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The City Council of the City of Charlotte, North Carolina, met in regular session on Monday, May 31, 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 M. Davis, Harvey B. Gantt, Pat Locke, James B. Whittington, Neil C. Williams and Joe D. Withrow present.

ABSENT: None.

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INVOCATION.

The invocation was given by Reverend L. K. Stephens, Grace Baptist Church.

MINUTES APPROVED.

Upon motion of Councilman Gantt, seconded by Councilman Whittington, and unanimously carried, the minutes of the Council Meetings on Monday, May 17 and Monday, May 24, 1976, were approved as submitted.

SPECIAL MEETINGS OF COUNCIL SET FOR FRIDAY, JUNE 18 AND THURSDAY, JULY 1, 1976.

Councilman Whittington moved that Council set Friday, June 18, 1976, at 2:00 o'clock p.m., as a special meeting to consider decisions on the Myers Park zoning cases, and set Thursday, July 1, 1976, at 2:00 o'clock p.m., for the adoption of the FY 77 Budget. The motion was seconded by Councilman Withrow, and carried unanimously.

RESOLUTION CLOSING PORTION OF EAST 8TH STREET, IN THE FIRST WARD URBAN RENEWAL AREA, IN THE CITY OF CHARLOTTE, NORTH CAROLINA, ADOPTED.

The public hearing was held on the petition of the Community Development Department to abandon a portion of East 8th Street in the First Ward Urban Renewal Area.

Council was advised that all city departments concerned with street rights of way had investigated the request and there were no objections to the closing.

Mr. Vernon Sawyer, Director of Community Development, stated the street is located on the east side of McDowell Street, and apparently the street has never been opened or improved. It is plotted and there is a curb cut but there is no street and no improvements that it serves. It dead-ends against the Northwest Expressway right of way. The closing will allow them to accumulate that parcel of land, all owned by the City, for the purpose of the plan.

No opposition was expressed to the closing.

Motion was made by Councilman Gantt, seconded by Councilman Withrow, and unanimously carried, adopting the resolution closing portion of East 8th Street in the City of Charlotte, North Carolina.

The resolution is recorded in full in Resolutions Book 11, beginning at Page 439.

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RESOLUTION CLOSING CERTAIN PORTIONS OF CANTON STREET, JOHNSON STREET, MCCALL STREET, LIDDELL STREET, FONTANA STREET AND CRAVEN LANE IN GREENVILLE URBAN RENEWAL AREA, PROJECT NO. N.C. R-78.

The scheduled hearing was held on the petition of Community Development Department to close portions of the subject streets. Council was advised that all city departments concerned with street rights of way had investigated the request, and there were no objections to the closing.

Mr. Sawyer, Director of Community Development, stated these are random portions of streets that have not been closed by Council. All the problems have been worked out in connection with utilities, easements, rights of way, and other things. The purpose of the closing is to continue the plan to close all these streets that will not be used in connection with new streets in the area.

No opposition was expressed to the closings.

Motion was made by Councilman Whittington, seconded by Councilman Gantt, and unanimously carried, adopting the resolution closing the streets.

The resolution is recorded in full in Resolutions Book 11, beginning at Page 441.

ORDINANCE NO. 89-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CODE OF THE CITY AMENDING THE ZONING MAP BY CHANGING ZONING OF PROPERTY ON THE EAST SIDE OF SCOTT AVENUE, ABOUT 660 FEET NORTH OF THE INTERSECTION OF SCOTT AVENUE AND EAST BOULEVARD, ON PETITION BY OREGON L. ROGERS.

Motion was made by Councilman Gantt, seconded by Councilwoman Chafin, and unanimously carried, adopting the subject ordinance changing the zoning from R-6MF to O-6 as recommended by the Planning Commission.

The ordinance is recorded in full in Ordinance Book 23, at Page 102.

ORDINANCE NO. 90-Z AMENDING THE ZONING MAP OF THE CITY TO ALLOW CONDITIONAL NURSING HOME IN AN R-12 DISTRICT, ON PETITION OF PRESBYTERIAN HOME OF CHARLOTTE.

Councilman Whittington moved adoption of the subject ordinance on the north side of Sharon Road, southwest of the intersection of Sharon Road and Sharon View Road, as recommended by the Planning Commission, with the request that screen planting be installed from Pendleton Avenue to the northwest corner of the property. The motion was seconded by Councilman Gantt, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 23, at Page 103.

ORDINANCE NO. 91-Z AMENDING THE ZONING ORDINANCE TEXT BY CLARIFYING AND REDEFINING CERTAIN INSTITUTIONAL USES, AS PETITIONED BY CHARLOTTE-MECKLENBURG PLANNING COMMISSION.

Upon motion of Councilwoman Chafin, seconded by Councilman Gantt, and unanimously carried, the subject ordinance was adopted approving an amendment to the text of the zoning ordinance clarifying and redefining certain institutional uses.

The ordinance is recorded in full in Ordinance Book 23, at Page 104.

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RESOLUTION PROVIDING FOR PUBLIC HEARINGS ON MONDAY, JUNE 21, 1976,  
FOR ZONING CHANGES.

Motion was made by Councilwoman Locke, seconded by Councilman Davis, and unanimously carried, adopting a resolution for public hearings on Monday, June 21, 1976, at 7:30 o'clock p.m., on Petitions 76-55 and 76-56 for zoning changes.

The resolution is recorded in full in Resolutions Book 11, at page 447.

POLICY ON LOANS TO ABSENTEE LANDOWNERS IN COMMUNITY DEVELOPMENT TARGET AREAS,  
APPROVED.

Councilwoman Locke, Chairman of the Public Works and Planning Committee, stated the Committee met on May 21, 1976, and received comments from several individuals on the question of three percent loans to absentee landlords.

After hearing from the individuals, the Committee unanimously approved a recommendation to City Council of a three percent loan program which incorporates the multiplier proposal explained to Council earlier, and that a process be established whereas property to be approved would be appraised before and after the improvements; the rent negotiated in advance, for a total of four years; in addition, the Committee instructed staff to prepare a lease with stronger obligations to the landowner for maintenance and care of the property.

Mayor Belk stated he read the Committee report and did not see anyone in favor of this except for the three members. He asked if anyone was in favor?

Councilman Gantt, a member of the Committee, replied he is correct. The people who appeared at the hearing in general had one basic objection. It was interesting in that they asked all of them whether they would be involved in total rent control or not. Three of the four said they would not participate in the program essentially because of a lack of confidence in any program operated by the federal government. On the question of rent control, none of them cared to be involved in a program that let anything other than the market set the rate of the rents which is essentially what Councilman Withrow has been saying all along.

Councilman Gantt stated he favors the recommendation of the Committee because the program they recommend that Council adopt allows any landlord in any of these nine community development areas to come in and apply for a loan from the City; he gets his property appraised, and a maximum rent is set. At that time he has the opportunity to say "I don't want to be involved any further." Not only is the maximum rent set, but he is allowed to increase his rent six percent for the next four years. After that he is finished with the program, except for whatever payments he has to make. He stated it is his feeling, and he has contended this all along, in a program where they are offering three percent money, they can at least ask for that amount of control. The developer, the landlord, does not go into this blindly. He can make a determination on the basis of what his market rents should be. He knows it at that point, and he can determine that if those maximum rents are set too low, he cannot be in the program right then. In asking that very question of the four landlords that came before the Committee, he thinks only one said he might be willing to at least come in. Councilman Gantt stated it is his feeling if there is a program, and a businessman sees a program in the community that offers him three percent money, at least he should avail himself of the opportunity to see what that multiplier factor would be, and then make a determination.

He stated the essential thing is that three of these four people said they would not be involved in the program at all, rent control or none. It seems to him they should not deny the program, or deny the use of the rent control element simply on the basis of the fact that there are people who object to having government involved at all. Mayor Belk stated his point is that all three of the Committee members voted for control, and he believes Thomas Jefferson said that the less government is the best government, and nobody was in favor of the controlled rent, and he thinks it is a bad thing to have Council to control rent.

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Councilwoman Locke replied the Committee felt with the three percent loans, there should be some control because it is a giveaway program. They should allow people the opportunity to use that program if they so desire. If they do not want to use it, we can use that money for something else.

