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The City Council of the City of Charlotte, North Carolina, met on Monday, November 25, 1974, at 2:30 o'clock p.m., in the Council Chamber, City Hall, with Mayor John M. Belk presiding, and Councilmembers Kenneth R. Harris, Pat Locke, Milton Short, Neil C. Williams and Joe D. Withrow present.

ABSENT: Councilmembers Fred D. Alexander and James B. Whittington absent at the beginning of the Meeting, and came into the meeting during the hearings on Community Development.

INVOCATION.

The invocation was given by Reverend Daniel Hennigan.

CITY OF CHARLOTTE EMPLOYEE PLAQUE PRESENTED TO WALTER WOOD.

Mayor Belk and the City Council recognized Mr. Walter Wood, Laborer with the Public Works Department, and presented him with the City of Charlotte Employee Plaque for his services from May 25, 1956 until his retirement October 22, 1974.

Mayor Belk and the members of City Council thanked Mr. Wood for his services to the City and wished him well in his retirement.

HEARING ON THE COMMUNITY DEVELOPMENT REVENUE SHARING ACT.

The public hearing was held on the Community Development Revenue Sharing Act.

Mr. Joe Michie, Community Development Coordinator, explained the purpose of the hearing and the Act. After which a number of citizens presented plans for the expenditure of the \$29,655,000.00.

The record of the speakers will be included in the complete records of the three public hearings.

MEETING RECESSED AND RECONVENED.

Mayor Belk called a recess at 4:20 o'clock p.m., and reconvened the meeting at 4:35 o'clock p.m.

HEARING TO CONSIDER PROPOSALS FOR THE REDEVELOPMENT OF BLOCK NO. 6, PARCELS NOS. 17 AND 18, AND BLOCK NO. 7, PARCELS NOS. 1 AND 3, GREENVILLE URBAN RENEWAL AREA, PROJECT NO. N. C. R-78.

The public hearing was called to consider proposals for the Redevelopment of Parcels of land in the Greenville Urban Renewal Area, Project No. N.C. R-78.

Mr. Sawyer, Executive Director of the Urban Redevelopment Department, stated they have a proposal from MOTION, Inc. for 49 townhouses and they hope to develop on the parcels of land which he indicated on the map, as Block No. 6, parcels 17 and 18, and Block 7, parcels 1 and 3.

Mr. Ernie Alford, Director of MOTION, Inc., stated some months ago MOTION entered into negotiations and talks with the Department of Housing and Urban Development for the development and construction of a 49-unit townhouse project on the Greenville Urban Renewal Site. The initial reasoning for selecting this site and this group of units is because they recognize the urgent need for this type of housing - the low and moderate income area. Second they felt the Greenville site itself was in need of some neighborhood type of restoration.

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Mr. Alford stated they have a preliminary plan to show where the 49 units will be located. It is significant in that the units are completely adjacent to the new Greenville Community Center - directly in front of the Center, as well as to the immediate left of the Center. This is a cross section of units which will include two, three and four bedroom units. The construction is basically standard and will consist of frame structures with brick face fronts. They are pretty basic in design except for the fact that they exceed FHA minimum property standards by a good bit. In going back and studying the situation they found problems with low income housing is that many of the problems are related to space - so many people and small amounts of space, with the lack of storage. They have been careful and have tried to get additional space.

Mr. Alford stated this project, Green Haven Apartments, has a total value of \$943,000. The project specifically will not cost the City of Charlotte anything in that it will be financed 90% HUD insured loan and the remaining portion to be raised through private capital investments.

Mr. Alford stated they have talked with the HUD people and they have a tentative feasibility approval. They have said they would grant a feasibility approval if you can come back and verify control of the land. Under the State Statutes in order to get that control of the land you must enter into a hearing of this type.

Councilman Whittington asked if the homes on Water Oak Road have been sold? Mr. Alford replied they have contracts on all four of them; one is occupied and another family is scheduled to move in on Friday, and the remaining two are still in process.

Councilman Whittington asked about the homes on Springway? Mr. Alford replied they are all sold, five of them are occupied, with the sixth to be occupied soon.

Councilman Williams asked how much is being paid for the land? Mr. Sawyer replied a total of 217,000 square feet for \$56,000 and some odd dollars. It is the appraised price.

Councilman Harris asked that the roles of MOTION and the John Crosland Company be explained in this regard? Mr. Alford replied MOTION at its inception had a number of mandates given. One of which was not only to act as an independent developer, but also to bring in private capital into the low and moderate income housing market. MOTION acts as the developer-packager. In this particular instance, MOTION did the marketing study, negotiates for the land and puts together the package. MOTION will be the co-owner with Crosland; it is a joint venture. MOTION puts together all the paper work, and in this instance will bring in someone like Crosland to do the construction as well as provides their financial statements and such. MOTION has in the past sought the private capital itself; MOTION does the tax indication with the aid of a competent accounting firm, as well as a legal firm. They have used Arthur Anderson in the past; they have not decided who will be used in this project.

