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The City Council of the City of Charlotte, North Carolina, met in regular session on Monday, March 8, 1976, at 3:00 o'clock p.m., in the Council Chamber, City Hall, with Mayor John M. Belk presiding, and Councilmembers Betty Chafin, Louis Davis, Harvey Gantt, Pat Locke, and James B. Whittington present.

ABSENT: Councilmembers Neil Williams and Joe Withrow.

INVOCATION.

The invocation was given by Jack Bullard, Director of the Community Relations Department.

MINUTES APPROVED.

Upon motion of Councilwoman Locke, seconded by Councilman Whittington, and unanimously carried, the minutes of the Council Meetings on Monday, February 23, and on March 1, 1976, were approved as submitted.

RESOLUTION DIRECTING CITY MANAGER TO STUDY NEW PROCEDURES AND POLICIES RELATIVE TO INVESTIGATION OF ALLEGED POLICE MISCONDUCT TO INCLUDE PUBLIC HEARING AND DISCLOSURE OF FACTS IN ALL CASES REQUESTED PLACED ON COUNCIL AGENDA FOR DISCUSSION AT NEXT MEETING.

Councilman Gantt stated during the informal session he read a resolution concerning procedures and policies relative to investigations of alleged police misconduct, and he moved this be a part of the formal agenda today. The motion was seconded by Councilwoman Chafin.

The City Attorney stated the Council procedures require a unanimous consent of Councilmembers to consider a non-agenda item. All members of Council present have to vote to consider it at this session in order for it to be considered today. If it fails to get unanimous approval, any Council person can request it placed on the agenda for the next meeting.

Councilman Davis stated he has no objections to such a resolution if all the information were available. This might be a resolution Council might adopt; however, he believes they may have a lack of information on which to base this. Councilman Gantt asked if he is discussing the resolution now or questioning whether they will even consider it for discussion? That his motion is to have it part of the agenda items. Mayor Belk stated if any are not in favor of the resolution being considered as an agenda item all they have to do is vote no; then it can be brought up next week.

Councilman Whittington stated that Councilman Gantt mentioned to him last week that he was going to bring this before Council today. He stated as important as it is, he believes it should be done when all members of Council are present, not with two absent. That this is the first time he has seen the resolution and he cannot vote on it today.

The vote was taken on the motion, and failed for lack of unanimous vote.

YEAS: Councilmember Gantt, Chafin and Locke.

NAYS: Councilmembers Davis and Whittington.

Councilman Gantt requested the resolution be placed on the agenda for the next regular meeting.

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SECOND YEAR COMMUNITY DEVELOPMENT PLAN AS MODIFIED APPROVED AUTHORIZING THE MAYOR TO FORMALLY TRANSMIT THE PLAN TO THE METROLINA COUNCIL OF GOVERNMENTS AND THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

Councilman Whittington moved approval of the Second Year Community Development Plan as submitted to City Council on February 10 and modified by public hearing on February 17, 1976. The motion was seconded by Councilwoman Locke.

Councilman Gantt stated last year he voted against this plan on the basis he felt they had allocated their dollars in such a way it gave him some concern. Throughout the year in the discussion of the various target area plans, those concerns kept coming up. The priority emphasis on housing; the heavy amount of funds being spent for land acquisition, and the very large amounts being expended on administration. In looking at the administrative costs projected, these seem to be quite reasonable. What still gives him some concern, and still speaks to a concept in this plan, is fully \$8.5 million (which is by his best guess up about \$1 million). \$8.3 million is going to be expended on land acquisition; at the same time they spend on loans and grants to home owners, tenants, etc., an amount in the neighborhood of about \$500,000. That in the category of clearance, demolition and rehab, it is difficult to determine how much is allocated for each. That \$2 million is allocated to that area. He notes the amount of rehab housing they will do on their own does not come to a substantial number; so it leaves him to believe most of that would be clearance and demolition. His feeling is the kind of ways they are expending money in North Charlotte is the kind of way he wishes they could have done it a lot of other places. He realizes in situations like Grier Heights where you have the Rock Apartments, which is considered a blight on the community and the people want it to go, we are going to spend money on acquisition of land. But what bothers him is they should try to gear land acquisition with the actual production of new or rehabilitated houses. If he were setting the policy, he would probably say of the 400-odd people who have to be moved in the total program the priority goal next year would be the construction of 400 housing units the first thing before they do any substantial acquisition of land in any of these target areas. He stated he is going to vote for it today. That someone once said you can tell how we think by the way we allocate our dollars; that by far the largest amount of dollars is going to buying the land which is going to make the City be a landholder. He stated there is a possibility much of that land may not be developed. He wishes they could have set this up in such a way as the priority would have been that before they move any further they would have constructed - not 35 units by Motion - not 25 units in Third Ward - but in fact 400 units which would have provided one alternative for the relocatees. He stated he knows they cannot answer this but ~~wanted~~ ^{wants} them to understand his concern is the priorities are still somewhat askew. That in reading the old land acquisition proposal and reading this year's proposal, they are up \$1 million. Mr. Sawyer stated if they are he does not believe any additional property is involved. He thinks they have more current estimates of the cost of that property. That in looking at what they have, they are merely responding to or continuing last year's preliminary plan. How the Council can control where the money goes is at the time it approves the individual Redevelopment Plan and/or Community Development Plan and each are varied. Because any action taken to buy property, relocate, or rehabilitate, has to come out of that plan. This plan is merely a general plan giving them guidance on how to prepare the individual plans. They can modify, change, reject, and take any action they think is right with respect to the individual project plan. He stated a case in point is Third Ward and regardless of the counterpart of this plan set forth last year as a guide in preparing and going from the general to the specific they still have retained control all the way. Councilman Gantt stated Mr. Sawyer outlined somewhere in this document that the CDRS funds can be used for housing,

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except last-resort houses. Mr. Sawyer replied just the opposite is true; they cannot be used except for last-resort houses. Councilman Gantt stated his point is it becomes increasingly difficult to take each of these individual plans and really go through them because staff is spending aeons of man hours to prepare them. He believes they are beyond the point of thinking at that point they are going to be able to make any substantial adjustments. Councilwoman Chafin stated she shares many of Mr. Gantt's concerns; she too will support the motion but as she mentioned at last week's meeting she would like to introduce a motion after they vote on this motion to refer aspects of this plan to one of their committees for further study.

The vote was taken on the motion and carried unanimously.

MOTION TO REFER COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR THE SECOND, THIRD AND FOURTH ACTION YEARS TO THE COUNCIL COMMITTEE ON PLANNING AND PUBLIC WORKS FOR REVIEW AND RECOMMENDATION.