Mayor Belk stated the point he is trying to get across is he feels the less controls this Council has on the people the better the people will be governed. When you start controlling the rent on a subject like this, he thinks they are getting back to government control which we are complaining about now over the government controlling so many things. He stated the less controls this Council will have for these programs from the government's angle, the better off we are. Personally, he is not trying to build any of these units; nor is he trying to get any of the rent. It is not a personal feeling with him. His feeling is if these people will have this, he does not feel this Council should control the rents, the subsidies or anything on it. If people can make a go of it, fine. If they cannot, fine. But to control the rent he thinks is a bad form of government; and he thinks one reason he fights big government is because they want to put controls on everything. Now, here we are doing it right in local government when we are controlled by the federal government. This is what he thinks is bad.

He asked the Committee Chairman if she feels or the committee feels anyone will use this system? Why worry about the program if they are not even going to use it. Will anyone use it? Councilwoman Locke replied they should have the opportunity to use it. There are people out there who will use it, and she is convinced of that, with rent controls or not. But it was the Committee's decision to impose the rent controls because it was a three percent loan and that is a giveaway by the government, and there certainly should be some sort of limits imposed. If they do not use it, then they do not use it. But this will give them the opportunity. Mayor Belk replied he does not think they are giving anyone an opportunity when you say you are going to put controls over them. Councilwoman Locke replied she can understand why he feels that way, but she disagrees with him.

Councilman Withrow stated the objective is to get these houses rehabilitated and to keep them on the market, and not have them torn down so people of low income will have places to live. Councilwoman Locke replied that is right, housing they can afford. Councilman Withrow stated then the market place will take care of the rents. He stated they are not going to get very many absentee landlords to use it with controls. They told them at the meeting they were not going to use it.

Councilman Gantt stated the point has been made that none of the landlords or property owners agreed with the Committee. He does not believe it was the intent of the Committee to take a poll on the number of people who would agree or not agree. This Committee had the responsibility of listening to anyone who wanted to speak on that issue, and still make a determination of what it considered to be in the public interest. It was not a question of polling - he agrees that the property owners stated clearly to the Committee they were not in agreement. He stated no Committee can make a decision simply on the basis of four property owners showing up and saying they do not want to accept anything that has any government control or government strings attached. He thinks that is wrong; that he thinks they do have an objective to house these people, and the kind of things they are talking about, even with the 24 percent possibility of rent increase over the four years, is not unreasonable in light of about a seven percent subsidy.

Mayor Belk replied the point of this whole deal is to get more houses; that is the point. As soon as you start throwing government controls, you are going to mess it up. He thinks the less controls you have over this, the better off it will be. That is the reason he hopes they will allow the people, if they are going to have the privilege of getting a three percent loan, which he does not think is any great deal anyway, to be able to help the people get housing is the objective. That he thinks they are forgetting the goal they are trying to accomplish.

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Mr. Arthur Griffin, 2500 Eastway Drive, Apartment 1-L, stated he lived on Sixth Street sometime ago right during the heart of the Urban Renewal Program when his family was forced out of the First Ward area into the illusory market area. They could not find a house in the City of Charlotte. They had to opt for the Fairview Homes, so he spent the remaining years of his growing up in Charlotte in Fairview Homes because his parents could not afford safe, decent, sanitary housing on the open market. He stated when they talk about getting government out of private enterprise, the government has the direct subsidy programs so they have to keep that in mind. The government also has the duty to protect. One thing everyone should keep in mind here is that the Community Development Act of 1974 was designed principally with the thing in mind of giving control to the State and local governments because they would know more about their own community than the federal government. But more than that, the Community Development Act indicated that they would try to maintain the characteristics of the X,Y,Z communities. There are homes presently in some of the Community Development target areas, where rent is approximately \$60.00 per month. Many of these homes would not pass inspection by the Inspection Department of the City for minor things like peeling exterior paint, plaster falling from the interior. What landlord is going to invest money at the prime rate for \$60.00 rent. This three percent loan as far as rehabilitation is concerned is no more than a direct subsidy coming from the federal government. It has no risk factor; no capital risk factor.

In this country, starting with the National Housing Act of 1934, the goal of the country has been to provide for every American citizen a safe, decent and sanitary house. They are still talking the same thing right now. There is a critical shortage of just that for low income people. Talking about a market, there is none. The kind of market you have is a seller's market. The seller controls supply and demand. You cannot equate a house to a car or a washing machine. A house is shelter; it is a necessity; it is something you have to have, whether you steal it, buy it, burn it or whatever. The average cost for a decent, safe and sanitary home right here in Charlotte is way above the means of someone who is classified low income. This is from experience, from reading documents, from reading census reports.

The Research Triangle in Raleigh did a report for the State Housing Committee several years ago that documented the same facts. There is an excessive shortage of housing for low income citizens; and if they grant this three percent loan to landlords without any controls, then they are going to increase rents. What are you going to do when a person's only income is \$159.00 a month welfare, AFDC? They are probably paying \$60.00 and their rent increases to \$75 to \$100. What can you say other than "I'm sorry." The government has a duty to support. He agrees with Mayor Belk when he talks about government and private enterprise; but keep in mind that the government does specifically have a duty to protect those that presently cannot do so.

Mr. Griffin stated presently over 50 percent of those in public housing are employed individuals. That means they are working households. Everybody in public housing is not on some type of public assistance. You talk about those working families; those people caught in a cycle of poverty. Those that are just marginally self sufficient do not have the flexibility they are talking about as far as fluctuating with the market, creation of capital to build homes and apartments.

Motion was made by Councilwoman Locke to accept the recommendation of the Public Works and Planning Committee. The motion was seconded by Councilman Gantt.

Councilman Davis stated he believes all of the members of Council probably want to accomplish the same thing. He told them of experiences in his field of investment. That when he first went into the business 18 years ago, and for a time after that, investing in rental real estate was a very attractive type of investment. In the last ten years this has changed drastically. No

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longer is he aware of losing any prospective clients to low-cost rental housing. The opposite is taking place; they are experiencing a net inflow of customers coming into the stock and bond markets that formerly invested in real estate, particularly low-cost rental housing. He has a backlog of people who would like to get out of rental housing, and into some other kind of investment, but are unable to get out of it. What they want to do is stimulate this investment in this area. He thinks making the three percent loans might be enough to attract investment capital; he would tend to go along with Mr. Sawyer's view and Mr. Coffman's recommendation that we try it for one year with no controls, and then if it is not accomplishing what we want it to, go back and change it.

He stated to put a system of controls on this with no more than it involves, it would be an expensive and cumbersome thing to administer and to enforce. There is substantial indication it would defeat the purpose for which they are doing it. He would favor trying it for one year which Mr. Sawyer and Mr. Coffman recommend, with no controls, and then get reports on the results of it, and Council decide then on what basis they want to continue.

Councilman Whittington stated the thing that concerns him is that we are in the second year of Community Development and we have spent millions of dollars and there are no houses, no new houses; all that they are doing is demolishing and hiring people. His concern is that we need to get this program underway and let it do what Council intended it to do. He can almost verbally quote Mr. Burkhalter who said when we started this program that this was the first program that was designed by Council, with neighborhoods participating, and whatever was done in this program, it was Council's program and no one else's. He stated the fact is we do not have a program because we get stalled and bottled up in this kind of bottleneck or confusion or differences of opinion. He needs the suggestions of this staff in order to intelligently vote on this matter. He asked if Mr. Sawyer and Mr. Coffman are saying Council should go along with the Committee's recommendation? Mr. Coffman replied no; they are saying try it for one year without controls. Councilman Whittington asked if we try it for one year this is a way to get this off the ground? Mr. Sawyer replied this portion of it.

Councilman Gantt stated if they operate this program for one year with no stipulations or controls, and found some abuses of that, then what they are saying is they would then tie in some controls, or realign the program. Mr. Sawyer replied they would return and report the results to Council with a recommendation. Councilman Gantt stated it is his feeling this is important, given the very substantial numbers of people who are tenants of this housing, that one of the reasons he voted the way he did on the committee was that they ought to try the very opposite of what they are talking about; try it for one year.

