General Fund for the Public Transportation System Lease-Management Contract and Elderly and Handicapped Transit Assistance Program, in the amount of \$493,000.00.
- (b) Ordinance No. 556-X amending the 1974-75 Budget Ordinance establishing an appropriation within the General Revenue Sharing Trust Fund for Public Safety Purposes, in the amount of \$493,000.00

The ordinances are recorded in full in Ordinance Book 21, beginning at Page 485.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE RELINQUISHING CITY CLAIMS ON PERSONAL PROPERTY PURCHASED WITH UNITED STATES FUNDS AND PLACED IN POSSESSION AND CUSTODY OF THIRD PARTY CONTRACTOR, AS AUTHORIZED BY THE UNITED STATES OF AMERICA.

Councilwoman Locke moved adoption of the subject resolution of the City Council of the City of Charlotte relinquishing city claims on personal property purchased with United States Funds and placed in possession and custody of Third Party Contractors, as authorized by the United States of America, which motion was seconded by Councilman Gantt, and carried unanimously.

The resolution is recorded in full in Resolutions Book 10, at Page 347.

ENCROACHMENT AGREEMENT WITH NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, APPROVED.

Upon motion of Councilwoman Locke, seconded by Councilman Withrow, and unanimously carried, the subject Encroachment Agreement was approved permitting the city to construct a 12-inch water main in Newell-Hickory Grove Road, beginning at the intersection of Plaza Road Extension and running to the intersection of Old Concord Road and an 8-inch water main in Grier Road, beginning at the intersection of Newell-Hickory Grove Road and running to the intersection of Orr Road.

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CORRECTED DEED FOR AMAY JAMES ELEMENTARY SCHOOL PROPERTY, APPROVED.

Motion was made by Councilman Short, seconded by Councilman Gantt, and unanimously carried, approving the correction of a Deed for Amay James Elementary School Property to the Mecklenburg County School Board of Education.

SETTLEMENT IN CASE OF CITY VS. RICHARD F. BIGHAM AT DOUGLAS MUNICIPAL AIRPORT, AUTHORIZED.

Councilman Gantt moved approval of a proposed settlement in the case of City vs. Richard F. Bigham, for Parcel 446, Airport Expansion Project, in the amount of \$56,000.00, as recommended by the City Attorney and the Federal Aviation Agency, which motion was seconded by Councilman Withrow, and carried unanimously.

ORDINANCES ORDERING THE REMOVAL OF WEEDS, GRASS, TRASH AND RUBBISH.

Upon motion of Councilman Withrow, seconded by Councilwoman Locke, and unanimously carried, the following ordinances were adopted:

- (a) Ordinance No. 557-X ordering removal of weeds, grass, trash and rubbish adjacent to 2917 Burgess Drive;
- (b) Ordinance No. 558-X ordering removal of weeds, grass, trash and rubbish at 3213 N. Davidson Street;
- (c) Ordinance No. 559-X ordering removal of weeds, grass, trash and rubbish at 815 Cates Street;
- (d) Ordinance No. 560-X ordering removal of weeds, trash, grass and rubbish at the vacant lot adjacent to 1314 Boone Street.

The ordinances are recorded in full in Ordinance Book 21, beginning on Page 487.

STREETS TAKEN OVER FOR CONTINUOUS MAINTENANCE BY THE CITY.

Motion was made by Councilwoman Locke, seconded by Councilman Short, and unanimously carried, approving the following streets for continuous maintenance by the City:

- (a) Wandering Way Drive, from Carmel Road to Lost Tree Lane.
- (b) Bobolink Lane, from Wandering Way Drive to 452' South.
- (c) Shagbark Lane, from Wandering Way Drive to 386' South.
- (d) Lost Tree Lane, from Wandering Way Drive to 470' South.
- (e) Bluebonnet Road, from Rama Road to McNair Road.
- (f) McNair Road, from 75' S.E. of McKenna Court to 278' S.E. of Stockwood Dr.
- (g) Stockwood Drive, from McNair Road to 140' South.
- (h) Cabotwood Lane, from Rama Road to McNair Road.
- (i) Wellwood Circle, from Cabotwood Lane to 160' S.E.

ORDINANCE NO. 561-X AMENDING ORDINANCE NO. 214-X, THE 1974-75 BUDGET ORDINANCE, INCREASING THE APPROPRIATION FOR SUGAR-IRWIN CREEK PARK - PHASE II, AND REVISING PROJECT SOURCE OF FUNDS.

Councilman Short moved adoption of the subject ordinance amending Ordinance No. 214, the 1974-75 Budget Ordinance, increasing the appropriation for Sugar-Irwin Creek Park - Phase II, and revising project source funds, in the amount of \$215,106.00, which motion was seconded by Councilwoman Locke.