Councilwoman Chafin moved that the preliminary physical development plan of the entire preliminary plan for the expenditure of Community Development Block Grant Funds for the second, third, and fourth action years be referred to the Council Committee on Planning and Public Works for review and recommendations to the whole Council as to the need for amendments. The Committee may review any aspects of the physical plan, including the sections on rehabilitation loans and grants, on proposed public improvements requiring demolition or movement of any structures, on relocation of businesses, families and individuals, and on the possible use of Community Development Funds for new housing construction. The Committee may call upon the staffs of any City Departments to assist in the review and in the development of recommendations for amendments. The motion was seconded by Councilman Gantt.

Mayor Belk stated he thinks this will delay it. It is important enough for all members of Council to study it; that he cannot see eliminating the other members of Council on something this important. Councilwoman Chafin replied she thinks it requires an indepth study; that the entire Council has so many other things to deal with. That this is the very reason the Committee structure was created. Mayor Belk stated he does not think it is fair to other members of Council to not be in on something of this importance. Councilwoman Locke stated they can let them know the meeting times and all are welcome to come to the meetings. Councilwoman Chafin stated this will not delay the second year plan; that she is suggesting this Council has some reservations about the second year plan.

Councilman Gantt stated he is voting in favor of the motion; that he was one of the people who felt that Committees might not work; but he is willing to make it work. That we have always said that any Councilmember has the right to come and sit in on any committee discussion. That he thinks the point of the motion which is to review the housing and physical development aspect of this plan needs some study.

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

YEAS: Councilmembers Chafin, Gantt, Davis and Locke.

NAYS: Councilman Whittington.

RESOLUTION APPROVING THE THIRD WARD COMMUNITY DEVELOPMENT PLAN AND REDEVELOPMENT PLAN.

Councilman Whittington stated when he and the other Councilmembers went to Third Ward last week he left with the hope and perhaps the understanding

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that Mr. Sawyer, Director of Community Development, was going to recommend some amendments to Council. The City Manager replied he does not think Mr. Sawyer has any amendments to offer at this time. Mr. Sawyer stated he did not understand they were to come today and recommend any amendments; they feel as a result of the tour they have a clearer understanding of the policies Council wants to follow. It is clear Council wants more rehabilitation and less demolition.

Councilman Whittington asked if he makes a motion to approve this plan today, will Mr. Sawyer have the understanding of the amendments that at least four or five members of this Council want made as it relates to improving some of those houses indicated to be slum housing; and that he would consider putting new housing back on West First Street between Cedar and the dead end, and he would also do everything he can to rehabilitate those houses on Cedar, between Fourth Street and First Street on the west side? Mr. Sawyer replied yes. Councilman Gantt stated one thing they stressed was a thorough evaluation of all these houses that should be done. Mr. Sawyer replied this is one of the things they are going to do. Get the building inspectors in, and get a good inside and outside report on the condition, and an estimate of the cost of rehabilitation.

Councilman Whittington moved adoption of the resolution approving the Third Ward Community Development Plan and Redevelopment Plan. The motion was seconded by Councilwoman Locke, and carried unanimously.

The resolution is recorded in full in Resolutions Book 11, beginning at Page 327.

Mr. Burkhalter, City Manager, stated he did not go on the tour with the group; he has discussed it with Mr. Sawyer and others involved. The housing problem does seem to concern many of Council. One of the things they are going to have to do is to revise the standards of what is substandard and what is not. This is something they need some kind of policy on. All the decisions which have been made prior to this time by the building people, by Community Development people, and others have been based on the old urban renewal requirements for standard and substandard housing. Mr. Sawyer replied this is substantially correct and they are talking of bringing them up to a standard which would support a long term mortgage perhaps. Mr. Burkhalter stated they may need to do some rethinking of how they decide what these things are so they will have guidelines in the future. Councilman Gantt asked if he is talking about relaxing this? Mr. Burkhalter replied he is talking about bringing them up to the standard they are all talking about. What he is trying to get at is what determines the ones that should be torn down.

EXECUTIVE SESSION TO DISCUSS PENDING LAWSUIT SET FOR MONDAY, MARCH 22, 1976, at 2:00 P.M.

Councilman Whittington moved that the City Council hold an executive session on the 22nd day of March, 1976, at 2:00 o'clock p.m., in the second floor conference room for the purpose of discussing with the City Attorney a pending lawsuit, entitled Kannon vs. HUD pursuant to General Statutes 143-318,3(a)(5). The motion was seconded by Councilwoman Locke, and carried as follows:

YEAS: Councilmembers Whittington, Locke, Chafin and Davis.
NAYS: Councilman Gantt.

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CONTRACT FOR TECHNICAL OR PROFESSIONAL SERVICES BETWEEN THE CITY OF CHARLOTTE AND THE ACCOUNTING AID SOCIETY, INC. AUTHORIZED.

Councilwoman Chafin moved approval of the contract with Accounting Aid Society, Inc., in the total amount of \$22,066.00 to provide professional accounting assistance, financial, budget, and tax counseling, and assistance in preparing income tax returns to Community Development Area individuals and businesses. The motion was seconded by Councilwoman Locke, and carried unanimously.

ORDINANCE NO. 40-X PROVIDING FOR THE ESTABLISHMENT OF THE FOURTH WARD REHABILITATION LOAN FUND AND ESTABLISHING APPROPRIATIONS PROVIDING FOR THE RECEIPT AND DISBURSEMENT OF LOAN FUNDS AND LOAN REPAYMENTS FOR FOURTH WARD PRESERVATION PROJECTS.

Motion was made by Councilwoman Locke, seconded by Councilwoman Chafin and unanimously carried, adopting the subject ordinance, which is recorded in full in Ordinance Book 23, at Page 49.

LEGISLATION CHANGING THE ZONING AMENDMENT PROCESS TO AUTHORIZE THE PLANNING COMMISSION TO HOLD PUBLIC HEARINGS ON PETITIONS FOR ZONING CHANGES AND TO TAKE FINAL ACTION UPON THEM REQUESTED DRAWN BY CITY ATTORNEY.

Councilman Davis moved that the City Attorney be instructed to draft legislation so that the Zoning Amendment Process would be changed to authorize the Planning Commission to hold public hearings on petitions for zoning changes and to take final action upon them, with Council to review the Commission's findings on an appeal basis. The motion was seconded by Councilman Whittington.