Councilman Williams asked the average length of one of these loans; the most money a person can borrow and the longest period of time he can borrow it for and Mr. Sawyer replied they have no experience in this program. In previous programs he does not recall, but it was less than \$20,000. The \$20,000 is the upper limit for a four family apartment, not a single house. The maximum time period is 20 years; the controls are put on for four years.

Councilman Williams stated theoretically you borrow \$20,000 at three percent for 20 years. That someone mentioned a six percent ceiling. Is that what they are saying? Councilman Gantt replied a six percent increase that the landlord is allowed during this four years over the base rate. Mr. Sawyer stated that would take care of inflation, if warranted. That language is in the recommendation. Six percent if warranted to offset cost of living or inflation. Councilman Williams asked if anybody thought about tying this to the Consumer Price Index? Councilman Gantt replied he thought you would leave it open in terms of warranted. That could be a staff decision as to

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what that means. It could be a cost of living index; it could be the rent increase in this area. Councilman Williams asked suppose the CPI increases more than six percent in that four year time? He would say that is fairly likely it would go up more than six percent in four years.

Councilman Withrow stated if he thought rent controls would get more of these houses rehabilitated he would vote for it today. But he does not believe with or without rent control there is going to be a landslide use of the money. If you do not have rent control you might get twice as many people to use it; and he is talking in terms of 50 to 100 people; not in terms of thousands. He does not think you are going to have a lot of people using the money either way.

Councilman Williams stated he is in favor of private enterprise; that three percent loans constitute a pretty significant departure from free enterprise when the market place is saying that money for this purpose would cost eight or nine percent. Now some landowner is going to have a chance to borrow money for three percent. Councilman Williams asked if this is for new or existing housing, and the answer was existing housing. Councilman Williams stated it would not encourage him to do it if you say the purpose is to improve the property. But if you say the purpose is to improve decent, affordable property, then you begin to have some merit to put some controls on this. That it will not do any good to improve all over town if the people who are supposed to benefit from this program cannot afford to rent it. You can increase your inventory of \$200 a month apartments everywhere and it would not do them any good.

The property owner is not going to get his annual return which he would if you did not have controls on it; but he is going to have the possibility of enhancement of his capital. He will spend three percent and have a better piece of property when he gets through. He stated he is a little concerned about the percentage. He does not see exactly how that was arrived at. If they could tie it some way to the consumer price, he might be inclined to try it for a few years.

Councilman Williams offered an amendment to the motion to say that the increase will be restricted to 50 percent of the Consumer Price Index. The motion was seconded by Councilwoman Chafin, and carried by the following vote:

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

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

YEAS: Councilmember Locke, Chafin, Gantt and Williams.  
NAYS: Councilmembers Davis, Whittington and Withrow.

CONTRACT WITH JOHNSTON MEMORIAL YMCA FOR A SUMMER YOUTH SERVICES PROGRAM, APPROVED.

Councilman Whittington moved approval of the contract with Johnston Memorial YMCA, in the amount of \$11,800 for a Summer Youth Services Program for 200 area youth and 50 target area families. The motion was seconded by Councilman Williams and carried unanimously.

ADMINISTRATION AND OPERATION OF THE LOAN FUND FOR THE ECONOMIC DEVELOPMENT PROGRAM, APPROVED.

Motion was made by Councilman Gantt, and seconded by Councilwoman Chafin, to adopt the following resolution and ordinance for the administration and operation of the Loan Fund for the Economic Development Program:

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- (a) Resolution ratifying the execution of the Minority Economic Development Corporation Distribution Agreement and Plan of Distribution, dated August 31, 1975; the action of the Community Development Department in administering and operating the loan fund, and authorizing the Community Development Department to operate and administer the Loan Fund in accordance with the guidelines for the administration and operation of the loan fund.
- (b) Ordinance No. 92-X, amending the Model Cities Budget Ordinance to close out the unexpended balances of certain project appropriations and to provide an appropriation for the Community Development Economic Development Revolving Loan Fund, in the amount of \$55,312.14.

After discussion of the transfer ordinance, the vote was taken on the motions and carried unanimously.

The resolution is recorded in full in Resolutions Book 11, at Page 448 and the Ordinance is recorded in full in Ordinance Book 23, at Pages 106 and 107.

#### CONTRACTS FOR MANPOWER DEPARTMENT, AUTHORIZED.

Motion was made by Councilman Gantt, and seconded by Councilwoman Locke, to approve the following contracts for the Manpower Department:

- (a) Contract with Employment Security Commission to administer the CETA Title III Summer Youth Work Experience, at a total cost of \$518,236.

This program will provide special manpower services to approximately 790 disadvantaged City of Charlotte Youth, between the ages of 14 through 21 years of age. City Council approved application for funds on May 24, 1976.

- (b) Extension of contract with North Carolina Employment Security Commission to September 30, 1976 to provide for the Summer and In-School Youth Work Experience Program under CETA Title I, at a total cost of \$1,504,943.

The Summer Youth Work Experience component is designed to serve 880 disadvantaged youth, ages 14 through 21, who are in school, dropouts, veterans and other disadvantaged, by providing eight weeks of summer employment.

The In-School Youth Work Experience component is designed to serve 380 disadvantaged youth who are potential high school dropouts.

- (c) Extension of existing CETA Title VI Emergency Jobs Program Grant from June 30, 1976 to August 27, 1976. Under this program 632 jobs are currently assigned to various non-profit, non-city and city agencies. The extension will permit these 632 persons to continue employment to August 27, 1976.

After explanation by the Manpower Director, in which he stated that 1,670 disadvantaged would be eligible for jobs; and 382 relate to the beginning of the In-School Program in late August, the vote was taken on the motion and carried unanimously.

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FIRST FLOOR OF SEVENTH STREET FIRE TRAINING FACILITY DESIGNATED FOR USE BY THE COMMUNITY DEVELOPMENT DEPARTMENT, AND COMMUNITY DEVELOPMENT DEPARTMENT TO WORK OUT DETAILS OF THE USE OF THE REMAINDER WITH THE OTHER ORGANIZATIONS.

The use of the Seventh Street Fire Training Facility was presented for discussion by Council.

Councilman Gantt stated it appears that the City Manager's staff has worked up a beautiful resolution in which everybody gets an opportunity to get a little piece of the action; that this is ultimately going to end up being a park. This will be used for a site office for the CD Department, the Disabled Veterans get some room in this building, Open House gets the use of the fire tower. He asked if this proposal has been presented to each of the specific groups involved? Mr. Burkhalter replied he is sure each agency involved has seen what his part is. Mr. Bobo, Assistant City Manager, stated he contacted each organization; that each would like to have more space than they are assigning to them; but this is the best they can do, and this is their recommendation.

Mr. Clyde Gardner, 2436 Laburnum Avenue, stated Mr. Charlie Harris presented a resolution to Council about a month ago for securing a meeting place and storage area for the Disabled American Veterans use. Also for a meeting place for the Mecklenburg Veterans Council.

He stated at present they have no meeting place and very little storage space. They have 50 hospital beds coming in which have to be repaired, renovated and put back to use. They not only need a place to store these beds, they need space to repair them. That this is all voluntary services except for two people who are paid. Since the Veterans Center on Morehead Street was leased to someone else, they have been looking for some place where they can operate. They need a place to raise funds. They have delivered several beds in the last couple of weeks. They have loaned quite a few wheelchairs, eating tables, chairs for invalid people so they cannot fall out. This is the type work they are doing and this is why they need the facilities.

He stated they will relieve the taxpayers of any responsibilities as far as the upkeep on the building. All they are asking is that the City lease it to them; they will keep it up; keep it in good repair. If anything major was to come up, then they would have to come back to Council to make arrangements for that. But they do need a place where they can help the invalid of our community.

Also speaking was Mr. Horace A. Silver, 3125 Pinehurst Place, for the Mecklenburg Veterans Council. He stated Mr. Gardner has spoken for most of their needs. This is community work being done by the Veterans Council for veterans and non-veterans, anyone that is indigent and needs this equipment will be furnished with it. It will be picked up when it is no longer needed. He stated they would also like a place for the Disabled Veterans to meet along with the other organizations. The Veterans Council is a sheltered program for all the veterans of this county - the Legion, VFW, DAV - joining hands and asking jointly for these services. He stated there are 60,000 veterans in the City of Charlotte. These veterans are being talked to and told about the things that are coming up in various programs, and they are entitled to and they hope to get it for them. He stated anything they can get in regard to the Firemen's Hall will be appreciated not only by the Council but the DAV which numbers some 400 members, and the other veterans organizations.