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Councilman Short stated this speaks of reducing the city's share which is about \$64,000. He asked if there is any reason why that cannot be placed by Council towards the handling of the street projects deleted from the bond issue? The Budget Director replied it would probably take the preparation of another ordinance increasing the amount in the revenue sharing funds. Mayor pro tem Whittington requested that he bring back the proper ordinances to handle the \$64,000 in the street program. The City Manager suggested that they wait until they get further odds and ends together for that purpose.

The vote was taken on the motion and carried unanimously.

The ordinance is recorded in full in Ordinance Book 21, at Page 491.

RESOLUTION APPROVING AN LEAA SUBGRANT APPLICATION TO THE NORTH CAROLINA DEPARTMENT OF NATURAL AND ECONOMIC RESOURCES, DIVISION OF LAW AND ORDER.

Upon motion of Councilman Williams, seconded by Councilwoman Locke, and unanimously carried, the subject resolution was adopted approving an LEAA Subgrant Application to the North Carolina Department of Natural and Economic Resources, Division of Law and Order, in the amount of \$12,666.

The resolution is recorded in full in Resolutions Book 10, at Page 371.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO BURNANCE C. HANEY AND WIFE, CLYTIE H. HANEY, LOCATED AT 8418 IDLEWILD ROAD, IN THE CITY OF CHARLOTTE, FOR THE ANNEXATION AREA I (4) SANITARY SEWER ADDITIONS PROJECT.

Motion was made by Councilman Gantt, seconded by Councilman Williams, and unanimously carried, adopting the subject resolution authorizing condemnation proceedings for the acquisition of property belonging to Burnance C. Haney and wife, Clytie H. Haney, located at 8418 Idlewild Road, in the City of Charlotte, for the Annexation Area I (4) Sanitary Sewer Additions Project.

The resolution is recorded in full in Resolutions Book 10, at Page 372.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO JIMMIE POURLOS AND WIFE, RONNIE R. PURLOS: JOHN N. HUNTER, TRUSTEE; AND MOORE INVESTMENTS, INC., LOCATED AT 1142 ELIZABETH AVENUE, IN THE CITY OF CHARLOTTE, FOR THE KINGS DRIVE RELOCATION PROJECT.

Councilwoman Locke moved adoption of the subject resolution authorizing condemnation proceedings for the acquisition of property belonging to Jimmie Pourlos and wife, Ronnie R. Pourlos; John N. Hunter, Trustee; and Moore Investments, Inc., located at 1142 Elizabeth Avenue, in the City of Charlotte, for the Kings Drive Relocation Project, which motion was seconded by Councilman Williams, and carried unanimously.

The resolution is recorded in full in Resolutions Book 10, at Page 373.

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RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO RANDOLPH MEDICAL PARK, A LIMITED PARTNERSHIP, JOHN R. INGLE, TRUSTEE; COZART-COGDELL DEVELOPERS, INC., N. B. BONEY, JR., TRUSTEE; NEW YORK LIFE INSURANCE COMPANY, ARCHIE T. WALKER, TRUSTEE; AND WACHOVIA REALTY INVESTMENT; LOCATED AT 3535 RANDOLPH ROAD, IN THE CITY OF CHARLOTTE, FOR A SANITARY SEWER TO SERVE BILLINGSLEY ROAD.

Upon motion of Councilman Gantt, seconded by Councilman Williams, and unanimously carried, the subject resolution was adopted authorizing condemnation proceedings for the acquisition of property belonging to Randolph Medical Park, a Limited Partnership, John R. Ingle, Trustee; Cozart-Cogdell Developers, Inc., N. B. Boney, Jr., Trustee; New York Life Insurance Company, Archie T. Walker, Trustee; and Wachovia Realty Investment, located at 3535 Randolph Road, in the City of Charlotte, for a Sanitary Sewer to serve Billingsley Road.

The resolution is recorded in full in Resolutions Book 10, at Page 374.

RESOLUTION TO RESCIND AUTHORIZATION TO INSTITUTE CONDEMNATION PROCEEDINGS AGAINST PROPERTY FOR THE ANNEXATION AREA I(2) SANITARY SEWER TRUNK AND COLLECTOR MAINS PROJECT, AND ACQUISITION OF PROPERTY AUTHORIZED.

Upon motion of Councilwoman Locke, seconded by Councilman Withrow, and unanimously carried, the following resolution was adopted, and acquisition of property authorized:

- (a) Resolution to rescind authorization to institute condemnation proceedings against property belonging to George R. Dellinger and wife, Imogene E. Dellinger for the Annexation Area I(2) Sanitary Sewer Trunk and Collector Mains Project.
- (b) Acquisition of 15' x 414.60' of property, located at 3817 Adrian Court (off Sardis Road), from George R. Dellinger and wife, Imogene E. at \$1,325.00, for Annexation Area I(2) Sanitary Sewer Trunk and Collector Mains.

The resolution is recorded in full in Resolutions Book 10, at Page 376.