Councilman Davis explained the request stating City Council would still maintain the ultimate authority. This is basically an administrative change that would make the setup comparable to a business organization where a board of directors is charged with the responsibility of setting policy and they appoint officers to conduct a day to day routine business for the corporation. In this case the City Council would still be charged with setting of policy under which the Planning Commission would operate. The only change would be that the Planning Commission would be authorized to conduct their own public hearing. This would make it unnecessary for City Council to devote the amount of time it now does to public hearings. A good portion of this time is not really productively used. Council has to sit through a public hearing on every item that comes before the Planning Commission whether or not the item is contested; whether it involves a matter of policy or not. There are many routine items. Some are not contested and in fact during the past three years, the Council has handled an average of about 50 zoning cases per year - a total of 152 in the last three calendar years. Of these 152 petitions, the City Council went along with the Planning Commission in 93.4 percent of the cases. What Council has done is spend approximately 1/4 of the meeting time in an exercise that generally results in the affirmation of Planning Commission recommendations.

Council would not necessarily have to devote any less time to zoning matters. In fact, it might result in the opposite situation. The only time Council would become involved would be when a citizen appeals the Planning Commission decision. Then Council would know there is citizen involvement on a controversial item, and Council would be in a position to devote more time to it. In any case, the citizen would have the right to appeal to an elective body, the City Council, and the petitioner would have the right to appeal to the Courts if unsatisfied with the results. These two rights are not in question, and would not be affected in this proposal.

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Mr. Underhill, City Attorney, stated this would require an amendment to the Charter; the enabling legislation could not be secured until the 1977 Session. The City of Greensboro has been doing this since 1973; they had enabling legislation and adopted an ordinance pursuant to that enabling legislation, which sets up a process where zoning cases are initially held before a zoning board, which is comparable to our Planning Commission, with right of appeal from that zoning board to the City Council in the event of dissatisfaction by any person affected by the zoning change. This would not necessarily be the petitioner; it could be someone from the surrounding area of the property. This is being done in this state but it requires enabling legislation. The earliest time we could get it would be in the 1977 Session.

The City Manager asked Mr. Davis in getting his statistics if he found out how many of those considered were approved by the Planning Commission first? That might tell another story because approximately half of them are approved by the Planning Commission, then approved by Council. So that half is automatically removed from appealing. He stated this is a tremendous time saver for Council.

Councilwoman Chafin asked if the opponents of a petition would have the right of appeal? Councilman Davis relied yes. They have two recourses. One is through the courts and the other through the elected body. This might be drawn so that any member of Council could bring up an item for reconsideration. It might require a majority, but the opposition could through the City Council have the matter subjected to appeal and review by a separate body, the elected body.

Councilman Gantt stated one of his concerns is accountability. The whole question of this Council having power to zone and determine what the City looks like, and the Planning Commission, an appointed body, is not directly accountable to the people. He wonders if the answer to this is that we have an elected Planning Commission. Second, he wonders if they will be opening themselves up to more appeals and end up having to hear just about all the cases. As it stands now, a citizen has no recourse but knows the Council and Planning Commission heard his case and they were the last word. But a citizen getting an unfavorable ruling could, in most cases, exercise the option of wanting to appeal this situation before Council. The likelihood is they would receive a substantial number of those appeals anyway. Councilwoman Chafin stated she has the same concern; that she thinks it is an excellent idea but it needs a little more work.

During the discussion that followed, the City Attorney stated he has a copy of the Greensboro ordinance, and he will furnish each member of Council a copy.

The vote was taken on the motion and carried unanimously.

CONTRACT BETWEEN THE CITY OF CHARLOTTE AND CENTRAL PIEDMONT COMMUNITY COLLEGE FOR A COURSE TO TRAIN UNSKILLED AND UNEMPLOYED PERSONS AS PRODUCTION MACHINE OPERATORS IN THE SHEET METAL INDUSTRY.

Councilman Whittington asked where they will get these people to train under the subject program? Mr. Williams, Assistant City Manager, replied this is part of the Title I package which was approved at the beginning of the year and these are advertised just as any other vacancies are.

Councilman Whittington moved approval of the contract with Central Piedmont Community College in the amount of \$24,946.00 for a course to train fifteen unskilled and unemployed persons as production machine operators in the sheet metal industry. The motion was seconded by Councilwoman Locke, and carried unanimously.

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ORDINANCE NO. 41-X TO TRANSFER FUNDS FROM THE 1973 TRANSPORTATION BOND FUND TO THE GENERAL CAPITAL IMPROVEMENT FUND TO PROVIDE AN APPROPRIATION FOR POPLAR STREET WIDENING.

Councilman Whittington moved adoption of the subject ordinance transferring \$503,000.00 for the Poplar Street Widening Project. The motion was seconded by Councilman Gantt.

Councilman Gantt asked if this is saying the original road was \$388,000 and the City has to settle with someone for \$115,000, and that is why it is up to \$503,000? The City Manager replied it is not quite that; it is up \$74,000. Councilman Gantt asked how much is left in that particular bond fund? Mr. Hopson replied it will leave no money except about \$60,000, and there are still three small pending condemnations. This will just get them by to award the contract.

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

The ordinance is recorded in full in Ordinance Book 23, at Page 50.

RESOLUTION AUTHORIZING THE CHARLOTTE-MECKLENBURG PLANNING COMMISSION TO FILE AND EXECUTE AN APPLICATION FOR SECTION 9 TECHNICAL STUDIES FUNDS UNDER THE URBAN MASS TRANSPORTATION ACT OF 1964, AS AMENDED, TO PERFORM TRANSIT DEVELOPMENT PROGRAM FOR CHARLOTTE URBANIZED AREA.

Councilman Gantt moved adoption of the subject resolution, which motion was seconded by Councilwoman Chafin.

Councilman Whittington requested the City Manager to have Mr. Kidd, Transit Planner, to bring to Council at the next meeting how much this bus system is now costing the taxpayers of the City of Charlotte since we began our agreement with the City Coach Lines towards the direct purchase.

The vote was taken on the motion and carried unanimously.

The resolution is recorded in full in Resolutions Book 11, at Pages 332 and 333.

LEASE AGREEMENT BETWEEN THE CITY OF CHARLOTTE AND NELSON COMPANY FOR SPACE IN THE EXECUTIVE BUILDING FOR USE BY THE WATER AND SEWER ACCOUNTS DIVISION.

Motion was made by Councilman Whittington, seconded by Councilwoman Locke, and unanimously carried, approving the subject lease agreement for 492 square feet of office space at \$5.50 per square foot, for a term of one year, beginning January 1, 1976 and ending December 31, 1976.

ORDINANCE AMENDING TABLE OF ORGANIZATION FOR TRAFFIC ENGINEERING DEPARTMENT BY RECLASSIFYING POSITION OF SYSTEMS ANALYST I TO SYSTEMS ANALYST II, DEFERRED.

Councilman Gantt stated he wonders about this reclassification. He recalls on November 24 there were four or five reclassifications which came before Council and that was delayed until budget hearing time. He does not know why it was done then, and he wonders now why they want to reclassify again.