Mr. Ivan Sweatt, 601 Melbourne Court, stated he represents the Hornet's Nest Post No. 9. They are asking for a meeting place and use of the recreation hall. They are willing to share the meeting room with the other veterans organizations and work with them on any activities they hold. He stated he is willing to give his efforts for the maintenance of the building; that they will take care of the clean up and keep the building in good condition at all times at no cost to the City. He stated he thinks it would be a shame

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to take the upstairs and put offices up there and ruin it completely. It could be used to raise finances which they are low on, and they can better benefit the community and the City of Charlotte as well as the veterans of the City.

Councilman Whittington stated it was his understanding that Open House's Straight Up Program wanted the grounds in order to have their obstacle course, and the tower in order for the kids to work off. Why do they need any of the inside of the building. The answer was they need classroom space. Councilman Whittington asked if it is needed in addition to their space on Morehead? The answer was they want to move their Morehead facilities over to this facility.

Councilman Whittington stated he does not think Council has the responsibility of providing headquarters for this organization when they already have one. For them to use these grounds as an obstacle course with Community Development on the first floor, and then carry these people back to Morehead Street for classrooms, he can go along with that. But he does not think it is right to take two organizations who have proved they have this much equipment for disabled people and split them up in the basement along with this group on Morehead Street. This is the part he would like to see staff try and resolve before Council votes on it.

Councilman Gantt stated he thinks the resolution that is possible is the swapping of space designed now for Open House with the Veterans. It might be that is flexible. Councilman Whittington asked Mr. Bobo if he can resolve that and Mr. Bobo replied he does not think so. He has talked with all three groups that would be using the basement and as he understands it, the DAV would like to have the total basement area, and anything less than that would not be sufficient. Post No. 9 would like to have some space in the basement and a meeting hall for about 147 people. Councilman Whittington stated the meetings would be at night, and he thinks if Mr. Bobo would work at this, he could work it out where they could have their meetings upstairs where Community Development is because they are not in there at night. Mr. Bobo replied he does not think it is a possibility. He would suggest in order to keep from holding up the Community Development Department from moving with their site office, that Council designate the first floor to the Community Development Department and then ask them to meet with these three organizations and work out the details.

Councilwoman Locke moved that Council designate the first floor to the Community Development Department and ask them to work out the details with the other organizations. The motion was seconded by Councilman Whittington and carried unanimously.

Mr. Bobo stated in reply to a question that the modifications will be to the first floor; they do not plan any modification in the basement level. The expenses for the modifications will come from Community Development funds.

Councilman Davis stated as he interpreted this, when the Community Development Department needs for this building expires, the building will then be turned over to the Park and Recreation Commission for a community center. Mr. Bobo replied that is correct. Councilman Davis stated at that time the Veterans and the Open House would be out and Mr. Bobo replied that by that time everyone should make plans for permanent arrangements somewhere else. Councilman Davis asked if they had been advised about this and Mr. Bobo replied yes they have.

The question was asked as to how many feet are in the basement and Councilman Gantt replied the Veterans now have 555 feet designed for them; the building had at least a couple thousand square feet on that floor. Councilman Withrow asked why they were designating just 500 feet to them if just two organizations were going to use it and Councilwoman Locke explained they said they were going to let Community Development have the first floor and let them designate how it is going to be worked out with the other organizations. It was agreed generally that was what they have to do

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because Community Development is going to be the main occupant there and they can work out the other space with these organizations.

Councilman Davis stated he did not believe the Veterans understand the condition of this and asked if Mr. Sweatt could come back before Council.

Mr. Sweatt stated that he would like to point out that they asked about the hall on the upper floor. They would like to hold some activities there to benefit their finances. They would like to have the recreation hall to use for such activities as square dances and things like that. He discussed this with several that he talked with on the phone.

Mayor Belk asked Mr. Bobo who he talked with? Mr. Bobo replied, Mr. Gardner with D. A. V.; Mr. Sweatt with Post No. 9. Mayor Belk asked if he understood, did he explain it to him? Councilwoman Locke stated you could not do anything if there are offices up there. Mayor Belk stated the Veterans organizations would not be getting any of that top floor. Mr. Bobo stated that is correct. He had talked with Mr. Gardner in these terms.

Mr. Gardner stated that he told Mr. Bobo if he wanted to do anything, give them the full basement. They would be willing to go along with that because it would take that much space to clean up equipment, to store equipment, etc. Mayor Belk stated he just wanted him to understand, and Mr. Davis was saying this to him, that he is supposed to work through the Community Development Department. Councilman Whittington explained to Mr. Gardner that Council could not authorize the two organizations to have the whole top floor. Mr. Gardner stated that he did not say anything about the top floor when he talked with Mr. Bobo. Mayor Belk stated that Mr. Sweatt was talking about the top floor, but it was the same organization. Mr. Sweatt stated that he was not talking about the whole top floor, he was talking about just the hall part. They were talking about holding the meetings downstairs in the same meeting room that the others use. He understands they have their meetings on the second Thursday of every month and they have theirs on the first Tuesday of every month, at night, and they would be happy to share.

SUBGRANT AWARD CONTRACT BETWEEN THE CITY AND NORTH CAROLINA DEPARTMENT OF NATURAL AND ECONOMIC RESOURCES, DIVISION OF LAW AND ORDER TO UNDERTAKE HIGH CRIME NEIGHBORHOOD PROJECT, AUTHORIZED.

The subject contract was presented for Council consideration.

Councilman Whittington asked if these 12 officers will be in Dalton Village and not floating? Chief Goodman replied yes as they do not feel they can measure their efforts if they are scattered all over the city; they want to concentrate in one area. He stated they picked a very densely populated section and Dalton Village is in the center of that section. It is a high-crime area. The program will be more or less concentrated in this housing development where 90 percent of the people who live there are less than 25 years of age and there is a high incident of crime in this particular area. They want to concentrate their crime prevention efforts in this area to see if they work. If it does work, then they will scatter them throughout the city. This is an experimental program.

Councilman Gantt stated in this particular program it seems that Chief is talking about a pilot program; hopefully he is going to come out of this like a laboratory service; the kind of techniques they use here then can be applied generally in the community. He can understand the concerns of other Councilmembers. It would seem to him that we should concentrate and treat it as a laboratory in terms of getting the information that can be applied in other areas generally.

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Councilman Gantt stated he does not understand the discussion in the attachment of the continuation of this program through June 30, 1977 which will cost the City around \$60,000 as its match. Why is the amount \$60,000 when we are participating in the original program at the rate of what looks like less than 12 percent? Chief Goodman replied under current policies of the Law and Order Commission, on a project that might require more than one year's worth of funding for operating costs involved, they will allow the City to participate at five percent the first year; the second year the required level of participation by the City goes up to 30 percent. It is in that second year at 30 percent that causes the increase. Chief Goodman stated approval of the project now will take us through June 30, 1977, and they anticipate a continuation of the project, a subsequent application, to take it to completion during FY-78.

Councilman Davis asked when we will learn whether or not we can recover some of the \$60,000 that resulted from the delay of the State and Federal Governments? The Budget Director replied since the memo went to Council they have checked and the Law and Order people do not indicate they would allow us to participate at five percent the following year.

Councilman Davis asked Chief Goodman if he could hire County policemen for this, and Chief Goodman replied if they apply for the job and are qualified.

Councilman Gantt stated when this was first presented he asked about the design of the program to work with the people in Dalton Village community; that we want to get good acceptance of the program. He asked if this is talking about hiring 12 police officers, or are there some insularly kinds of people that are going to be involved? Chief Goodman replied they will take a sergeant from the force; they will hand pick people who are good in this type of relations. He stated they will have to hire people to replace them; a coordinator from the area itself will be hired to coordinate their efforts with the people of the Village. He stated they have met with the people in Dalton Village several times, and they are acceptable to this program.

Motion was made by Councilman Whittington, seconded by Councilman Williams and unanimously carried, approving the subgrant award contract to undertake the high crime neighborhood project.