ACQUISITION OF PARCELS OF SANITARY SEWER EASEMENTS FOR ANNEXED AREAS.

Motion was made by Councilman Withrow, seconded by Councilwoman Locke, and unanimously carried, approving the following twelve (12) parcels of Sanitary Sewer Easements for the annexed areas:

- (a) Annexation Area I (2) Sanitary Sewer Additions  
5 parcels
- (b) Annexation Area I (4) Sanitary Sewer Additions  
3 parcels
- (c) Annexation Area I (11) Sanitary Sewer Trunks  
2 parcels
- (d) Annexation Area I (12 & 1) Sanitary Sewer Trunks  
2 parcels

PROPERTY TRANSACTIONS, AUTHORIZED.

Councilwoman Locke moved approval of the following property transactions, which motion was seconded by Councilman Williams, and carried unanimously:

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- (a) Acquisition of 6.00' x 150.00' x 6.00' x 150.00' of property, with construction easement, from Harold F. Vita and wife, Elizabeth H., at 4215 North Sharon Amity Road, at \$800.00, for Sharon Amity Road Widening - Section III.
- (b) Acquisition of 6.00' x 27.67' x 122.48' x 6.02' x 122.50' x 27.66' of property, plus construction easement, at 4225 North Sharon Amity Road, from Milford M. Caldwell and wife, Myrtle Hagler, at \$800.00, for Sharon Amity Road Widening.
- (c) Acquisition of 6.00' x 150.00' x 6.00' x 150.00' of property, plus construction easement, at 4126 North Sharon Amity Road, from Bonnie C. Hollifield (widow), at \$750.00, for Sharon Amity Road Widening - Section III.
- (d) Acquisition of 6.00' x 99.96' x 6.03' x 99.96' of property, plus construction easement, at 4222 North Sharon Amity Road, from James C. Dulin and wife, Della S., at \$800.00, for Sharon Amity Road Widening.
- (e) Acquisition of 6.00' x 100.00' x 6.00' x 100.00' of property, with construction easement, at 4326 North Sharon Amity Road, from Cecil S. Hollifield, Estate c/o First Union/<sup>Bank</sup>Trust, at \$500.00, for Sharon Amity Road Widening - Section III.
- (f) Acquisition of 6.00' x 100.00' x 6.00' x 100.00' of property, plus construction easement, at 4338 North Sharon Amity Road, from Charles William Moses, Jr. and wife, Mary A., at \$400.00, for Sharon Amity Road Widening - Section III.
- (g) Acquisition of 25.06' x 2.50' x 26.03' x 79.71' x 6.04' x 100.87' of property, plus construction easement, at 4301 North Sharon Amity Road, from Marjorie B. McCorkle (widow), at \$612.00, for Sharon Amity Road Widening - Section III.
- (h) Acquisition of 6.00' x 63.00' x 6.00' x 63.00' of property, plus construction easement, at 4333 North Sharon Amity Road, from Vera H. Todd (widow), at \$500.00, for Sharon Amity Road Widening - Section III.
- (i) Acquisition of 6.00' x 64.80' x 31.26' x 26.15' x 85.00' of property, plus construction easement, at 4419 North Sharon Amity Road, from Larry Milton Junkins and wife, Barbara, at \$531.00, for Sharon Amity Road Widening - Section III.
- (j) Acquisition of 0.98' x 37.54' x 37.50' of property located at 5520 Sardis Road, from Robert Joe Clontz and wife, Maude B., at \$300.00, for Randolph Road Widening.
- (k) Acquisition of 34.24' x 43.98' x 174.85' x 2.00' x 210.00' of property, plus construction easement, at 4201 Randolph Road, from Jerome L. Joffe and wife, Ellen W., at \$1,000.00, for Randolph Road Widening.
- (l) Acquisition of 4.10' x 101.96' x 3.79' x 102.00' of property, plus construction easement, at 4663 Randolph Road, from Sam Marcuse and wife, Merlene, at \$500.00, for Randolph Road Widening.
- (m) Acquisition of 17.12' x 24.59' x 166.04' x 0.16' x 180.81' of property, plus construction easement, at 5001 Randolph Road, from Charles F. Robinson and wife, Denna S., at \$500.00, for Randolph Road Widening.

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- (n) Acquisition of 0.16' x 99.73' x 1.37' x 99.92' of property, plus construction easement, at 5023 Randolph Road, from Ben E. Douglas and wife, Bobbie S., at \$950.00, for Randolph Road Widening.
- (o) Acquisition of 1.07' x 78.34' x 34.45' x 23.94' x 100.00' of property, plus construction easement at 5325 Randolph Road, from Elizabeth C. Leavitt (widow), at \$200.00, for Randolph Road Widening.
- (p) Acquisition of 9.50' x 35.00' x 9.50' x 35.00' of property, plus construction easement, at 4506 Randolph Road, from Sharon Corporation, at \$832.50, for Randolph Road Widening.
- (q) Acquisition of 3.81' x 100.56' x 2.74' x 100.45' of property, plus construction easement, at 5320 Randolph Road, from Jeanette D. Aldred (single), at \$1,000.00, for Randolph Road Widening.
- (r) Acquisition of 2.74' x 135.00' x 2.02' x 134.92' of property, plus construction easement, at 5328 Randolph Road, from Howard W. Halberstadt and wife, Elizabeth H., at \$730.00, for Randolph Road Widening.