The City Manager replied he is under instructions from Council to do reclassifications through the year, and not at budget time, except those referred to it. That he does not know why they were referred either. Councilman Whittington stated in his opinion Council deferred it at that time, and very wisely so. That times are very different than they were when the City Manager was under his previous instructions. That he is not going

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to vote for this item today. He thinks it should be delayed. That several members of Council have already told the City Manager they are not going to vote for a tax increase for 1976-77. These things should be discussed at budget time this year. Next year may be different.

Councilman Whittington moved that the subject ordinance be deferred. The motion was seconded by Councilman Davis.

Mr. Burkhalter stated this is talking about an individual in a very particular and specialized job, and they have not heard the reasons for this. He asked Mr. Mayes of Personnel Department to discuss this with Council.

Mr. Mayes stated the last budget year in consideration of the budget the Manager submitted to City Council, included in this submission recommendation was the addition of a Systems Analyst position in the Traffic Engineering Department to be primarily responsible for the development of the traffic computer system. At the time this position was being designed and set up to have presented to Council, the Personnel Department took a look at the design of the job at that time - the duties and responsibilities of the job - and it was determined the proper level of the job was the Systems Analyst I level.

Between the time they designed the job and the time the City Council approved the job, they began their efforts for recruitment. They saw the type of system they had looked at was a very, very peculiar type of system to just the City of Charlotte and just to that traffic signal system itself. He stated it was very difficult to obtain the type of person they needed which prompted them to review the type system they had and look at the type of person they were wanting, based upon the characteristics of other Systems Analysts positions in the City. We have about seven or eight others comparable to this but they are in departments which have small modules that are more or less governed by the total design of the integrated system. In other words, to make a systems change in the module of, for example, the Personnel Department, the only way this could be done would be to get the approval of the MIS Department and a lot of the program changes necessary could not be made. He stated this situation in Traffic Engineering is completely different; this is a system in itself; it is a very complex and unique type system. The type of person is at the Systems Analyst II level and comparable to other Systems Analyst II positions in the City structure.

Councilman Gantt asked what would be the outcome of a delay of this approximately two months? Are they likely to lose this particular person? Mr. Mayes answered there had been some concern on the part of the person who holds the job at this time because they did inform the person at the time of his hiring they would submit the reclassification consideration to Council without any obligation to the individual that the reclassification would be approved. They did inform him at the time of his hiring this reclassification action would be submitted for Council's consideration.

Councilman Gantt stated when Council receives reclassifications, he knows they generally come from Mr. Earl's office which means somebody in Personnel along with the particular functional area has examined the particular position and finds the employee or position indicates they are performing either over or under that level. He asked how this case is different from that which was delayed back in November? Mr. Burkhalter replied there is only one difference in those in November and this one - the people who were in those jobs were not promised any reclassification when they were employed any more than all employees are where the positions would be looked at regularly. He stated this job when they were recruiting was very difficult to recruit for and they told the man they would try to get it reclassified. Of course, they cannot promise reclassification to anybody and do not; but they told him it would be submitted to Council as a

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reclassification. He stated they had studied it very carefully and it has gone through all the procedures. That it was started prior to the time they turned these others down; it was no subsequent event.

Mr. Burkhalter stated reclassification is very detailed and complicated and to do this all at one time requires a staff much bigger than they have. So, reclassification is not exactly fair if they have to present them all at one time. He stated he has no objection to this; Council objected to it because they spend a lot of their time in budget time talking about individuals. That over the last four years, at Council's instructions, he has tried to spread reclassification studies throughout the year and bring these to them. He stated it is a lot of work to go in and study reclassifications and it is done on the basis of initiation by an employee or an employee group or department head for this employee group or sometimes it is initiated in Personnel because of recruiting problems they have. For example, one time this Council reclassified engineering groups right in the middle of a year because they could not hire any so this might be a reason for reclassification. He stated the only thing they are doing is meeting a commitment to this employee that they would agree to bring this to Council.

Councilman Gantt asked how they take this into account in their budget? If there are upward classifications, obviously they involve more money. Do the departments anticipate this increase? Mr. Burkhalter replied no. If they need money to do this in this account, they would have to ask Council for it. But in this particular case, the man was not employed in the beginning of the budget year. Therefore, the job had money in it that was not utilized.

Councilman Whittington stated there were three positions, and four with this one, Council has asked to defer and he feels they could discuss those four at budget time along with the pay plan. Mr. Burkhalter stated they could but they may have several more by that time.

Councilman Gantt asked Mr. Burkhalter if he is saying it is not feasible to discuss them all at one time. Mr. Burkhalter replied Council had said that. Council instructed him this was not feasible - they did not like to do it that way. He stated the toughest part on him is getting the information; they can discuss them at budget time or anytime. He felt it unfair to ask a man who is performing a job in January to wait until August to do it. Councilman Gantt stated he agrees with that when people are doing their jobs. He does not believe the City is underpaying anybody but if Council has a policy on reclassification he thinks they should be consistent. Mr. Burkhalter stated he will bring them to Council until he is instructed otherwise, but they can do as they please with it. That the last ones he brought they deferred.

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

APPOINTMENT OF BEVERLY FORD AND MARY ROGERS TO CIVIL SERVICE BOARD FOR UNEXPIRED TERMS.

Councilman Gantt moved the appointment of Dr. Beverly Ford to the Civil Service Board to fill the unexpired term of C. D. Rippey. The motion was seconded by Councilman Whittington, and carried unanimously.

Councilwoman Chafin moved the appointment of Mrs. Mary Rogers to the Civil Service Board to fill the unexpired term of Mark Bernstein. The motion was seconded by Councilman Whittington, and carried unanimously.

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APPOINTMENT OF B. A. CORBETT TO PARADE PERMIT COMMITTEE.

Councilman Davis moved the reappointment of B. A. Corbett, Director of Traffic Engineering Department, to succeed himself for a three year term to the Parade Permit Committee. The motion was seconded by Councilman Gantt and carried unanimously.

RENEWAL OF SPECIAL OFFICER PERMIT TO ROBERT BERNARD FOWLER FOR USE ON THE PREMISES OF CHARLOTTE PARK AND RECREATION COMMISSION.

Councilwoman Locke moved approval of the renewal of special officer permit to Robert Bernard Fowler for use on the premises of Charlotte Park and Recreation Commission. The motion was seconded by Councilman Whittington.