No opposition was expressed to the proposal.

THE NAME OF ROSEDALE AVENUE CHANGED TO GUY E. SUDDRETH AVENUE.

The public hearing was called on the petition to change the name of Rosedale Avenue to Guy E. Suddreth Avenue.

Mr. Fred Bryant, Assistant Planning Director, stated this request was initiated by many of the property owners out there, and the Planning Staff agreed with the request.

No opposition was expressed to the proposed change in name.

Councilman Short moved approval of the change in name of Rosedale Avenue to Guy E. Suddreth Avenue. The motion was seconded by Councilman Whittington, and carried unanimously.

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ORDINANCE NO. 465-2 AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE OF THE CITY OF CHARLOTTE AMENDING THE ZONING MAP BY CHANGING THE ZONING OF PROPERTY FRONTING ON THE SOUTHWEST SIDE OF COLONIAL AVENUE, BETWEEN CIRCLE AVENUE AND RANDOLPH ROAD, AS PETITIONED BY WACO CORPORATION, ET AL.

Councilman Withrow moved that the subject ordinance be adopted changing the zoning from R-6MF to O-15 in lieu of the requested O-6, as recommended by the Planning Commission. The motion was seconded by Councilman Harris.

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

YEAS: Councilmembers Alexander, Harris, Short and Withrow.
NAYS: Councilmembers Locke, Whittington and Williams.

The ordinance is recorded in full in Ordinance Book 21, at Page 354.

RESOLUTION DECLARING AN INTENT TO CLOSE HAZEL STREET, IN THE CITY OF CHARLOTTE, AND CALLING A PUBLIC HEARING ON THE QUESTION ON JANUARY 6, 1975.

Motion was made by Councilman Whittington, seconded by Councilman Harris, and unanimously carried, adopting the resolution declaring an intent to close Hazel Street and calling a public hearing on the question on Monday, January 6, 1975.

The resolution is recorded in full in Resolutions Book 10, at Page 203-204.

RESOLUTION PROVIDING FOR PUBLIC HEARINGS ON PETITIONS NO. 74-50 THROUGH 74-56 FOR ZONING CHANGES ON DECEMBER 16, 1974.

Councilman Whittington moved adoption of the subject resolution providing for public hearings on Petitions Nos. 74-50 through 74-56 for zoning changes on Monday, December 16, 1974, at 8:00 o'clock p.m., in the Board Meeting Room, of the Education Center, 701 East Second Street, which motion was seconded by Councilwoman Locke, and carried unanimously.

The resolution is recorded in full in Resolutions Book 10, at Page 205.

LEASE-PURCHASE AGREEMENT, MANAGEMENT AGREEMENT, ORDINANCE APPROPRIATING FUNDS FOR THE LEASE-MANAGEMENT FOR THE REMAINDER OF THE FISCAL YEAR, PRE-APPLICATION FOR UMTA GRANT, AND CITY MANAGER AUTHORIZED TO APPLY FOR TRANSIT ASSISTANCE GRANT UNDER NATIONAL TRANSPORTATION ASSISTANCE ACT.

Councilman Short moved approval of a lease-purchase agreement between the City of Charlotte and the City Coach Company. The motion was seconded by Councilman Harris.

Mr. Burkhalter, City Manager, stated this is no belated rescue attempt of a defunct operation; there is no way in the past ten years the city could have bought this bus system without an expensive outlay of cash. Until this year, the Charlotte Coach Lines has been a commercially profitable, business venture and the Company has not asked the City to buy their operation. Today, Council is simply asking for an option to buy the system. The average age of the equipment of this corporation is about 11 1/2 years; but the on-line equipment, that operates to meet the schedules is less than five years old - some of it is less than a year old. He stated he wants the Mayor and City Council and everyone else to know that the Company they are buying has been reasonably good in keeping up the on-line equipment. The important thing is that this is not a corporation coming to City Council with a depreciated, defunct inventory of bad equipment, bad operations, bad management or losing money, and putting it on your desk and saying "we give up".

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Councilman Alexander stated Mr. Burkhalter has used the word "buying", and he thinks he meant to say "leasing". That he thinks the record should be straight. Mr. Burkhalter replied the next thing he is going to do is to ask Council to buy it; but Mr. Alexander is right it should be leasing.

Mr. Burkhalter stated Council along with other people interested in the governmental body in this area, authorized a very comprehensive and complete transit study for this whole section. Then Council authorized and proceeded to get a specific transit study which was a short range study particularly focused on the bus system. In the interim, a staff of people was set up to get the type of information that is essential for the application to purchase or make recommendations for operations, and to keep Council informed.