Councilman Williams asked if there is to be a median on Sharon Amity? Mayor pro tem Whittington replied it is his understanding that there is. Councilman Williams stated he has received complaints about the long uninterrupted median; but if the 800 foot rule holds there also, then that should solve that problem. Mayor pro tem Whittington replied Mr. Hopson indicates that is true.

#### PROPERTY TRANSACTIONS, APPROVED.

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

- (a) Acquisition of 6.00' x 100.00' x 6.00' x 100.00' of property, plus construction easement, at 4200 North Sharon Amity Road, from Thomas R. Moore and wife, Willie Mae, at \$1,100.00, for Sharon Amity Road Widening - Section III.
- (b) Acquisition of 164.79' x 158.55' x 42.09' x 35.47' of property, plus construction easement, at 2518 Dunavant Street, from Jord H. Jordan, Sr., at \$11,450.00, for Remount Road Widening.
- (c) Acquisition of 147.42' x 28.52' x 7.53' x 144.25' x 23.64' of property, plus construction easement, at 124 South Poplar Street, from Jane W. Ruth and husband, Earl B. Ruth and Ann W. McGarity and husband, Gene W. McGarity, at \$33,500.00, for Poplar Street Widening.
- (d) Acquisition of 24.26' x 12.06' x 27.43' of property, at 220 West Fourth Street, from Jane W. Ruth and husband, Earl B. Ruth and Ann W. McGarity and husband, Gene W., at \$1,000.00, for Poplar Street Widening.
- (e) Acquisition of 66.37' x 66.39' x 1.54' of property, plus construction easement, at corner of Randolph Road and Skyland Avenue, from Charlotte Mecklenburg Board of Education, at \$150.00, for Randolph Road Widening.

#### CONTRACT WITH SIMBARCO, INC. FOR CONSTRUCTION OF WATER MAINS, APPROVED.

Motion was made by Councilman Withrow, seconded by Councilwoman Locke, and unanimously carried, authorizing a contract with Simbarco, Inc. for the construction of 3,150 feet of 6" C.I. water mains, and 1,170 feet of 2' water mains and four (4) fire hydrants, to serve Birnam Woods, Section 7, outside the city, at an estimated cost of \$28,000.00, with funds to be advanced by applicant and refunds made under the terms of existing city policies as related to such water main construction.

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COUNCILMAN GANTT EXCUSED FROM VOTING ON CHANGE ORDER IN CONTRACT WITH DOVER ELEVATOR COMPANY FOR BELMONT REGIONAL CENTER PROJECT.

Councilman Gantt stated this change order occurred just before he became a member of Council; funds were allocated for rock excavation on the project.

At the suggestion of the City Attorney, Councilman Withrow moved that Councilman Gantt be excused from voting in the matter of the change order due to a conflict of interest. The motion was seconded by Councilman Short and carried unanimously.

MOTION ON CHANGE ORDER FOR DOVER ELEVATOR COMPANY FOR BELMONT REGIONAL CENTER PROJECT FAILS FOR LACK OF FOUR AFFIRMATIVE VOTES.

Change Order No. D-1 in contract with Dover Elevator Company, increasing the original contract price of \$18,287.00 by \$2,415.00 necessary due to hitting rock in providing the elevator jack hole in the Belmont Regional Center Project was presented for Council's consideration.

Councilman Withrow stated he does not think that Council has any alternative as this was included in the contract. The City Manager stated it is customary in all contracts when you are not sure of the amount of rock that you do not put in a flat fee because if you do the contractor would be bound to put in more than enough to take care of it. So you put in a unit cost per yard to remove rock, and you set up an amount of money. The amount of money in this case for rock is \$16,000. In this change it is asking for approximately \$2500.

Councilman Withrow moved approval of the Change Order No. D-1 in the contract with Dover Elevator Company for Belmont Regional Center Project. The motion was seconded by Councilman Short, and failed on the following vote:

YEAS: Councilmembers Short and Withrow.  
NAYS: Councilmembers Locke and Williams.

Councilman Gantt stated he was not a member of Council when the original contract was approved; but the total funds for construction was something like \$965,000 with the actual contract \$940,000. Then a specific item was put in for rock excavation. That project is now out of the ground, and they did not spend near the amount of money they thought they would spend on rock excavation except where the elevator went down. You have only spent \$2500 of the \$16,000 allocated for rock excavation, and he would not understand the objections to increasing the authorized contract to \$942,000 or whatever it would be. A certain number of dollars was allocated on a unit price figure for rock excavation.