Councilman Davis stated he would ask for Council's consideration, if it is legitimate to do so, that they advise the Personnel Department, or the Police Chief, to consider hiring 12 county policemen for this; the County Police Department is overstrength now, and we face another annexation. Councilman Whittington stated Chief Goodman has stated he would like to get the best men in there and replace them with 12. Councilman Davis stated he could still hire 12 county policemen.

Chief Goodman stated he does give them every consideration when they apply. The City Manager stated there is no question about that as long as we stay within the requirements of employment.

#### NEW BUS TRANSFER POLICY APPROVED AS RECOMMENDED BY TRANSIT PLANNER.

Mr. Mike Kidd, Transit Planner, stated a new transfer policy for the City is the first step in a five-step program he outlined to Council at the Belmont Center meeting to try to reduce congestion at the Square.

He reviewed the history of transportation and the location of the routes.

Mr. Kidd stated the transit route stays much the same going into the downtown. This is the way they are now, and that is the way they probably are going to stay because it is the most efficient way to serve a group of people - something oriented from your main activity center out to different parts of the City.

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He stated they would like to make some operational changes but they will still have some transfers. The purpose of this proposal is to try to make the transfer as easy as possible for the riders, and understandable. The existing transfer policy is very confusing; the drivers and the bus company do not completely understand it and the riders do not understand it.

He stated on July 1, 1975 the cost of transfers was changed from ten cents to free; this action was to increase mobility on the system and to take an economic charge away from the ridership, which it has done. But it has also encouraged more transfers. The rise in the number of transfers has increased congestion at the Square. There has not been the actual volumes that were there several years ago when the patronage was high, but they had greater transfer activity.

Mr. Kidd stated he is proposing a new transfer policy which says what the old one said with one major exception.

- (1) All transfers are to be made within 45 minutes of the transfer issuance, or on the next available bus.

They have some stricter time limitations on that now; but this is more important in off-peak periods and at night when buses run on a 40 minute schedule and people have to wait that long because of the time schedule.

- (2) Transfers must not be made to and from the same line, except in specifically stated situations.

They do not want someone to ride in from the SouthPark area, get a transfer and be able to ride back to SouthPark. This would abuse the transfer privilege.

- (3) Transfers may be made at any point that two lines intersect or operate on a common street. This makes the system a little more useable as far as the passengers are concerned.
- (4) Transfers will be made by patrons to or from the same line when they board buses on a one-way loop.

Mr. Kidd stated in the past where they had two routes or more operating on the same street, you could only transfer where the routes first intersect. Under the new proposal you will be able to transfer anywhere in the transfer zone. The zone pretty much covers Trade and Tryon Streets in the downtown area where transfers are made.

He stated new schedules and route matching are being developed under a second contract Council approved this year. These will indicate transfer points according to the new policy on the schedule itself so people will have something that tells them what they can do, and where they can transfer. Benches and shelters will be placed in high priority transfer points. This will re-enforce that this is a transfer point. Employees of the Transit System will be made aware of the new policy to direct communication to riders. New transfer policy will be communicated to the general public through some posting on the buses and general information to the riders and the general public. Transfer points will be printed on the transfer itself.

Mr. Kidd stated they will monitor the impact of this to see how successful the policy and the implementation actions are, and how successful it is in reducing some of the congestion at the Square.

They estimate it is going to take two to three months and the cost is probably less than \$2,000 in terms of new costs. There will be a significant cost in printing new transfers, but this can be done as an ongoing operating expense.

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Councilman Gantt moved approval of the policy as presented. The motion was seconded by Councilwoman Chafin.

During the discussion that followed, Councilman Davis stated he would like to put an extra effort toward getting some people on the buses who are not riding.

The vote was taken on the motion and carried unanimously.

PLANNING COMMISSION TO REVIEW TRANSIT PROPOSAL BY COUNCILMAN DAVIS AND BRING REPORT BACK TO COUNCIL WITHIN 30 DAYS.

Councilman Davis stated he has sent out an amendment to the transit proposal he first sent to Council. The amended proposal spells out more specifically what this program would include and how the Planning Commission would coordinate with Transit Planning. The resolution does not commit Council to any action at this time, although they are asking the Planning Commission to do a good bit of work. He stated this is in compliance with the Comprehensive Plan. He does not think it is anything particularly new to anyone familiar with our transit plan and our long range mass transit proposals. The amendment spells out in detail what this proposal is asking for and it clarifies the relationship between the Planning Commission and Transit Planning in carrying out this proposal.

Mr. Tate, Chairman of the Planning Commission, stated the document says "shall cause the Planning Commission" and the program should "include but not be limited to" and that sort of language and he feels he should discuss this with Council for a few minutes.

He would suggest before the resolution is adopted they might give the Planning Commission an opportunity to discuss this resolution as a body. They would like to discuss this with their staff; they would like to determine the resources they need. There is a great deal of coordinating effort that needs to be done also with other agencies. They should have the opportunity to do this first, and he thinks in doing that they will probably bring forth some problems they would come back and ask Council to let them off the hook. The language used in the proposal is going to send them down some bad path if they try to pursue it.

He stated several of the objectives in the resolution have to do with the Comprehensive Plan, the implementation. They are already into that; they could come back pretty fast with that one. But they would like to have a little more time, and they will be back before Council to discuss the details. That he found no great fault with the resolution in concept. He is just discussing how they might best do the job and accomplish the most beneficial objectives.

Councilman Davis stated the last thing he wants to do is to stampede the Planning Commission and this Council in anything that would be hastily done. He is concerned if they go to a briefing on the road system, the thoroughfare plan, if we get experts in here, if we get a staff of ten or fifteen people who are apparently full time, planning new roads, widening roads, we have citizens by the hundreds coming here complaining about this, and then we want to do something on transit. We have two people and they consume their total effort working on a transfer policy. He is concerned that we do not have our manpower allocated to bring about a balanced transit system which was called for in the Transit Plan. He wants to respond to people who have been on his back about stopping road widenings, building new roads and to preserve some of the desirable characteristics we have in Charlotte. He stated he thinks timing has some degree of urgency. He asked what sort of time they think it would take the Planning Commission and its staff to go over this and arrive at a timetable and maybe some suggestions?

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Mr. Tate replied he would say 30 to 60 days; he thinks they can work that part of it. He does not know they will ever be able to answer or give Council an answer in that period of time that they can take out to one of these groups and say why you are doing this, and it would work. It is a little more complex than that. They can come back in that period of time and show Council a program which would establish some priorities on the corridors for the transportation system, and which would show them in the period of the next three years we should go after this corridor; we should purchase or otherwise acquire parts of it so that we could put a system in effect.

Mr. McIntyre, Planning Director, stated in order to outline a work program it will take more than 30 to 60 days. It will be toward the latter part of the month before the Planning Commission can schedule a meeting to discuss this resolution. Then as Mr. Tate suggested, they would probably like to make some additional suggestions about the resolution. Then move in on the basis of a proposal to Council, perhaps with some modifications to the resolution, or perhaps not. But come back and discuss it and then proceed from there with the development of a working program that would pursue the objectives that Mr. Davis identified in the resolution.

He stated there are some things in the resolution that are pretty specifically identified, and staff has already done a fair amount of thinking how Council might go about implementing some of these ideas. Others they have not had that opportunity.

During the discussion that followed, Mayor Belk stated the people from General Motors came down to find out about changes in our system. That we tried to get them to take Charlotte as a trial city, and he thinks they are making some headway on this; that he thinks they can accomplish something but not mass transit. They are just talking about a bus system. He stated General Motors has already agreed to work out Cincinnati and they are trying now to get them to work with Charlotte; they are talking about what kind of buses they are going to have - the smaller bus against the big bus. They have worked out something with Rochester. He stated they even have a system that will tell you how long before the bus arrives; what number bus it will be and this kind of thing. If we can get them to help us, it would be good as they are experts. "Councilman Davis requested that Council be briefed on the General Motor Bus plan at the earliest practical time." Councilman Davis stated he is willing to accept the Planning Commission Chairman's suggestion that they be given 30 days to consider this and report back to the Council before action is taken on the proposal.

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#### LEASE AGREEMENTS AUTHORIZED.