Councilman Davis stated he would like to hear a discussion on the idea involved of the Park and Recreation Commission maintaining its own security boards. He would like to know how we justify this. We have three police forces - Park Police, City Police and County Police. He asked if it is necessary to have a special security force for the Park and Recreation Department? Mr. Burkhalter replied the Park and Recreation Commission think so and he believes they have generally agreed with them over the period of time that these people are specially trained for the type work they do there. He stated they do not receive the full training of the Police Department; they get the 90-day requirement for the State law certification and are not paid in the same scale as the City Police Officers. He stated it is much more reasonable pay for the Park people because they do not have those other responsibilities.

The City Attorney commented their jurisdiction is limited to the park property only. They have no jurisdiction once they are off that property; they have no power of arrest or law enforcement powers.

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

ORDINANCE RELATING TO SPEED LIMITS ON TYVOLA ROAD DEFERRED.

The ordinance amending Schedule 10 of Chapter 20, Section 86(c) to change the speed limit on Tyvola Road from 35 MPH to 45 MPH as recommended by the Director of Traffic Engineering was presented for Council's consideration.

Councilman Whittington moved that the ordinance be deferred and the Traffic Engineer come back to Council with a consideration to reduce the speed limit on these streets, rather than increase them. The motion was seconded by Councilman Davis.

The City Manager advised they do not need an ordinance to reduce the speed because it is now 35 MPH. Councilman Whittington stated he does not want to reduce the speed, he wants it to remain at 35 MPH. Councilwoman Chafin stated this is in respect to the residential neighborhood which it goes through. Councilman Gantt asked that at the time it is brought back he also bring the land use along that route.

The vote was taken on the motion and carried unanimously.

CONTRACTS FOR CONSTRUCTION OF WATER MAINS.

Motion was made by Councilman Gantt, seconded by Councilman Davis, and unanimously carried, approving the following contracts for water main construction:

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- (a) Contract with Gettys Construction Company for construction of approximately 3,110 feet of 8' and 6' C.I. water main and three (3) fire hydrants to serve Coatbridge Subdivision, outside the City, at an estimated cost of \$26,300.00. The applicant has requested the City to prepare the plans and specifications necessary for the construction. A deposit in the amount of \$2,630.00 has been advanced by the applicant. The applicant will finance the entire project and the City will own, maintain and operate the mains at no cost.
- (b) Contract with John Crosland Company for construction of approximately 2,425 feet of 6' and 2" water main and three (3) fire hydrants to serve Huntingtowne Farms, Section 8, inside the City, at an estimated cost of \$18,200.00. The applicant has requested that the City prepare the plans and specifications necessary for the construction. A deposit in the amount of \$1,820.00 has been advanced by the applicant. The applicant will finance the entire project and the City will own, maintain and operate the mains at no cost.

CONTRACT AWARDED DICKERSON, INC. FOR SANITARY SEWER CONSTRUCTION TO SERVE CHURCH OF GOD CAMPGROUND - TICER BRANCH.

Motion was made by Councilwoman Locke, seconded by Councilman Davis, and unanimously carried, awarding contract to the low bidder, Dickerson, Inc., in the amount of \$245,118.30, on a unit price basis, for sanitary sewer construction to serve Church of God Campground - Ticer Branch.

The following bids were received:

Dickerson, Inc.	\$245,118.30
Ben B. Propst, Contractor, Inc.	\$278,598.00
Sanders Brothers, Inc.	\$321,508.00
Thomas Structure Company	\$405,420.50
Dellinger, Inc.	\$422,265.34

CONTRACT AWARDED CARDINAL CONSTRUCTION, INC., FOR SIDEWALK CONSTRUCTION '76 - SECTION IV - VARIOUS STREETS.

Councilman Whittington moved award of contract to the low bidder, Cardinal Construction, Inc., in the amount of \$68,976.00, on a unit price basis, for Sidewalk Construction '76 - Section IV - Various Streets. The motion was seconded by Councilwoman Chafin, and unanimously carried.

The following bids were received:

Cardinal Construction	\$ 68,976.00
T. A. Sherrill Construction	\$ 69,214.00
Crowder Construction	\$ 69,548.00
Blythe Co. of Puerto Rico	\$ 70,040.00
Lee Skidmore, Inc.	\$108,605.00

CONTRACT AWARDED PROPST CONSTRUCTION COMPANY, FOR THE MINT-POPLAR CONNECTOR PROJECT.

Councilman Whittington moved award of contract to the low bidder, Propst Construction Company, in the amount of \$352,982.00 on a unit price basis, for the Mint-Poplar Connector Project. The motion was seconded by Councilman Davis and unanimously carried.

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The following bids were received:

Propst Construction Co.	\$352,982.00
Crowder Construction Co.	\$408,808.00
Rea Construction Co.	\$413,772.45
Blythe Co. of Puerto Rico	\$416,506.75
T. A. Sherrill Construction	\$426,389.25

ORDINANCES AFFECTING HOUSING DECLARED "UNFIT" FOR HUMAN HABITATION UNDER THE PROVISIONS OF THE CITY'S HOUSING CODE.

After viewing the pictures of the properties, Councilwoman Locke moved adoption of the following two (2) ordinances affecting housing declared "unfit" for human habitation under the provisions of the City's Housing Code, which motion was seconded by Councilwoman Chafin, and carried unanimously:

- (a) Ordinance No. 42-X ordering the demolition and removal of the dwelling at 1032-34 North Church Street.
- (b) Ordinance No. 43-X ordering the demolition and removal of the dwelling at 205 Nelson Avenue.

The ordinances are recorded in full in Ordinance Book 23, at Pages 51 and 52.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO WILLIAM P. HORNE AND WIFE, GLORIA M. HORNE; AMERICAN COMMERCIAL BANK, TRUSTEE; AND LIBERTY LIFE INSURANCE COMPANY, LOCATED AT 3826 RANDOLPH ROAD, IN THE CITY OF CHARLOTTE FOR THE RANDOLPH ROAD WIDENING PROJECT.

Upon motion of Councilman Gantt, seconded by Councilman Davis, and unanimously carried, subject resolution was adopted authorizing condemnation proceedings for the acquisition of property belonging to William P. Horne and wife, Gloria M. Horne; American Commercial Bank, Trustee; and Liberty Life Insurance Company, located at 3826 Randolph Road, in the City of Charlotte, for the Randolph Road Widening Project.

The resolution is recorded in full in Resolutions Book 11, at Page 334.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO LAURA CAROLINE CLARK (WIDOW), LOCATED AT 900 MCCORKLE ROAD (OFF MOORES CHAPEL ROAD), IN THE COUNTY OF MECKLENBURG, FOR THE LONG CREEK PRESSURE LINE PROJECT.