Councilwoman Locke moved that the matter be deferred until the next meeting. The motion did not receive a second.

Councilman Williams asked where the money comes from? Mr. Hopson, Public Works Director, replied it comes out of the Belmont Center Contingency fund.

Mayor pro tem Whittington stated there is no point in discussing it any further, it will have to be placed on the agenda next week.

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CHANGE ORDER NO. E-1 IN CONTRACT WITH ROBINSON ELECTRIC COMPANY, AND CHANGE ORDER NO. G-1 IN CONTRACT WITH WILLIAM R. MORRIS CONSTRUCTION COMPANY FOR FIRE STATION NO. 19 PROJECT, AUTHORIZED.

Motion was made by Councilwoman Locke, seconded by Councilman Withrow, and unanimously carried approving Change Order No. E-1 in contract with Robinson Electric Company, decreasing the original contract by \$19.36 for the Fire Station No. 19 Project.

Councilman Gantt moved approval of Change Order No. G-1 in contract with William R. Morris Construction Company, increasing the contract price by \$2,046.00 for the Fire Station No. 19 Project. The motion was seconded by Councilman Williams and carried unanimously.

CONTRACT AWARDED BURRIS CHEMICALS, INC. FOR ALUMINUM SULPHATE.

Upon motion of Councilman Withrow, seconded by Councilwoman Locke, and unanimously carried, contract was awarded to the low bidder, Burris Chemicals, Inc., in the amount of \$63,033.75, on a unit price basis, for 585 tons aluminum sulphate.

The following bids were received:

|                        |              |
|------------------------|--------------|
| Burris Chemicals, Inc. | \$ 63,033.75 |
| American Cyanamid Co.  | 63,121.50    |
| Allied Chemical Corp.  | 63,882.00    |
| Moreland Chemical Co.  | 66,690.00    |

CONTRACT AWARDED WILLIAMS LIME MFG. COMPANY FOR HYDRATED LIME.

Motion was made by Councilwoman Locke, seconded by Councilman Withrow, and unanimously carried, awarding contract to the low bidder, Williams Lime Mfg. Company, in the amount of \$33,605.60, on a unit price basis, for 680 tons hydrated lime.

The following bids were received:

|                        |              |
|------------------------|--------------|
| Williams Lime Mfg. Co. | \$ 33,605.60 |
| National Gypsum Co.    | 34,795.60    |
| Burris Chemicals, Inc. | 42,982.80    |

CONTRACT AWARDED MORELAND CHEMICAL COMPANY FOR ACTIVATED CARBON.

Councilman Gantt moved award of contract to the only bidder, Moreland Chemical Company, in the amount of \$19,704.00, on a unit price basis, for 60 tons activated carbon, which motion was seconded by Councilwoman Locke, and carried unanimously.

CONTRACT AWARDED JONES CHEMICALS, INC. FOR LIQUID CHLORINE.

Upon motion of Councilman Gantt, seconded by Councilman Withrow, and unanimously carried, contract was awarded to the low bidder, Jones Chemicals, Inc., in the amount of \$114,400.00, on a unit price basis, for 440 tons Liquid Chlorine.

The following bids were received:

|                        |               |
|------------------------|---------------|
| Jones Chemicals, Inc.  | \$ 114,400.00 |
| Burris Chemicals, Inc. | 123,200.00    |
| Moreland Chemical Co.  | 123,200.00    |

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CONTRACT AWARDED BURRIS CHEMICALS, INC. FOR HYDROGEN PEROXIDE.

Motion was made by Councilman Locke, seconded by Councilman Withrow, and unanimously carried, awarding contract to the low bidder, Burris Chemicals, Inc., in the amount of \$36,237.00, on a unit price basis, for 75 tons hydrogen peroxide.

The following bids were received:

|                           |              |
|---------------------------|--------------|
| Burris Chemicals, Inc.    | \$ 36,237.00 |
| P. P. G. Industries, Inc. | 36,300.00    |
| Ashland Chemical Co.      | 36,360.00    |
| Shell Chemical Co.        | 36,360.00    |

CONTRACT FOR SCANNING ELECTRON MICROSCOPE AND ENERGY DISPERSIVE X-RAY ANALYSIS SYSTEM FOR CRIME LAB, DEFERRED UNTIL MARCH 24.

Councilman Short moved that contract for Scanning Electron Microscope and Energy Dispersive X-Ray Analysis System for the Crime Lab in analyzing and identifying trace evidence materials for crime scenes and suspects involved in crime be deferred until March 24. Motion was seconded by Councilwoman Locke, and unanimously carried.

CONTRACT AWARDED REA CONSTRUCTION COMPANY FOR THE WIDENING OF SHARON AMITY ROAD - SECTION II, PROJECT NO. 513-72-212.