Motion was made by Councilman Gantt, and seconded by Councilwoman Locke to approve the following lease agreements:

- (a) Renewal of lease agreement between the City of Charlotte and A.M.E. Zion Publishing House, 401 East Second Street for 6,912 square feet of space for use by the Manpower Department, at a monthly payment of \$3,241.44.
- (b) Renewal of lease agreement between the City of Charlotte and Westside Professional Associates, Ltd. for Suite 655, Independence Plaza Building, 951 South Independence Boulevard, for 2,162 square feet of space for use by the Civil Defense Department, at a monthly payment of \$1,081.00.
- (c) Renewal of lease agreement between the City of Charlotte and The Nelson Company, for Suite 410, Executive Building, for 1,738 square feet of space for use by the Community Relations Department, at a monthly rental of \$810.00.

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Councilman Whittington asked if staff has any reaction to the presentation by Wallace Gibbs & Company about the building across the street? Mr. Burkhalter, City Manager, replied he has glanced through it and passed it on to Mr. Bobo, and Mr. Hopson has it. That he would not recommend it to Council on first glance, but he would want to study it first and see. He does not believe the City should step in and take over that building.

Following was a discussion of the various buildings where the City has leased space.

Mr. Martin Kaleke, Bank of North Carolina Building, stated the money they are spending now is a little in excess of what the space is renting for in the downtown area. That these three agencies up for consideration are people who would be using the bus transportation so the downtown building would be convenient. The buildings downtown are in the center of the financial area and for the people working in these offices the low cost parking facilities are available. He stated he agrees we should have everything combined in the Governmental Plaza, but he thinks they are thinking a few years ahead. It is something we wish for but he does not think we are going to get it as quickly as we can. The downtown area needs a shot in the arm. The shot in the arm would help and probably avoid some of the other buildings going in the same direction as the Independence Building. Space in the downtown area, specifically in his building, runs right at \$4.00 a square foot; this would be a considerable saving, and it might help balance the budget Council will be faced with shortly.

Mr. Joseph Brackett, Johnston Building, stated this building is located in the second block of South Tryon Street, less than 600 feet south of the Square. There is more than adequate parking within the immediate proximity of the Building. They can offer comfortable office space at a much more reasonable price than the newer buildings. He thinks it would help the transit system in the downtown area if the City had some departments in the area.

He stated they can give the City contiguous space on one floor for all of these agencies, at a savings in excess of \$18,000 a year over the prices that have been quoted. If they could enter into a longer term lease they could offer the City considerably more savings on its office needs. The rental cost is \$4.00 a square foot for the first year; if they entered into a longer term lease, a three year lease, there is a good possibility it would be less.

Councilman Davis stated he is surprised to find that the criteria staff works with in reviewing office space requirements does not even mention assessibility and transit for the citizens who will use the facility or office. On the contrary there seems to be an extraordinary concern with employee parking, which seems contrary to the policy of Council concerned with mass transit. Also, the information staff has presented Council seems to not only be undated, but considerably outdated because even without negotiations we are getting substantial deductions in the prices of square foot rentals. It is apparent the list needs updating; in fact it is misleading to them. We have some highly paid staff members whose job it is to handle real estate leases, and he thinks they should drop some other things and come up with a better deal for Council.

He stated the City agencies located in the Governmental Plaza have apparently lead or caused escalating rents. Locating one in the several buildings in the central business district would not necessarily disrupt the Plaza idea because there seems to be a flexible boundary and the buildings they are talking about are within easy walking distance of the Plaza. It would result in a substantial savings and would relieve pressure on the rental space in the Plaza area.

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After further remarks Councilman Davis stated the old Wachovia Building, which is called the Commerce Center now, has 40,000 square feet and has been vacant since the Wachovia Bank moved out. He stated this 40,000 square feet includes floor especially designed and outfitted for computer operations.

Councilman Davis made a substitute motion that Council defer action on these leases and ask staff to pursue the proposals that have been made today, and look into the availability of the Wachovia Building, and report back to the City Council on their recommendations to either lease some of this property, or buy the building. The motion was seconded by Councilman Williams, and withdrawn later in the discussions.

Councilman Withrow requested that the motion include they go back to these people and maybe they would reconsider a smaller lease too, rather than have them move out. Maybe the leases could be re-negotiated before we move out. Councilman Davis stated he is sure they would, as one has already contacted him to indicate they would go down to \$4.00 a square foot.

Councilman Whittington stated he thinks Council should approve these three leases because of the locations of the buildings which have been discussed and re-discussed here today. Second, Council should say to Mr. Burkhalter that he go downtown before any other leases are sent back to Council and see what kind of positions he can bring to them. They have had the idea suggested here that they consider purchasing the NCNB Building; Mr. Davis has brought up the Wachovia Building; Mr. Kaleke, the Bank of North Carolina, and Mr. Brackett, the Johnston Building. He stated he thinks they are whistling in the dark when they think they are going to build a new office building in conjunction with the County anytime in the foreseeable future. He is saying that they should approve these three leases; but he also says before another lease comes up they should know what they can do to rent those buildings downtown and then have something to make a decision on.

Councilman Davis stated the City leases about 80,000 square feet of floor space and a good bit of this is coming up for renewal shortly. He thinks they can see here they could save at least \$1.50 a square foot; if they were talking about the entire 80,000 square feet, that is a savings of \$120,000 a year based on today's rental. In the Commerce Center that lease term is available for up to 16 years without an escalator clause. Councilwoman Locke stated you also have to think about the moving expenses. Councilman Davis replied if a businessman can invest \$150,000 in moving costs and recover \$120,000 the first year, that is 80 percent return on investment and you get that 80 percent for 16 years.

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

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

Councilman Withrow stated he voted for this today because they have led these people along; but he is not voting anymore if they can get space uptown for less rent so they might just as well start thinking along these lines.

MOTION TO REDUCE NUMBER OF CITY PASSENGER VEHICLES BY THIRTY FAILED TO CARRY.

Councilman Davis stated recently the Finance Committee was requested to consider the question of city-owned automobiles being eliminated. No consensus was reached in the Finance Committee. There was one proposal to eliminate 60 cars - 30 of them to be eliminated by July 1, 1976 and 30 on July 1, 1977. In the budget session there was one suggestion to eliminate 100 automobiles. This is in reference to the city-owned passengers cars, unmarked, that go home with City employees using them to go back and forth to work.

He stated the free parking portion of this item was put on the agenda as the result of a news item that was very much in the press, radio and television about two months ago. In Council arriving at some policy on this matter, he thinks there are a number of considerations. First, should we provide free parking for any city employee? If we provide it for any, should we provide it for all? He would like them to give consideration to providing free parking only for employees where there is some unusual work circumstances. For example, employees working at night where we provide a secured area for them.

Second. He thinks they need to establish that since the employee has free parking, since these automobiles have been determined to be for the convenience of the City and for use only on City business, that economy and efficiency should be a prime consideration in how they handle these cars in the free parking. Based on the City Manager's report on where these cars are located and who uses them, and on the very small number of emergency calls the people who use these cars get, he thinks they would be much better off from the standpoint of economy and efficiency to do away with a substantial number of these cars and provide some alternate means - either authorize certain people to have expense allowances or to provide some type of taxi service.

Councilman Davis stated he would propose Council consider that 120 cars in the City fleet of 320 cars are used by employees going back and forth to work, and that Council direct the City Manager, at his discretion, to eliminate 30 of the automobiles and dispose of them, and put the proceeds into the general fund and that these automobiles not be replaced.

He stated in looking over the City Manager's report on who has these automobiles, he suggests they consider taking 30 this year, and maybe 30 next year. When you take 30 cars and leave it to the City Manager's discretion he would not have to touch the cars in the Police Department, Fire Department and Public Works Department. When he goes into these departments, Mr. Burkhalter may want to eliminate some of those. There are cars not needed for emergency there; but he know that Council would be concerned if we would eliminate a vehicle that might get heavy emergency usage.

Councilman Whittington asked Mr. Davis if this is something he proposed to discuss at budget time? What he read on the agenda is a discussion on free parking versus what IRS said, and IRS said that free parking for City employees is okay. Now Councilman Davis is talking about cutting out 30 cars now and 30 cars next year. Councilman Davis replied this would determine that these cars and the free parking are in fact no form of a compensation factor; it is purely for the convenience of the City. We do not have to have 120 cars being used back and forth to work. He thinks they can eliminate 30 cars without getting into any of the categories where we have emergency vehicles. In fact, three of these cars are in the Personnel Department.