Motion was made by Councilman Whittington, seconded by Councilwoman Locke, and unanimously carried, adopting subject resolution authorizing condemnation proceedings for the acquisition of property belonging to Laura Caroline Clark (widow), located at 900 McCorkle Road (off Moores Chapel Road), in the County of Mecklenburg, for the Long Creek Pressure Line Project.

The resolution is recorded in full in Resolutions Book 11, at Page 335.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO WILLIAM H. KOURI AND WIFE, BARBARA H. KOURI, LOCATED AT 3234 MOUNTAINBROOK ROAD, IN THE CITY OF CHARLOTTE, FOR SANITARY SEWER RIGHT OF WAY TO SERVE MOUNTAINBROOK SECTION #8 PROJECT.

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Councilwoman Locke moved adoption of subject resolution authorizing condemnation proceedings for the acquisition of property belonging to William H. Kouri and wife, Barbara H. Kouri, located at 3234 Mountainbrook Road, in the City of Charlotte, for sanitary sewer right of way to serve Mountainbrook Section #8 Project. The motion was seconded by Councilman Gantt, and unanimously carried.

The resolution is recorded in full in Resolutions Book 11, at Page 336.

ENCROACHMENT AGREEMENTS, APPROVED.

Upon motion of Councilman Gantt, seconded by Councilwoman Locke, and unanimously carried, the following Encroachment Agreements were approved:

- (a) Encroachment Agreement with the North Carolina Department of Transportation permitting the City to construct an 8-inch water line in West Trade Street, NC 16, at Bruns Avenue.
- (b) Encroachment Agreement with the North Carolina Department of Transportation permitting the City to construct an 8-inch water line within the right of way of SR 2074 (Beatties Ford Road), at the intersection of Cemetery Street.

PROPERTY TRANSACTIONS AUTHORIZED.

Motion was made by Councilwoman Locke, seconded by Councilman Whittington, and unanimously carried, approving the following property transactions:

- (a) Option on 50' x 140' x 50' x 140' of property at 2404 Elsie Street (off Beatties Ford Road), from Mrs. Pecolia Wilmore, at \$1,000.00, for the Northwest Junior High School Area Park Site.
- (b) Option on 157.69' x 139.95' x 152.39' x 99.42' of property at 2601 Estelle Street (off Beatties Ford Road), from Willie J. Dickerson, at \$1,280.00, for the Northwest Junior High School Area Park Site.
- (c) Acquisition of 15' x 328.90' of easement at 136 Sardis Lane (off Sardis Road), from William A. Branner, Jr. and wife, Christine, at \$1.00, for Sanitary Sewer to serve Sardis Road and Sardis Lane.
- (d) Acquisition of 15' x 13.85' of easement at 6920 Sardis Road, from Lawrence E. Corne and Margaret E., at \$1.00, for Sanitary Sewer to serve Sardis Road and Sardis Lane.
- (e) Acquisition of 15' x 4.93' of easement at 5008 Wilkinson Boulevard, from Zeb Greene and wife, Emma K., at \$1.00, for Sanitary Sewer Trunk to Withrow Road and Interstate 85.
- (f) Acquisition of 15' x 259.82' of easement at 1800 block of Boyer Street (unopened street off Withrow Road and Wilkinson Boulevard), from John Blain Alwran and wife, Alice Alwran, at \$600.00, for Sanitary Sewer Trunk to Withrow Road and I-85.
- (g) Acquisition of 15' x 2,171.02' of easement at Chapparrall Lane, Hollyhouse Drive, Applecross Lane and Leesbury Road, from Gettys Construction Company, at \$1.00, for Sanitary Sewer to serve Ravenwood #3.
- (h) Acquisition of 15' x 431.31' of easement at 8450 Cathey Road, from M. D. Clark, Susanne P. Clark, John A. Clark, Eleanor D. Clark, Marie F. Clark, Ann Marie C. Brotzman, L. E. Brotzman, Jr., Mae Beverly C. McGhee, at \$1,000.00, for Sanitary Sewer Trunk to serve Ticer Church of God Campground.

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- (i) Acquisition of 15' x 1,905.94' of easement at 7451 Wilkinson Boulevard, from Sallie A. Clark Heirs, M. D. Clark, Susanne P. Clark, Marie F. Clark, Ann Marie C. Brotzman, L. E. Brotzman, Jr., Mae Beverly C. McGhee, W. L. McGhee, John A. Clark, Eleanor D. Clark, at \$3,100.00, for Sanitary Sewer to serve Ticer Branch Church of God Campground.
- (j) Acquisition of 15' x 641.62' of easement at 7251 Wilkinson Boulevard, from M. D. Clark, Susanne P. Clark, Marie F. Clark, Ann Marie C. Brotzman, L. E. Brotzman, Jr., Mae Beverly C. McGhee, W. L. McGhee, John A. Clark, Eleanor D. Clark, at \$1,900.00, for Sanitary Sewer Trunk to serve Ticer Branch Church of God Campground.
- (k) Acquisition of 15' x 93.04' of easement at 3222 Mountainbrook Road, from Homer R. Justis and wife, Phyllis M., at \$2,100.00, for a 15-foot Sanitary Sewer right of way to serve Mountainbrook Section #8.
- (l) Option on 32.90' x 7.96' x 33.27' x 5.99' of property, plus a construction easement, at 806 West Fourth Street, from Thomas L. Keeter, at \$3,500.00, for Trade-Fourth Connector Project.
- (m) Option on 27.83' x 7.65' x 124.24' x 33.70' x 129.0' of property at 301 North Poplar Street, from A. P. Lynch Estate, at \$9,653.00, for Fourth Ward Area Park Site Project.
- (n) Option on 8.15' x 28.59' x 21.40' x 7.18' x 50.00' of property at 1025 West Trade Street, from Lucille F. Baker and husband, T. B. Baker, at \$2,138.00, for Trade-Fourth Connector Project.

Councilman Gantt asked when the purchase of the property for the Northwest Park will be completed? Mr. Williams, Assistant City Manager, replied 23 of the 25 parcels are now under option. Councilman Gantt requested him to give Council a report on the total dollar amount spent on this land.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE URGING THE NORTH CAROLINA BICENTENNIAL COMMISSION TO INCLUDE APPROPRIATE REFERENCES OF THE MECKLENBURG DECLARATION IN THE OFFICIAL BICENTENNIAL FILM.

Mayor Belk stated he will be out of the City in Detroit beginning Tuesday night, and as a result of this he will not be able to attend a meeting of the Bicentennial Commission in Raleigh, and he has requested Councilwoman Pat Locke to go.

He stated a movie for the Bicentennial has been lined up and they have left out the date of May 20, 1775. This date is on the State Flag and in the State Seal and the City Seal. He stated he complained to Mr. Ellis and he said there are three historians doing this.