After explanation by Mr. Hopson, motion was made by Councilwoman Locke, seconded by Councilman Withrow, and unanimously carried, awarding contract to the low bidder, Rea Construction Company, in the amount of \$526,073.45, on a unit price basis, for the widening of Sharon Amity Road - Section II, Project No. 513-72-212.

The following bids were received:

|                                       |              |
|---------------------------------------|--------------|
| Rea Construction Company              | \$526,073.45 |
| Blythe Brothers Company               | 617,409.75   |
| Crowder Construction Company          | 626,212.75   |
| T. A. Sherrill Construction Co., Inc. | 634,352.50   |
| Propst Construction Company           | 637,090.30   |
| F. T. Williams Company                | 638,934.50   |

CONTRACT AWARDED MORETTI CONSTRUCTION COMPANY FOR GENERAL CONTRACT FOR SUGAR CREEK-IRWIN CREEK PARKS - PHASE II.

Motion was made by Councilman Withrow, seconded by Councilman Williams, and unanimously carried, awarding contract to the low bidder, Moretti Construction Company, in the amount of \$413,680.44, on a unit price basis, for the General Contract for Sugar Creek-Irwin Creek Parks - Phase II.

The following bids were received:

|                              |              |
|------------------------------|--------------|
| Moretti Construction Company | \$413,680.44 |
| Crowder Construction Company | 515,376.00   |
| Thomas Structure Company     | 850,251.00   |

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CONTRACT AWARDED BRYANT ELECTRIC REPAIR COMPANY FOR ELECTRICAL CONTRACT FOR SUGAR CREEK-IRWIN CREEK PARKS - PHASE II.

Councilman Withrow moved award of contract to Bryant Electric Repair Company, in the amount of \_\_\_\_\_ on a lump sum basis, for the Electrical Contract for Sugar Creek-Irwin Creek Parks - Phase II, which motion was seconded by Councilman Williams, and unanimously carried.

The following bids were received:

|                                      |              |
|--------------------------------------|--------------|
| *Robinson Electric Company           | \$ 11,335.00 |
| Bryant Electric Repair Company       | 16,122.00    |
| Hensley & Mosley, Incorporated       | 20,014.00    |
| Power Electric Company, Incorporated | 20,441.00    |

\*Robinson Electric Company's bid was not responsive to the specifications as contained in the proposal.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO EUGENE M. GOLDBERG AND WIFE, MARLENE E. GOLDBERG, THOMAS C. RUFF, TRUSTEE; AND EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES, LOCATED AT 5813 PRESTON AVENUE (OFF PROVIDENCE ROAD) IN THE CITY OF CHARLOTTE, FOR THE ANNEXATION AREA I (2) SANITARY SEWER TRUNK AND COLLECTOR MAINS PROJECT.

Councilman Short stated this is the condemnation against Gene Goldberg for an easement. The easement on the side of his property, plus the land beyond the easement to his property line is something like about 22 percent of his total lot. He asked if there is anything above the ground after the work is completed? Mr. Dukes, Director of Utility Department, replied there is one manhole; it is in the ground and is level. The lid can be sealed. Councilman Short stated then the only thing above is the manhole cover for one manhole. He asked what is in the ground? Mr. Dukes replied it is a 34 inch pipe.

Councilman Short moved that Council ask Mr. Dukes and others in the city staff to confer again with Mr. Goldberg in this matter. The motion did not receive a second.

After further discussion, Councilman Williams moved adoption of the resolution authorizing condemnation proceedings for the acquisition of property belonging to Eugene M. Goldberg and Wife, Marlene E. Goldberg, Thomas C. Ruff, Trustee; and Equitable Life Assurance Society of the United States, located at 5813 Preston Avenue (off Providence Road) in the City of Charlotte for the Annexation Area I(2) Sanitary Sewer Trunk and Collector Mains Project. The motion was seconded by Councilwoman Locke, and carried as follows:

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

The resolution is recorded in full in Resolutions Book 10, at Page 375.

CENTRALINA COUNCIL OF GOVERNMENTS MEETING SCHEDULED FOR WEDNESDAY, MARCH 12, 1975, CONCORD, NORTH CAROLINA.

Councilwoman Loake stated the agenda for the Centralina Council of Governments meeting on Wednesday was included in the Council's agenda. She stated they will be discussing the budget, and also Councilman Short will be making a presentation on the weighted vote.

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ORDINANCE NO. 562-X AMENDING ORDINANCE NO. 214-X, THE 1974-75 BUDGET ORDINANCE, TRANSFERRING FUNDS FROM THE GENERAL FUND CONTINGENCY APPROPRIATION AND AMENDING THE TABLE OF ORGANIZATION OF THE PUBLIC WORKS DEPARTMENT TO PROVIDE FOR THE ENFORCEMENT AND ADMINISTRATION OF SOIL EROSION AND SEDIMENTATION CONTROL ORDINANCE.