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Councilwoman Locke stated she wants it understood that Councilman Davis proposed this in the Finance Committee meeting, and it was not adopted by Councilman Withrow nor herself, and Councilman Davis was the only one who wanted it.

Councilman Gantt asked if the Finance Committee asked the City Manager for an explanation for the use of all these cars? Councilwoman Locke replied that he gave it to all members of Council, very detailed.

Councilman Davis moved that 30 cars be eliminated from the fleet of 120 that go home each night, and are used to go back and forth to work.

Councilman Williams stated he will second the motion to get it on the floor, and will offer an amendment to it. The amendment is to reduce the fleet by 10 percent each year for three years. The amendment was seconded by Councilman Withrow, but withdrawn later in the discussion.

Councilman Williams stated the list was read to him of automobiles being driven home by certain individuals because of the jobs they hold, and in his opinion, unless someone can change his mind, it is not for the benefit of the employer sufficiently to warrant it.

The City Manager stated many details are involved in this. It does not really make good management sense to say you are going to cut off ten percent without any reason whatsoever. These cars are not bought to give that man a car to ride home. They are not a part of his transportation and part of his remuneration of the man's job. The way for this man to perform that job is the best way we have been able to determine in the majority of these cases. This is all looked at regularly. Generally speaking, this is the most economical and efficient way to perform this service. If you are talking about efficiency and economy, you pay a man \$10 to \$12 an hour, make him sit around waiting for a bus or a taxi. The manpower is the cost, not the equipment. This is very low compared to what we pay for these people. This is where your efficiency of operation is.

He stated if Council is determined to see that a man does not ride home in one - if it is the employee you are trying to embarrass or to take away something that he has, he cannot do anything about it. But if they are talking about efficiency and operational cost to this city and getting the service performed, then they should tell him to do something about it. But if the department is performing the service and the function it is supposed to do, this is the way to run it. Do not take the car away just because you think the guy is riding it home at night. It is cheaper for him to drive that car home than it is for the City to guard it down here. It is cheaper than it is to pay him \$5.00 or \$8.00 an hour to drive to some local place and pick it up and bring it back; it is cheaper because the maintenance on a car you assign to a man is much less than one that we put in the pool operation; it is cheaper because it is looked after and taken care of. He asked that they not belittle these people and say they are to ride some other way. He wishes they would not do that.

Councilman Williams asked if this is suppose to be part of their compensation and Mr. Burkhalter replied no; they are told when they go to work they will be able to do their work in an efficient way, and one of the ways is most department heads have been told they would have an automobile at their disposal so they can perform their service. You try to hire a department head tomorrow to perform a service and say there is no transportation available to you in performing this work, and see what happens. He is telling Council this is the most economical way to perform this service.

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Councilman Withrow stated he is going to withdraw his second to the amendment but he wants to say he does not think the intention was to take the cars away from the department heads. Since he has been on Council he has been concerned that other than department heads and people that are not on emergency call, should not drive a vehicle home. He still feels this way. If a man is not on emergency call and he is not a department head - he knows the department heads have to have cars, but he knows if you have five cars on your staff, that these staff people can ride together to these different meetings, and probably do. He does not think the intention was to take away from department heads, but he thinks it was other cars he had reference to; and not police cars.

Councilman Davis stated he accepts Councilman Williams amendment to his motion.

Councilman Davis stated he believes the Manager is getting paranoid on this subject. If anything he said would lead him to believe that he is trying to embarrass or belittle employees, he is mistaken. These Department Heads he agrees are very fine, and most of them make somewhere between \$25 and \$30 thousand a year; they can afford to buy better automobiles if they choose to than 95 percent of the taxpayers can. They are outstanding, competent people and he does not believe that removing a piece of City equipment they may have come to think of as a status symbol will present any major psychological problems to any of them. The Manager says we have to look at service. Yes, we have to look at the service. But he thinks the Manager should also look at the cost and efficiency of providing the service. Councilwoman Locke stated she thinks the Manager has and is doing this.

Councilman Davis stated the Manager stated what is being done is cheaper. That he is talking about cutting out 30 automobiles. You do not have to guard 30 automobiles you do not have. You do not have someone driving them, and you do not have the operating costs. With 30 automobiles, we are talking about \$120 to \$150 thousand a year in capital costs. We are also discussing pay raises for City employees which we may not be able to afford. If we can bring about savings like this, and if Council ends up denying this pay raise or reducing it in some manner, it is going to be because we do not have funds available. He would hate to think because we have people riding vehicles around is the reason for other employees, equally deserving, not getting a pay raise.

He stated he arrived at the figure of 30 by taking the City Manager's report on the City's passenger auto fleet, with 320 unmarked passenger cars in the total fleet, 120 of those used to commute. He started by knocking off the Police, Public Works, Fire and Utility, and without going into those departments, there are 37 additional automobiles. For example, there are six in Traffic Engineering, six in Community Development, five in the Airport, four in the City Manager's office, three in Personnel (he never heard of an emergency in a Personnel Department), one in Manpower, two in Neighborhood Centers, and ten with various department heads such as Finance Officer, City Attorney, Public Information, Director of Community Relations, Civil Preparedness and Park and Recreation. He stated 30 automobiles should be eliminated from that fleet. The greatest hazard we would face would be that the amount of money for reimbursing these employees for business travel might be a little bigger than we think. He does not think it could possibly exceed the amount of providing that man with a car.

The vote was taken on the motion and failed on the following vote:

YEAS: Councilmembers Davis and Williams.

NAYS: Councilmembers Chafin, Gantt, Locke, Whittington and Withrow.

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CONTRACT AWARDED SEAGRAVE FIRE APPARATUS, INC. FOR ONE FIRE TRUCK WITH AN 85-FOOT TELESCOPIC ELEVATING PLATFORM AND ALLISON AUTOMATIC TRANSMISSION FOR USE AT FIRE STATION NO. 10.

Upon motion of Councilwoman Locke, seconded by Councilman Whittington, and unanimously carried, contract was awarded the low bidder, Seagrave Fire Apparatus, Inc., in the amount of \$176,868.00, on a unit price basis, for one fire truck with an 85-foot telescopic elevating platform and Allison automatic transmission for use at Fire Station No. 10.

The following bids were received:

Seagrave Fire Apparatus, Inc.	\$176,868.00
Howe Fire Apparatus Co., Inc.	182,072.00
Sutphen Fire Equip. Co.	194,440.00
Ward LaFrance-Burgess Fire Equip.	212,287.00

CONSENT AGENDA.

Motion was made by Councilwoman Locke, seconded by Councilman Gantt, and unanimously carried, approving the following Consent Agenda items:

- (a) Proposed settlement in the case of City v. Jean A. Hersman, in the total amount of \$1,000.00, for the Tyvola Road Relocation Project.
- (b) Contract with John Crosland Company for the construction of 7,907 lineal feet of 8-inch sanitary sewer to serve Chestnut Lake Subdivision, outside the city, at an estimated cost of \$118,605.00.
- (c) Renewal of a Special Officer Permit for a period of one year to Rolland Lee Roy Overturf, Sr. for use on the premises of Charlotte Park and Recreation Commission.
- (d) Ordinances ordering the removal of weeds and grass pursuant to the City Code:
  - (1) Ordinance No. 93-X ordering the removal of weeds and grass from vacant lot on Hemphill Street.
  - (2) Ordinance No. 94-X ordering the removal of weeds and grass from premises at 3800 Seaman Drive.
  - (3) Ordinance No. 95-X ordering the removal of weeds and grass from rear of vacant lot at 1724 Hawthorne Lane.
  - (4) Ordinance No. 96-X ordering the removal of weeds and grass from vacant lot at the corner of The Plaza and Holt Street.
  - (5) Ordinance No. 97-X ordering the removal of weeds and grass from vacant lot at 1701 Newcastle Road.
  - (6) Ordinance No. 98-X ordering the removal of weeds and grass from 522 Beatties Ford Road.
  - (7) Ordinance No. 99-X ordering the removal of weeds and grass from vacant lot adjacent to 819 West Fifth Street.
  - (8) Ordinance No. 100-X ordering the removal of weeds and grass from vacant lot at 126 Martin Street.