Mayor Belk stated beginning in 1825 the date May 20, 1775 was first used as a historical date. Since that time it has been placed on the State Flag. Since June, 1861 four Presidents have been here, and now they want to leave it out. That Mr. Ellis has now maybe changed his viewpoint, and maybe the three professors will recognize Charlotte. That none of them live in Charlotte, and none of them think that much of Charlotte. He does not think they think much of the history of North Carolina. They want to put the resolves of May 31 in place of May 20.

Mayor Belk stated he has talked to Congressman Martin and he has put a reference in the Congressional Record. And he thinks it is belittling us a little for the State of North Carolina not to recognize Charlotte's Declaration of Independence. That they are hoping to get this settled.

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That he has an appointment on March 10 at 2:00 o'clock, and he has asked Mrs. Locke to attend and she has consented to attend for him.

Councilwoman Locke stated she thinks a resolution should be prepared by the City Attorney requesting the North Carolina Bicentennial Commission to include in the film they are producing the Mecklenburg Declaration since it is on the flag of North Carolina.

Councilwoman Locke moved adoption of the resolution, which was seconded by Councilman Gantt, and carried unanimously.

The resolution is recorded in full in Resolutions Book 11, at Page 337.

Mayor Belk stated he will ask Chairman Liz Hair to have the County Commissioner to go along with this effort.

COMMENTS BY COUNCILMAN WHITTINGTON ON MOTION FOR COUNCIL COMMITTEE ON PLANNING AND PUBLIC WORKS TO STUDY THE SECOND, THIRD AND FOURTH YEAR ACTION PLANS ON COMMUNITY DEVELOPMENT BLOCK FUNDS.

Councilman Whittington stated he wanted to speak to Ms. Chafin and other members of Council about her motion to ask the Committee on Public Works to study the Second, Third and Fourth Year Action Plans on Community Development Block Funds. He did not vote for this because he feels this is something that should be where the whole Council has an input. Secondly, he came away from this field trip in Third Ward last Thursday convinced that before he votes for any more areas or sections under Community Development he is going out there and look at it. That he thought he knew a great deal about Third Ward; but he did not know all those homes had been demolished on the first block or on West First Street from Cedar Street to where it dead ends near the creek. He stated in talking with some of the people who have industrial development down there, they argue that we should put no more housing in the Third Ward. He stated when he came here in 1936 all that industry there now was there then and it was a total residential neighborhood. He does not see any difference now than 1936-37. What he is saying is he wishes they would do this another way. Go out into these areas and have these workshops rather than turning it over to a committee who could not do for them what he feels could be done. He apologized because he did not read the minutes and did not know Ms. Chafin was going to have the motion in there but he would have to respectfully say he does not agree with the way she wants to hook up the horse. He wishes they would do it his way.

Councilwoman Chafin asked about a combination of the two; that she is willing to compromise.

Mayor Belk stated he thinks it would stand Council in better when everyone goes out and looks at these areas, especially such as those in First Ward. The Judge could not say that Council did not know what it was talking about. He thinks it would strengthen the case with the Judge if they go out and look at each one of these units. That he would like to see more and more of these with more departments. But he is still in favor of all members of Council doing it.

TRAFFIC ENGINEER AND PLANNING COMMISSION TO COME BEFORE COUNCIL WITH REPORT ON HAMPSHIRE HILLS AND COVE CREEK AREAS.

Councilman Whittington requested that Mr. Corbett, Traffic Engineer, and Planning Commission come to Council at the next Council meeting, at the 2:00 o'clock session, and give Council a report on that area of Hampshire Hills and the other area of Cove Creek Drive, and all the other streets in there.

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He wants Council to have some input into this area because he has had occasion to go on Cove Creek Drive four times in the last six months - one reason was the bus service - and he was out there Saturday, and he is concerned as a member of this Council. Since he was out there the last time, there must be 40 homes on Cove Creek for sale. This is a street that is developed in \$30 to \$40 thousand homes.

He stated he wants the Planning Commission and Traffic Engineering before Council as he is convinced that two things have happened since he was out there. One is this is a thoroughfare now, or through street, to get traffic from The Plaza to Orr Road or to the Newell-Hickory Grove Road as a cut through. The other thing is that all the parking has been taken off. He stated he thinks what Traffic Engineering has done without Council's consideration (he has the authority to do this) has put damage to this street and to this neighborhood. Someone should report to Council and maybe all members of Council should go out and look at it. If there is a way to take some of the traffic off that street to help preserve that neighborhood, then Council should do it.

Councilman Gantt asked if the people selling the houses give that reason? Councilman Whittington replied he has not talked to them. But if Council recalls there was an FBI investigation about things that were said in this area. One man told him Saturday that the real estate people now say this is all a transient area. They bring people out there and get them a house when they are just going to be there for six months or a year. Councilman Whittington stated he does not buy that. He thinks some of the things local government has done has caused this neighborhood to be in the shape it is in.

The City Manager suggested this be brought to Council on the 29th. Councilman Whittington agreed to this.

DISCUSSION OF DILLARD DRIVE EXTENSION REQUESTED PLACED ON AGENDA WHEN COUNCILMAN WITHROW RETURNS TO CITY.

Councilman Whittington requested that Dillard Drive Extension, from Milton Road to the Newell-Hickory Grove Road, be placed on the agenda of the Council Meeting when Councilman Withrow is back, so that all members together can discuss that.

NEXT AGENDA TO INCLUDE RESOLUTION CALLING ON JOINT PUBLIC HEARINGS FOR REZONING OF A SERIES OF AREAS IN MYERS PARK AREA.

Councilwoman Chafin requested that the March 22 agenda include a resolution she intends to introduce calling for a joint public hearing of the Council and Planning Commission on a series of zoning petitions in selected areas in the Myers Park neighborhood. This Council ran on a platform of neighborhood preservation and support for the comprehensive plan. She thinks previous Councils have attested to this commitment through rezoning in the neighborhoods of North Charlotte, Dilworth, Elizabeth and Druid Hills. This Council approved rezoning of The Plaza Road area in early January. Myers Park is one of our oldest and most beautiful neighborhoods, but is an area that is threatened by encroachment of multi-family development. She would like to see this Council take action to prevent that.

She stated this resolution calling for a public hearing will have to be done by the next Council Meeting in order to hold the public hearing in April.

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ASSISTANT PLANNING DIRECTOR REQUESTED TO COME TO COUNCIL WITH DISCUSSION OF THE ORDINANCE REGULATING GROUP HOMES, AND THE DIFFERENCES BETWEEN THE CITY AND COUNTY ORDINANCES.

Councilwoman Chafin asked if the Planning Commission will be coming back to Council with recommendations for change on the group homes ordinance? That she believes the County has already made the adjustment. That Council received a letter about this during the week.