Upon motion of Councilwoman Locke, seconded by Councilman Williams, and unanimously carried, the subject ordinance was adopted transferring \$26,000 from the General Fund Contingency Appropriation and amending the Table of Organization of the Public Works Department to provide for the enforcement and administration of Soil Erosion and Sedimentation Control Ordinance.

The ordinance is recorded in full in Ordinance Book 21, at Page 492.

COMMENTS ON POLICIES OF CITY MAKING RESIDENTS KEEP THEIR YARDS CLEARED AND REQUIRING GARBAGE CANS TO BE MOVED TO THE BACK YARDS.

Councilman Gantt stated he received a call from a citizen wanting information on the procedures for making other residents clean up their property. Another call was about the policy requiring garbage cans to be left at the rear of the property. This citizen was complaining that garbage cans are left on the streets in her neighborhood, and she understands there is a rear of the house pick up service.

Mr. Underhill, City Attorney, stated the city has two pick up services in the rear yard each week. There is one pick up at curb side each week. Anything that is containerized and placed at the front can be picked up. The City Manager stated it does not have to be containerized; it can be a stack of limbs. You can also put any number of garbage cans on the curb and they will be picked up also.

Mr. Underhill stated the City does not do anything about seeing that the cans are taken from the front yard to the back yard. There is nothing that requires this. The City provides the service of one curb side pick-up a week, and unless it is so much that it is a public nuisance there is no requirement on it.

DISCUSSION AND EXPLANATION OF PEOPLE'S CONCERN ON WEST MOREHEAD STREET ABOUT HAVING TO MOVE PRIOR TO TIME RELOCATION ASSISTANCE IS AVAILABLE UNDER CDRS.

Councilman Gantt stated he met with some people in the West Morehead Street area about two weeks ago. These citizens are very concerned about the fact that they have 119 families that are to be displaced under CDRS. The question came up as to where they would go, and particularly the problems we have with housing in that area, and the fact that the public housing units list is very long. They also got into the discussion of the benefits that might be made available to them under the program, such as relocation expenses, and the fact that the city would not move or demolish units unless they found another unit that was decent, safe and sanitary for the family to move into.

Councilman Gantt stated it was then brought to his attention that the Building Inspection Department has gone in and condemned units in that area already. That he does not know if these people have been counted or not. The net effect of all this is that the units are condemned by the Building Inspection Department, and the owner of the property is not going to make any improvements. The owner has given notice they will

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have to move by April. The people point out they will have to leave in April and the question he is raising is not so much the fact that we condemn units that are not fit for human habitation - it is the fact if these people are moved prior to the CDRS operation they will get no benefit at all under the terms of the relocation. Mr. Underhill replied they get advisory relocation assistance, which means that staff of the relocation division is available to them to help them find another unit. They do not get monetary relocation expenses. He stated they have had a big meeting on that very problem. There is a large segment of houses in that area which are the subject of some close scrutiny by the Inspection Department. Councilman Gantt stated it seems that we should at least do something about coordinating this. Put a moratorium on condemnation in this area until the program starts in July, if for no other reason that we are trying to provide some assistance in a monetary fashion to people being displaced in that area. He wonders if we can do that.

Mr. Coffman, Assistant City Manager, stated about two weeks ago he met with Mr. Jamison, Mr. Underhill and Mr. Wylie Williams, and the understanding was that none of these people would be moved until CDRS was up and running in the area. Mr. Underhill stated then they would qualify for relocation benefits. Mr. Coffman stated if they move in advance of the beginning of CDRS, there is an amount set aside in the general funds for some relocation expenses until CDRS starts. Mr. Underhill stated if the landlord is making them move, the city has no control over that. That we do not intend to tear the units down as the Building Inspection Department has not completed its process. It requires a hearing to be held, and notice to all the people.

Mayor pro tem Whittington stated Councilman Gantt is asking if we can declare a moratorium over there, other than a property owner telling people to get out. Can we do that until revenue sharing comes in? Mr. Underhill replied he does not think they will have to move because it is going to take Mr. Jamison three months to get this processed to the point of bringing it to Council. By that time CDRS will be effective in that area. No one can be condemned because Mr. Jamison cannot hold the hearings that fast. Councilman Gantt stated he wants to make sure we do not have a vicious kind of circle for these people. Mr. Underhill stated he has the point and he thinks they can handle it, without any Council action.

FINANCE DIRECTOR TO CONTACT COUNCILMAN WILLIAMS ON QUESTIONS HE HAS ABOUT INFORMATION ON DEFICIT IN WATER AND SEWER RATE INFORMATION.

Councilman Williams stated two weeks from today Council will consider an increase in the water and sewer rates. That he has been going over the pamphlet prepared for Council last November by the Finance Department, and he is a little unclear about the projected operating deficit. That he is even more unclear about what is in that deficit. Why will it cost more next year than it cost this last year. On one page in the introduction it says the deficit will be a million and a half; then on another page it projects something like three million dollars. That he is not clear on this.