The ordinances are recorded in full in Ordinance Book 23, beginning on Page 108.

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(e) Ordinances affecting housing declared unfit for human habitation under the provisions of the City's Housing Code:

- (1) Ordinance No. 101-X ordering the dwelling at 425 North Summit Avenue to be vacated, demolished and removed.
- (2) Ordinance No. 102-X ordering the dwelling at 1111 Jefferson Street to be demolished and removed.
- (3) Ordinance No. 103-X ordering the dwelling at 2125 Yadkin Avenue to be vacated and closed.
- (4) Ordinance No. 104-X ordering the dwelling at 1908-10 Gibbs Street to be vacated and closed.
- (5) Ordinance No. 105-X ordering the dwelling at 1901 Remount Road to be demolished and removed.

Councilman Gantt asked if the dwellings at 425 North Summit Avenue and at 1111 Jefferson Street in the CDRS area are occupied, and if so, will they be eligible for relocation assistance? Mr. Sawyer, Director of Community Development, replied, if they are occupied, and in the CDRS area they will receive full relocation assistance.

The ordinances are recorded in full in Ordinance Book 23, beginning at Page 116.

(f) Property Transactions, as follows:

- (1) Acquisition of 2,367 square feet of property at 204 Remount Road, from William P. Allan, at \$3,300, for Southside Park CD Target Area.
- (2) Acquisition of 59,232 square feet of property at 223-25 Remount Road, and 2621 South Tryon Street, from Schloss Outdoor Advertising Company, at \$6,495.00, for Southside CD Target Area. (Tenant's real fixture interest.)
- (3) Acquisition of 13,800 square feet of property at 2609 South Tryon Street, from Donald B. Stilwell, at \$23,050.00 for Southside Park Target Area.
- (4) Acquisition of 6,750 square feet of property at 601 Billingsley Road, from Freddie Lee Sanders, at \$17,000, for Grier Heights Target Area.
- (5) Acquisition of 5,564 square feet of property at 613 East Fifth Street, from Elizabeth E. Crockett, at \$16,700.00, for First Ward Urban Renewal Project.
- (6) Acquisition of 5,700 square feet of property, at 809 West Fourth Street, from W. M. Holbrook, at \$5,900.00, for Third Ward CD Target Area.

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MOTION TO PAY CYNTHIA JACKSON AMOUNT OF MONEY ORDERED BY THE COMMISSION IN EEOC SUIT, AND DO NOTHING FURTHER.

Councilman Gantt moved that Council allow an item to be placed on the agenda for Council consideration. The motion was seconded by Councilwoman Locke and carried unanimously.

Mr. Burkhalter, City Manager, stated Mr. Boyd, Assistant City Attorney, is here to discuss further the matter which Council discussed at lunch.

Mr. Boyd stated his office needs some direction from Council as to the response to be made to the Equal Employment Opportunity Commission for their invitation to conciliate the charge of discrimination filed by Cynthia Jackson, in which the EEOC has issued a letter of determination finding reasonable cause to believe that discrimination has been practiced against her, and also against blacks as a class.

This matter was originally presented to Council in January in a predetermination settlement context. In other words, before their determination had administratively been made, that we had allegedly discriminated against Ms. Jackson, they proposed a settlement at that point in time. Council declined to enter into that settlement, and final opportunity to administratively settle this case is now before Council.

The terms of the conciliation would undoubtedly be very close to that originally presented to Council, in that a back pay settlement would be required; also a form of affirmative action involved.

Councilman Gantt asked if the affirmative action would be that out of every two people hired, one of the two would have to be a minority? Mr. Boyd replied his assumption is that we would be faced with a one to one hiring ratio, and a goal of 20 percent. That he has had informal discussions with Mr. Earle and he has indicated some access to data that would tend to indicate at least a 20 percent goal may be an unreasonable one; that 20 percent of the minorities in the area from which we hire may not have the requisite skills to be a building inspector, mechanical inspector or plumbing inspector. Councilwoman Chafin asked if it is possible this could be modified with the data? Mr. Boyd replied perhaps. Councilman Gantt asked if under the conciliation agreement we could agree to some training? Mr. Boyd replied the City could elect, in order to meet its goal of 20 percent, to locate those individuals who desire to have those skills and train them.

Councilman Gantt asked what the alternatives are at this point? Mr. Boyd replied the alternatives will be to indicate to the Commission whether you will or will not conciliate. Then we would find out whether or not any of the items presented in the predetermination settlement can be refined any further. That he does not think it would be any substantial renegotiation; there might be some opportunity to reduce the percentage goal. Councilman Gantt asked the alternatives should Council elect not to conciliate at all? Mr. Boyd replied the City has no alternative; the alternatives rest with the Commission. They could then elect either together or individually, or one or the other, to pursue legal action against the City of Charlotte. Either Ms. Jackson could bring suit if she so elected; or the Commission on her behalf could bring suit in a class action.

Councilman Williams asked if it is possible to make a counter proposal? Offer to pay her the back wages, but not go along with the quotas? Mr. Coffman, Assistant City Manager, replied the EEOC will not accept that. Councilman Williams stated he is just saying why not go on record and make them an offer, and put the ball back in their court. What would Cynthia Jackson say to that? That Cynthia Jackson probably could care less about goals; that he is interested in justice to this individual, and not in saddling ourselves with some unreasonable courses. If she has been aggrieved, then we should

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rectify the situation. We should take care of this individual; that he would hate to have this other thing keeping us from doing justice by this one woman. Mr. Boyd replied that is a proposal we can make to Ms. Jackson now or in the future. However, that will not be an adequate response to the Commission. The concern they have will not be displaced by that response.

Mayor Belk stated the Commission has nothing to do with us making the mistake with Ms. Jackson. That we should do what is right with the people we have working. That is our first responsibility.

Councilman Gantt moved that the City enter into a conciliation agreement; and if we can get some concession on the quotas, we should try; that he does not see any other alternative. The motion was seconded by Councilwoman Chafin.

Councilman Whittington stated based on the conversations Mr. Boyd had with Council in the conference room, his substitute motion is that we pay Ms. Jackson what we have been ordered to pay her by the Commission; stop right there, and do nothing else. The motion was seconded by Councilman Withrow.

Councilman Whittington stated if the Courts tell us other things we have to do, then obviously we will have to do it; but until they do, he is not voting for anything any Board or Commission from Atlanta or anywhere else tells us what to do.

Councilman Williams asked if it is possible to tender this sum of money to the individual, and let her decide to take the money or not take the money? Mr. Boyd replied it is possible. He would suggest if she would accept the money that she agree to release the City of Charlotte for liability of any action that may have been taken against her. She can agree not to sue us personally; however, that will in no fashion be binding upon the Commission. If she would also agree to ask the Commission to allow her to withdraw her charge, that is something the Commission would determine. He would assume, at this point in time, after the amount of investigation they have expended on this, that they would decline to allow her to withdraw her charges. He stated she has indicated through the Commission that she does not desire employment with the City; that she is agreeable to back pay of a little over \$900.00. No one from the City of Charlotte has contacted her personally as to what she would be agreeable to do. She might feel that she would not settle this suit unless some affirmative action were taken by the City of Charlotte on members of her race. That he does not know that. We can make her an offer and find out.

Mr. Boyd suggested the cleanest way to resolve this is to wait until the Commission, if we are not going to conciliate this, issues her her right to sue letter, which in effect, says the Commission has been unable to conciliate the charges of discrimination, and that she is free for any legal action she so desires.

Councilman Gantt stated what everyone on Council is concerned about and wanting to bury their heads in the sand about is whether or not EEOC has the right to deal with this as a class case. When Ms. Jackson had to go to EEOC, it went right out of her hands. Whether she is paid \$2,000, it is not going to matter to the court.

After further discussion, the vote was taken on the substitute motion, and carried as follows:

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

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INFORMATION REQUESTED ON PENDING ZONING DECISIONS FROM 1972.

Mayor Belk asked if Council can get the pending zoning petitions off the record? It was the consensus of Council that they would not take these matters up at present.

Councilman Gantt asked that the information on the petitions be given to Council so that the new Councilmembers will know what it is.

ADJOURNMENT.

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



Ruth Armstrong, City Clerk