He stated in connection with the increase of bus fares, Council immediately took steps and authorized the lowering of fares by offering a subsidy to those who are handicapped and to the elderly. This fits in line with the program of acquisition that will be proposed in the future. He stated during the past year and a half, the cost of acquiring this system has dropped. Had the City bought it a year and a half ago, it would have paid 33 1/3 percent of the cost of the acquisition price. In the last 18 months, the federal government has increased its help in the acquisition to 80 percent. Second the system has not been hurt in the delay because the bus system today is furnishing better service and more mileage than it was a year and a half ago. Part of this is because of some of the help the city has given - the better signing, better inspection service of the company, and the conversations that have been carried on with our bus advisors to work with them and answer some of the problems.

Mr. Burkhalter stated he thinks it is important for Council to know that it has not been costing our city a lot money by delaying the acquisition of the bus system. Now we are at a point of probably no return. It has reached the point where the labor contracts with the bus company are going to exceed their ability to pay and maintain the service. It has reached the point, which was aggravated to an extent, and has been the main cause of the lack of profit by two unforeseen items which we were unable to pay for - the tremendous increase and inflation in this operation, or for the 92 percent increase in fuel costs which has struck the bus company. These are the major things that could not be accounted for over a year ago. Now, it has reached the point, where in order for the City to maintain the same level of service, to keep the equipment from depreciating, to be able to continue our planning, it is essential for the City to step into a lease-operation for the sake of our transit company.

Mr. Burkhalter then reviewed the charts which he had prepared indicating the present level of service, increased cost of operation, financial loss predicated, cost of public acquisition of the system, the UMTA Grant and the bond referendum.

During the explanation he stated the \$418,000 will carry us through the current fiscal year - it is about \$50,000 a month. It could be more. Everytime the line is extended then you have to have the money to do it with. That he foresees no reduction in cost. That he feels the figures presented today are conservative, but it will not cost any more as he has to provide that money between then and now.

Councilman Harris stated if this is approved today, when is the effective date? Mr. Burkhalter replied the effective date of the lease operation is December 1; the effective date of the deficit operation is November 1. It is in the contract. Councilman Harris stated he does not want to have the city leasing equipment with an option to buy unless there is an irrevocable assignment of their franchise tied in. Mr. Burkhalter replied it is there. Mr. Underhill, City Attorney, stated that will be in the final version of the contract - the surrender of the franchise at the time of acquisition. Councilman Harris asked what kind of organizational control will there be from the City to the operation of these buses, day by day?

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Will a new department be set up? Mr. Burkhalter replied a new department has not been set up yet. To begin with this will be done by the Coordinator of transportation. That he thinks we need to study this a little more carefully. One of the main things he hopes Council will be concerned with is the financial operations, and this structure will have to be set up for the Finance Department. It may require an extra person, but he does not think so. He stated there is a person on Mr. Hoose's staff who has had many, many years of running a bus system and managing a bus system, and today is classified as a planner. It is not his desire to put him in a position of running this. That the planning process is needed now greater than ever, and he does not want to bog Mr. Feahr down with running the day to day operation. That he suspects he will come back to Council to set up either an interim operation that will be sure of the liaison and contacts.

Mr. Burkhalter stated it has been suggested by the Transportation Coordinator that a telephone number be set up so a person can call any hour of the day or night about buses. We need to get some personal information from the people who are riding the buses. This would be apart from the Action Line. This will be for the bus service only.

Councilman Whittington stated suppose in the bond issue on voter approval for a special transit tax it does not pass? Mr. Burkhalter replied then you will use all other funds you can scrape together for this purpose. Councilman Whittington stated he thinks the public should be aware of what Council is faced with and has been faced with for nearly a year. That the City Manager has stated we are not taking over a defunct transportation system, but taking over that which only began to lose money recently. He thinks it is very important that the Council get the message to the citizens of this community that cities like Winston-Salem today are paying \$55 to \$90 thousand dollars a month; Asheville \$45,000; Wilmington is paying \$55,000 a month. The City of San Francisco is paying 27 cents out of every tax dollar for transportation and to operate the Bart system at a tremendous loss. That he does not want to vote for anything here today without the people being apprised of what this Council has faced in the last year, and what Council is facing now, and what the Citizens will be faced with in the future. If we are going to provide this system for some 45,000 riders, which is a small proportion of our population, the citizens are going to have to pay for this. He wants them to know everything the City is doing, and to know what they are faced with, and when they instruct Council to stop doing this, then he would be one who would stop doing it.

Councilman Short asked for information on the purchase contract. The City Manager replied in the accompanying proposed action there is a letter of pre-application which gives the federal government some idea of what to expect from us; and us some idea of what to expect from them. If they approve this and give us the green light, we will proceed immediately with an application under the UMTA Act for matching funds to purchase the system. How do we get the system? We must have this professionally appraised; there is no way to get money from Uncle Sam to buy it unless we go out and get professional appraisals - one official appraisal made by a competent appraisal company, which sets a fair and equitable fair market value price for the system.