Councilman Williams stated he would appreciate it if next week the City Manager would break it down for him, and let him see exactly what will be costing next year that did not cost before.

Mr. Burkhalter, City Manager, replied he will have Mr. Fennell call Mr. Williams and go over this with him.

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COUNCILWOMAN LOCKE REQUESTS TO BE EXCUSED FROM NEXT MEETING DUE TO A CONFLICT.

Councilwoman Locke stated she would like to be excused from next week's meeting as she has a previous speech she has to make that night. Mayor pro tem Whittington stated Council will excuse Mrs. Locke.

COMMENTS ON PAY ADJUSTMENTS TO BE EFFECTIVE THE LAST PART OF MARCH.

Councilman Withrow stated last June during the budget session, Council gave a raise to all city employees. Then they said in March, there will be another raise contingent upon the economy. He asked if this is right, or how did it read? Mr. Burkhalter, City Manager, replied Council adopted a pay ordinance which gives the five percent spread. It puts in the second phase and changes the pay scale to make the steps equal. It has nothing to do with an across-the-board change. It makes the five percent spread on all the increments.

RESOLUTION REQUESTED PLACED ON NEXT AGENDA SUPPORTING LEGISLATION REQUIRING PERSONS BUYING STATE AUTOMOBILE TAGS FROM MECKLENBURG COUNTY LISTING AUTOMOBILES FOR TAXES AT THAT TIME.

Councilman Short stated the City Manager sent Council a report of an excellent proposal that is before the legislature now which will have the effect of forcing a person who is buying a state automobile license tag to also list the automobile for the property tax in Mecklenburg County. He stated he mentioned this previously and he would like to thank staff for researching the matter, and sending the material to Council.

It seems to him the loss of money from our failure to get all the automobiles listed for tax in Mecklenburg County is more than he thought. It is about a million, one hundred thousand dollars in the course of the average year. Some 27,000 automobiles are not listed. That 80 percent of them are in the city.

Councilman Short stated he would like to put on the agenda for next time that Council adopt a resolution urging our delegation and urging the legislature in general to get behind this. This is a great thing and something we should do. Here is a half million dollars that the City should get and we just do not pick up because the law has not been written correctly.

OPPORTUNITY TO DISCUSS WAY THE STATE SERVES AS PASS THROUGH FOR LEAA FUNDS REQUESTED PLACED ON NEXT AGENDA.

Councilman Short stated he also wants to reserve or have on the agenda next time an opportunity to discuss the way the State of North Carolina is serving as a pass-through on the LEAA funds. Under the system that now exists LEAA funds come through the state. That he has studied some of this at the request of some citizens, and he is of the opinion that the State is not doing exactly right by Mecklenburg County and the City of Charlotte. That he would like to reserve on the Agenda an opportunity to discuss this matter, and perhaps make a motion on the subject next week.

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REQUEST THAT LEGISLATIVE BREAKFASTS BE CONTINUED AND DISCUSSION OF HOTEL-MOTEL TAX TO BE ITEM FOR DISCUSSION.

Councilwoman Locke asked when Council is going to continue the legislative breakfasts. That she thinks it would be a good thing to do. Mr. Burkhalter, City Manager, replied they will do whatever Council instructs; that they had received a negative reaction to this.

Mr. Burkhalter stated he has an item he wants to discuss with Council, and that is the hotel-motel tax, and see if Council is ready for this to be presented. The City Attorney has a bill drafted and ready to go if Council is ready. This is something they could talk about.

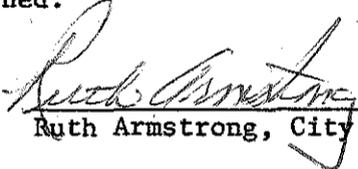
Mayor pro tem Whittington stated Council is ready.

COMMENTS ON PLANS FOR PATHWAY THROUGH DILLARD DRIVE INTO HICKORY GROVE ROAD AND OUT TO HARRIS ROAD.

Councilman Short stated Council had some indication that staff would present some plans for a road system that would incorporate the pathway through Dillard Drive and on into Hickory Grove Road and a possible connection to Harris Boulevard. He asked when this is scheduled? The City Manager replied he has seen some preliminary plans; there was some concern about it after the Housing Authority came up with their plan. That he has not heard what the plans are this past week. Mr. Hopson wanted to change the alignment. Councilman Short stated this is one of the reasons he wanted to get into this. That he took the liberty of suggesting to Mr. Wheeling that there is some difficulty there; that they are trying to use some of the same land the city is trying to use. That Mr. Wheeling did not seem to realize this, and it might be good if we could finalize something. Mr. Burkhalter stated they are working on this.

ADJOURNMENT.

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

  
Ruth Armstrong, City Clerk