Councilman Whittington stated we are not getting the message to these people like Mr. O'Conner. As he understands this it should help the situation rather than limiting it. He suggested that Mr. Burkhalter have Mr. Fred Bryant to talk to Mr. O'Conner directly about this.

Councilwoman Chafin stated we could do that, but she would like to see the City bring its ordinance into compliance with the County; or at least have a review of it.

Councilman Gantt asked that Mr. Bryant come before Council and tell them the differences between the two, and then Council can decide whether it wants to make a change in this.

Councilman Davis asked if when an ordinance is adopted and it varies from the County ordinance is there a routine procedure to review them and compromise them? The City Attorney replied he assumes this is one of the internal functions the Planning Commission staff undertakes. Councilman Davis stated he received some information and he sent it to the City Manager's office asking if it required any action by City Council.

Councilman Davis stated the City Ordinance sets a limit of three people which would mean inside the City it would be uneconomical. The County put a limit of six. This is zoning by right.

Mr. Burkhalter, City Manager, stated he will ask Mr. Bryant to come to Council with this. Councilman Davis stated it would be good to have Mr. O'Conner to come also.

ADDITIONAL INFORMATION REQUESTED BROUGHT TO COUNCIL WHEN COUNCILMAN GANTT'S RESOLUTION ON SUSPENSION OF POLICE OFFICERS IS CONSIDERED BY COUNCIL.

Councilman Davis stated in connection with the incident at the Airport, involving the policemen which was the subject of Councilman Gantt's resolution, this is a very sensitive matter. That he was very much upset by it. He understands Mr. Gantt's concern and the concern of others who have been before Council. Some who have been before Council have said they want something done about this; they want an objective report, an unbiased report and things of this nature. This is sort of like asking "have you stopped beating your wife." If you come up with a report someone might logically say 'you finally decided to tell the truth'. If you do not come up with a report, they say 'what are you covering up?'. It is very difficult for him, and he imagines the police department, to respond to this type of inquiry. That he thinks in some of these cases, the very people bringing up the questions have stated they are not familiar with police procedures in these cases.

He stated he will not say we have the best Police Department in the world because he cannot prove it; but he does not know any he would trade ours for. We have good sound police procedures that automatically come into play in situations like this without action by City Council or anyone else. If these procedures are inadequate, he will be the first to go along with a review of them, and then decide the procedure we want when

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a death is involved, or when any incident of violence is involved. These are not common occurrences, but they are more than rare. We train these policemen, arm them with a pistol, a loaded weapon, send them out with authority and train them to use it. This is about the only occupation in the world he knows of where, if a man does his job that he becomes subject to suspension. There is a taint of suspicion that goes along with suspension. That cannot be avoided completely. He would hate to see this become an automatic policy, particularly to suspend some without pay. This would be a bad thing to do to a man who is trying to do his job. If we automatically get to suspending policemen, should we also suspend firemen because they deal with a lot of hazard situations. If there is a shoot out and 25 or 50 policemen are involved, who knows who fired the weapon. Should you suspend them all? If we had a hard and fixed policy on this, he thinks we could get into some unusual situations.

Councilman Davis requested at the same Council Meeting that Council considers Councilman Gantt's resolution, that someone from the Staff report on the current policy and procedures. Then Council can consider any changes it wants to make.

Councilman Gantt stated with all due respect to Councilman Davis he feels he is snapping at the resolution when it was agreed not to discuss it. That all members of Council will have the opportunity to read it over and decide what they want.

He asked the City Manager to ascertain some information from the Police Department. In addition to what the procedures are now, to go back to 1970 and come forward and inform the Council how many situations we have had that involved the loss of life of policemen; how many were suspended; how many were taken to court; how many the District Attorney sought indictment on. That this would be some interesting backdrop to have this information.

He stated he is not necessarily in favor of something that has become very popular which is called a civilian review board. The resolution is asking that procedures be looked into.

CONSIDERATION OF MORATORIUM ON HIRING REQUESTED PLACED ON COUNCIL AGENDA WHEN COUNCILMAN WITHROW IS PRESENT.

Councilman Davis stated a number of Councilmembers have had something to say about not wanting a tax increase during the next fiscal year. Today, Council took formal action that denied what he supposes would be a pay increase, changing from a System Analyst I to Analyst II. This was deferred until the budget hearings. He stated now that we have gotten into this, it does put our City Manager in a delicate situation. Some of these have been approved midterm, and have specified that is the way Council wants to get them. But now that one has been deferred, and he thinks it was done in consideration of the economic environment we are in, it might be well at this point to put on the Agenda for discussion, at a Council Meeting when Mr. Withrow will be present since he is Chairman of the Finance Committee, a moratorium on hiring for City Employees, with the exception of possibly the sanitary workers, where a continued flow of people in that department is essential to keep operational. He does not think this would make any drastic change in what is now being done in the City employment practices. It would clarify what is being done as a policy matter and put us on a consistent basis. Also at budget hearing this may give Council an additional option or two in considering what it wants to do. This might act to hold down taking on some recurring long term expenses that at the time of the budget hearings, in the light of other requirements, Council might think differently on.

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CLARK REPORT ON LAND USES AND WAYS OF PROTECTING RESIDENTIAL NEIGHBORHOODS
ALONG MAJOR ARTERIES REQUESTED BROUGHT TO COUNCIL.

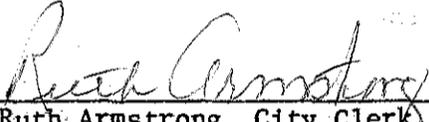
Councilman Gantt stated he finds Councilwoman Chafin's motion for rezoning in Myers Park interesting. He asked if Council has the report back from Mr. Clark who was studying the land uses and ways of protecting the residential neighborhoods where there are arteries such as Wendover, Woodlawn and such. That last year Council approved a study to be done; but he does not remember seeing the report.

He stated he would like to see this report as there may be some justification where this Council would periodically begin to look at rezoning and an analysis of zoning in areas such as Wendover Road. That he believes the Planning Commission is interested in that, and perhaps Council would want to directly instruct them to study the potential for rezoning certain of these areas.

Councilman Whittington asked what the comprehensive plan says as it relates to these streets? Councilman Gantt replied the comprehensive plan gives a number of urban design solutions for reverse curb type development, minimizing curb cuts. It talks about certain kinds of compatible land uses that can fit along these arteries. It does not say that because a street such as Woodlawn becomes a major artery it is not a residential area. He stated we all need to keep in mind that residential areas are not necessarily synonymous with single-family housing.

ADJOURNMENT.

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



Ruth Armstrong, City Clerk