Councilman Short stated in the event that the bond referendum is not passed, the citizen need to know what would be the outcome of that. Apparently it would be that we would attempt to continue the lease, and does the lease have optional periods? Mr. Underhill replied it can be extended. At present it is for a two year period; there is no automatic renewal; it requires that a negotiated renewal extension of the lease may be made by mutual consent of the party. Right now it is a two year lease with no specified renewal options. Councilman Short stated the fact that the City Coach Line has approached us in this situation would seem to make it conclusive that we could negotiate a continuation of the lease if necessary. Mr. Burkhalter stated in all fairness he should tell Council that it would not be anywhere near like what it is doing now. But yes, if they had an indication that the City was not going to buy, they could never lease this bus system. Councilman Short stated in a sense we have done and are in a process of doing that which we really have no choice but to do, and that is we put it to the citizens whether we should buy this line.

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Councilman Withrow asked if the federal government would not require the city to pay a fair market value? That we would not receive the 80 percent unless we pay a fair market value. Mr. Burkhalter stated it also requires you to maintain and pay fair wages and such to the people working with the company. That he thinks all those employees should know this.

Councilwoman Locke stated she read an article in the Washington paper that their transit system was billions of dollars in the red, and the New York Port Authority who handles all transit is also billions of dollars in the red.

The vote was taken on the motion and carried unanimously.

Motion was made by Councilman Withrow, seconded by Councilman Short, and unanimously carried approving the Management Agreement between the City of Charlotte and the City Coach Company.

Councilman Short moved adoption of Ordinance No. 466-X transferring \$418,000 within the general revenue sharing trust fund to provide an appropriation for the bus transit lease-management contract. The motion was seconded by Councilwoman Locke, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 21, at Page 355.

Upon motion of Councilman Williams, seconded by Councilman Whittington, and unanimously carried approval was given to a pre-application UMTA Grant for the purchase and improvements to the City Coach Company.

Councilman Short moved that the City Manager be authorized to apply for a Transit Assistance Grant under the National Transportation Assistance Act, for operating expenses of the transit system. The motion was seconded by Councilman Withrow, and carried unanimously.

BOND REFERENDUM SET FOR APRIL 8, 1975 TO INCLUDE AIRPORT, WATER AND SEWER FUNDS AND GENERAL FUND.

Motion was made by Councilman Withrow and seconded by Councilman Short for a bond referendum for April 8, 1975 to include the following items:

AIRPORT

Construction of the Airport terminal	\$55 million
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WATER AND SEWER FUNDS

Water improvement projects	\$ 3.5 million
Sewer improvements	8.5 million
	<u>\$12.0 million</u>

GENERAL FUND

Purchase of Transportation System and associated improvements (\$2.5 million for city matching grant)	\$17.5 million
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Sidewalks and bicycle trails	2.0 million
Street improvements	5.5 million
	<u>5.5 million</u>
TOTAL	<u>\$25.0 million</u>

In addition, the referendum will include "Approved for use" tax for the operation of the bus company.

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Councilman Williams stated he is specifically concerned about the \$17.5 million item for the purchase of the transportation system. Although it is not stated here, included in that is the transit terminal on the site of the Charlotte Fish and Oyster property. He stated he has no objections to the airport and water and sewer bonds, but when it gets to the General Fund items, he wants to address himself to that.

Councilman Williams stated he sincerely hopes that we will separate the item for the purchase of the bus company (\$2.5 million), from the transit center (\$15.0 million), so that on the ballot the voters will have an opportunity to pick and choose if they want to. To him the matter of the \$2.5 million for the match is so important that he would not want to do anything to jeopardize the chances of that passing. It is almost as if we are out on a limb now that we have the option to purchase, and we must have this local match in order to follow through. Councilman Withrow stated he agrees with that. That the motion does not have to be amended as it will be taken care of later. Mr. Burkhalter, City Manager, stated this is not setting up the ballot. Councilman Short stated he thinks the motion should be amended accordingly. Mayor Belk stated he does not think it is necessary to amend the motion because it will be brought back to Council and there will be a lot of discussion before it is finalized. He stated he thinks we should contact the County, the School Board and the Hospital Authority and let them know of Council's action.

Councilman Williams stated on the \$15.0 million item for the transit terminal there are some questions that should be asked. That \$15.0 million is a lot of money even if it is a very worthwhile project, as he thinks this is. It is almost equally as important when we improve the rolling stock to do something about a terminal. However, as he remembers in the plan presented there is included that the first two stories would be for the transit terminal, then two stories for parking facilities, and a top story for meeting rooms and kitchen facilities for serving the civic center. That he thinks this has to be discussed and Council should consider what it is doing, and asked the question "is it worth \$15.0 million to do it, or can we accomplish the main purpose of providing a place for the buses to go off the Square at some lesser cost?" Councilman Withrow stated he hopes that Council is not voting today for \$15.0 million for any specific plan.

Mr. Burkhalter replied that no one has asked Council to do that. But to talk about concepts in general to use that land there for a transit system, is a very expensive site and the acquisition of the land is a large part of this figure. When you acquire large amounts of land it is very expensive, but it would be cheaper than we can buy it from anyone else. That is why it is proposed for urban redevelopment land. This is an excellent place to put this sort of operation if you are going to do something else with it; but if you are not going to do something else with it, it is too expensive to do there with just the bus system itself. This will tie in with the pedestrian level, and the whole basis is for this purpose by motorized lifts of some type. That there will be plenty of opportunities for Council to debate this. If you want to tie rapid transportation with local bus transportation, walking transportation and automobile transportation, the Planning Commission, Downtown Developers, our engineering staff and our transit people say hold this place. Councilman Williams stated he agrees with the site, but he is talking about what goes on the site.

Councilman Short stated because of a confusion of an earlier time, he thinks it should be plain in the record that what we are setting in motion here tentatively is a transit transportation center somewhere in the Downtown area. It is not a definitive selection of a site as yet.

Councilman Harris stated the airport bonds will not be revenue bonds will they; they will be general obligation bonds. Mr. Burkhalter replied that is right.

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Councilman Whittington stated he thinks the City Manager should tell Council what street improvements will be made in the \$5.5 million? That the City Manager refers to streets that we were not able to fund in the 1973 bond issue. Mr. Burkhalter replied that is generally what this is for. But when Council comes to the time of actually setting this, it should talk about names of streets. There is no way to sell anybody to vote on anything unless you tell them what it is; we have to identify these things, and Council will have to be the one to say which ones it will be.

The vote was taken on the motion and carried unanimously.

ORDINANCE NO. 467-X AMENDING ORDINANCE NO. 214-X, THE 1974-75 BUDGET ORDINANCE, AMENDING THE TABLE OF ORGANIZATION FOR THE CHARLOTTE MECKLENBURG UTILITY DEPARTMENT AND RESOLUTION AMENDING THE PAY PLAN FOR THE CLASSIFICATION CHANGES.

Councilman Harris moved adoption of the subject ordinance and resolution for the classification changes in the Charlotte-Mecklenburg Utilities Department. The motion was seconded by Councilwoman Locke, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 21, at Page 356.

The resolution is recorded in full in Resolutions Book 10, at Page 206.

ORDINANCE NO. 468-X AMENDING ORDINANCE NO. 214-X, THE 1974-75 BUDGET ORDINANCE AMENDING THE TABLE OF ORGANIZATION FOR THE CHARLOTTE POLICE DEPARTMENT BY DELETING ONE POSITION FOR POLICE CAPTAIN AND SUBSTITUTING ONE POLICE MAJOR POSITION IN THE INTERNAL AFFAIRS SECTION.

Councilwoman Locke moved adoption of the subject ordinance, which motion was seconded by Councilman Alexander, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 21, at Page 358.

RESOLUTIONS APPROVING THE NORTH MECKLENBURG AND THE METRO CHARLOTTE "201" WASTEWATER FACILITIES PLAN.

Upon motion of Councilman Harris, seconded by Councilman Williams and unanimously carried, the following resolutions were adopted:

- (a) Resolution approving the North Mecklenburg "201" Wastewater Facilities Plan.
- (b) Resolution approving the Metro Charlotte "201" Wastewater Facilities Plan.

The resolutions are recorded in full in Resolutions Book 10, beginning at Page 208.

ORDINANCE NO. 469-X AMENDING ORDINANCE NO. 214-X, THE 1974-75 BUDGET ORDINANCE TRANSFERRING \$21,000 FROM THE GENERAL FUND CONTINGENCY TO THE PARK AND RECREATION COMMISSION AND AMENDING THE TABLE OF ORGANIZATION OF THE COMMISSION TO ESTABLISH RECREATION PROGRAMS AT DALTON VILLAGE AND WEST BOULEVARD HOMES.

Motion was made by Councilman Harris, seconded by Councilwoman Locke, and unannouncedly carried, adopting the subject ordinance transferring funds in the amount of \$21,000 and amending the table of organization for the Commission to establish recreation programs at Dalton Village and West Boulevard.

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Councilman Harris stated he hopes this is the first step only.

The ordinance is recorded in full in Ordinance Book 21, at Page 359.

SETTLEMENTS IN CASE OF LOVE-MCCLURE, INC., VS. BARGER CONSTRUCTION CO., INC. AND CITY VS. CONNIE W. STOCKTON, APPROVED.

Upon motion of Councilman Harris, seconded by Councilman Whittington and unanimously carried, the following settlements were authorized, as recommended by the City Attorney:

- (a) Settlement in the case of Love-McClure, Inc., vs. Barger Construction Company, Inc., vs. the City of Charlotte, Greenville Neighborhood Center, in the amount of \$27,500.00.
- (b) Settlement in the case of City vs. Connie W. Stockton (widow), Parcel 814, Byrum/Wilmount Widening Project (Airport), in the amount of \$1,000.00.

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A GRANT OFFER FROM THE FEDERAL AVIATION ADMINISTRATION FOR REIMBURSEMENT OF COST IN THE DEVELOPMENT OF THE AIRPORT MASTER PLAN.

Motion was made by Councilman Alexander, seconded by Councilwoman Locke, and unanimously carried adopting the subject resolution for reimbursement of cost in the development of the Airport Master Plan, CFR truck and installation of 38,000 linear feet of safety fencing in the amount of \$294,442.00.

The resolution is recorded in full in Resolutions Book 10, at Page 216.

AMENDMENT TO LEASE WITH AIRCRAFT SALES, INC. TO EXERCISE THE FIRST OF THEIR ONE YEAR OPTIONS, APPROVED.

Councilman Harris moved approval of an amendment to the lease with Aircraft Sales, Inc. (formerly State Airlines, Inc.) to exercise the first of their one year options which would terminate their lease on August 31, 1975, which motion was seconded by Councilman Williams, and carried unanimously.

AMENDMENT TO LEASE WITH THURSTON AVIATION TO EXERCISE THE FIRST OF THEIR ONE YEAR OPTIONS, APPROVED.

Upon motion of Councilman Whittington, seconded by Councilman Harris, and unanimously carried, approval was made to an amendment to the lease with Thurston Aviation (formerly Executive Transport, Inc.) to exercise the first of their one year options which would terminate the lease on July 31, 1975.

CHANGE ORDER NO. 2 IN CONTRACT WITH REA CONSTRUCTION COMPANY, APPROVED.

Motion was made by Councilman Short, seconded by Councilman Whittington, and unanimously carried, approving subject Change Order No. 2 in contract with Rea Construction Company, in the amount of \$55,754.08, for additional asphalt for strengthening Taxiways "A" and "C" and connecting taxiways.

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ORDINANCE NO. 470-X TRANSFERRING FUNDS FROM UNAPPROPRIATED BALANCE OF AIRPORT FUND TO THE AIRPORT CAPITAL IMPROVEMENT ACCOUNT.

Councilman Short moved adoption of subject ordinance transferring funds, in the amount of \$6,500.00, from the Unappropriated balance of the Airport Fund to the Airport Capital Improvement Account for strengthening taxiways "A" and "C" and connecting taxiways, which motion was seconded by Councilman Whittington, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 21, at Page 360.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE ADOPTING A PROCEDURE TO FILL VACANCY ON CHARLOTTE CITY COUNCIL.

Councilman Williams moved that the subject resolution be deferred for two weeks. The motion was seconded by Councilman Harris.

Councilman Williams stated the intent of the resolution was to encourage us to arrive at a consensus candidate - someone all could agree upon. That he perceives we are pretty close to that without the necessity of the resolution. That is the reason he moved for deferral.

The vote was taken on the motion and carried unanimously.

SPECIAL USE PERMITS FOR SOCIAL CLUBS APPROVED.

Upon motion of Councilman Harris, seconded by Councilwoman Locke, and unanimously carried, special use permits were approved for use by the following clubs:

- (a) Quail Hollow Estates
- (b) Providence Square
- (c) Kings Creek
- (d) Tree Top I Apartments
- (e) Tree Top II Apartments

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO KATHERINE LEWIS BUNDY AND HUSBAND, CHARLES W. BUNDY, LOCATED AT 6311 SARDIS ROAD, IN THE CITY OF CHARLOTTE, FOR THE ANNEXATION AREA I (3) SANITARY SEWER TRUNK PROJECT.

Motion was made by Councilman Short, seconded by Councilman Harris, and unanimously carried, adopting the subject resolution authorizing condemnation proceedings for the acquisition of property belonging to Katherine Lewis Bundy and husband, Charles W. Bundy, located at 6311 Sardis Road, in the City of Charlotte, for the Annexation Area I (3) Sanitary Sewer Trunk Project.

The resolution is recorded in full in Resolutions Book 10, at Page 210.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO JOHN S. SPURRIER (WIDOWER) LOCATED ON THE EASTSIDE OF I-77 AND THE WESTSIDE OF I-77 (REYNOLDS AVENUE), IN THE CITY OF CHARLOTTE, FOR THE ANNEXATION AREA I (11) SANITARY SEWER TRUNKS PROJECT.

Councilman Whittington moved adoption of the subject ordinance authorizing condemnation proceedings for the acquisition of property belonging to John S. Spurrier (widower) located on the eastside of I-77 and the westside of I-77 (Reynolds Avenue), in the City of Charlotte, for the Annexation Area I (11) Sanitary Sewer Trunks Project. The motion was seconded by Councilman Withrow, and unanimously carried.

The resolution is recorded in full in Resolutions Book 10, at Page 211.

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RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO LUCY MAE BARNES AND HUSBAND, C. W. BARNES; AND SOL LEVINE, TRUSTEE FOR UNDISCLOSED PRINCIPALS WHO HAVE OPTION TO PURCHASE, LANDLOCKED BEHIND 7026 NATIONS FORD ROAD, IN THE CITY OF CHARLOTTE, FOR THE ANNEXATION AREA I (11) SANITARY SEWER TRUNKS PROJECT.

Upon motion of Councilman Whittington, seconded by Councilman Harris, and unanimously carried, the subject resolution was adopted authorizing condemnation proceedings for the acquisition of property belonging to Lucy Mae Barnes and husband, C. W. Barnes; and Sol Levine, Trustee for Undisclosed Principals who have option to purchase, landlocked behind 7026 Nations Ford Road, in the City of Charlotte, for the Annexation Area I (11) Sanitary Sewer Trunks Project.

The resolution is recorded in full in Resolutions Book 10, at Page 212.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO RUTH GERTMENIAN OGLUKIAN MARDIAN AND HUSBAND, ARAN MARDIAN, LOCATED AT 5301-5401 OGLUKIAN ROAD (OFF CARMEL ROAD), IN THE CITY OF CHARLOTTE, FOR THE ANNEXATION AREA I (2) SANITARY SEWER TRUNKS PROJECT.

Motion was made by Councilman Harris, seconded by Councilman Whittington, and unanimously carried, adopting the subject resolution, which is recorded in full in Resolutions Book 10, at Page 213.

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

Councilman Short moved adoption of the subject resolution authorizing condemnation action in the First Ward Urban Renewal Project No. N. C. R-79, to condemn thirteen (13) parcels of property as follows, which motion was seconded by Councilman Whittington, and after discussion carried unanimously:

BLOCK & PARCEL	OWNER AND ADDRESS	FINAL OFFER
16-3	Thomas F. Kerr Co. 710 N. Caldwell St.	\$ 5,600
16-4	Nancy Kerr Freeman & Jane Lee Kerr Williams 708 N. Caldwell St.	5,500
17-27	Mrs. Thomas F. Kerr 945-47 N. Davidson St.	7,700
20-10	Thomas F. Kerr Co. 621 E. 10th St.	1,100
20-17	Thomas F. Kerr Co. 616-630 E. 11th St.	24,500
31-8	Thomas F. Kerr Co. 415 N. Myers St.	70,000
38-7	Nancy Kerr Freeman & Jane Kerr Williams 504 N. Myers St.	15,000
39-2	Thomas F. Kerr Co. 420-22½ N. Myers St.	22,000
39-5	Mrs. Thomas F. Kerr 408 N. Myers St.	14,500
39-6	Thomas F. Kerr Co. 400-06 N. Myers St. & 807-09 E. 7th St.	21,600
39-9	Mrs. Bleeka R. Kerr 815 E. 7th St.	11,000
39-11	Thomas F. Kerr Co. 821 E. 7th St.	5,600
51-3	Thomas F. Kerr Co. 911-15 E. 7th St.	22,000

The resolution is recorded in full in Resolutions Book 10, at Page 214.

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Councilman Whittington stated in the past few days, he has been through First Ward five times; that he also had the opportunity of going through the area with a group of ladies from the Junior Woman's Club looking at properties they considered to be historical. That he is concerned about what was talked about in Greenville and what Council has been talking about for a long time. Yet you ride through Ninth Street, Caldwell and Davidson and all those other streets in this area, and see these houses that are now standing vacant that people could be living in, and other residences there, all of which he supposes will be condemned or condemned and demolished. That he thinks we should think about this and go slow and make sure that we do not make the same mistakes twice. There are a lot of excellent properties in that area that could be restored to fine residential units with a little bit of money. Are we going to just go on and gut the whole neighborhood and start over like we did in Greenville. If so, he does not want any part of it.

Mr. Sawyer, Director of Urban Redevelopment, replied that is going to be the main operation. In this project, an area was set aside where some, by outside inspection, of the houses can be rehabilitated. Any outside the primary concentration could be moved so they would not be scattered and would interfere with the widening of streets, and other improvements that are planned for the area.

The main concentration was along Ninth Street, and along N. Myers Street. That is where they are buying and demolishing and still this area is reserved. This is on 7th, 8th Streets north to the Expressway, and from Caldwell Street to Alexander Street is their main area of concentration. This is top priority.

Councilman Whittington asked what will be done with the apartments on the 11th Street on the curve as you come down 11th toward McDowell? Mr. Sawyer replied they do not intend to acquire those. They will be left. Councilman Whittington asked about the home at the corner of Fifth Street and N. McDowell Street? Mr. Sawyer replied that is scheduled for demolition or moving if anyone can find the money, and has the interest to do it. They can make a site available. There were about seven to nine houses, and this is one of them, that they have identified as having some architectural significance.

Councilman Whittington stated he is saying they are taking out the bad and leaving, at this time, those homes that can be restored? Mr. Sawyer replied that is correct as long as the owners of those properties desire to restore them and have the money to do so. Councilman Whittington asked if some of the Community Development funds can be used to do this? Mr. Sawyer replied they could if Council approves it.

Councilman Harris stated Council has listened for almost two hours to various projects, and here we are going at different points. He asked if any of the properties under this item are in a street right of way? Is it being acquired for street purposes? Why are they being acquired? Mr. Sawyer replied for a number of reasons. This is their area of concentration; this is their top priority. Councilman Harris asked if their purpose is to raze the whole area? Mr. Sawyer replied yes. Councilman Harris stated he thinks we should suspend this kind of action, and have Mr. Sawyer come to Council with a plan for the Community Development Act about funds needed to rehabilitate these houses. Mr. Sawyer replied they have studied it for a number of years and in his opinion it is beyond repair - not beyond repair but beyond any feasibility of repair from an economic standpoint. Councilman Harris asked what check point do we have on something like the house at Fifth and McDowell Street - the Historic Properties Commission? Are they being informed of this? Mr. Sawyer replied he is working very closely with them. They already have a list which they furnished the Commission, which identifies houses which have some architectural significance.

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Councilman Harris stated it would be very significant that the Urban Redevelopment Department be one of the speakers on the Community Development Act. Mr. Burkhalter, City Manager, advised that they are scheduled to speak to Council at the Wednesday hearing.

ACQUISITION OF STANDARD EASEMENTS FOR ANNEXED AREAS, APPROVED.

Upon motion of Councilman Harris, seconded by Councilman Short, and unanimously carried, the following parcels were approved for acquisition for standard easements for annexed areas:

- (a) Annexation Area I (2) Sanitary Sewer
10 parcels
- (b) Annexation Area II (7) Sanitary Sewer Additions
3 parcels
- (c) Annexation Area I (1 & 12) Sanitary Sewer Trunks
2 parcels
- (d) Annexation Area I (4) Sanitary Sewer Trunks
2 parcels
- (e) Annexation Area I (3) Sanitary Sewer Trunks
1 parcel
- (f) Annexation Area I (11) Sanitary Sewer Trunks
2 parcels

PROPERTY TRANSACTIONS AUTHORIZED.

Councilman Short moved approval of the following property transactions, which motion was seconded by Councilman Withrow, and carried unanimously:

- (a) Acquisition of 27.72' x 58.63' x 6.04' x 58.21' x 27.72' of property, plus a construction easement, at 2701 Sharon Amity Road, from Hubert A. Robinson and wife, Kathryn E., at \$1,200.00, for Sharon Amity Road Widening Project.
- (b) Acquisition of 6.34' x 50.00' x 6.43' x 50.00' of property, plus a construction easement, at 1210 East 7th Street, from J. D. Biggers Heirs, Pattie B. McGee and Mildred B. Edwards, at \$1,300.00, for Kings Drive Relocation Project.
- (c) Acquisition of 26.02' x 101.95' x 18.67' x 100.78' of property, plus a construction easement, at 2624 North Sharon Amity Road, from Craig T. Brown and wife, Gaynell H., at \$64,919.00, for Sharon Amity Road Widening Project.
- (d) Acquisition of 2.06' x 50.00' x 2.06' x 50.00' of property, plus a construction easement, at 4716 Randolph Road, from Jack D. Boyte and wife, Martha J. and Patricia Hines, (widow), at \$100.00, for Randolph Road Widening Project.
- (e) Acquisition of 2.01' x 124.77' x 2.01' x 124.76', plus a construction easement, at 4622 Randolph Road, from Robert A. Jackson and wife, Joyce A., at \$175.00, for Randolph Road Widening Project.

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(f) Acquisition of eight (8) parcels of real property in the First Ward Urban Renewal Project, as follows:

- (1) 3,614 sq. ft. from Arthur S. Grier Estate, at 613 E. 10th Street, in the amount of \$1,100.
- (2) 4,140 sq. ft. from Eula Mae Moore, at 630 N. Davidson Street, in the amount of \$1,500.
- (3) 9,180 sq. ft. from Arthur S. Grier Estate, at 712 E. 9th Street, in the amount of \$7,000.
- (4) 6,600 sq. ft. from Arthur S. Grier Estate, at 435-437 N. McDowell St. & 824-26 E. 8th St., in the amount of \$17,500.
- (5) 6,088 sq. ft. from Otis L. Young, at 227 N. McDowell Street, in the amount of \$18,000.
- (6) 15,750 sq. ft. from Roman Catholic Diocese of Charlotte, at 113 N. McDowell Street, in the amount of \$65,000.
- (7) 10,000 sq. ft. from Arthur S. Grier Estate, at 116 N. McDowell Street, in the amount of \$45,000.
- (8) 10,000 sq. ft. from James W. Crawford, at 116 N. McDowell Street, in the amount of \$200.00. (Tenant - Real fixtures.)

CONTRACT WITH DAY REALTY OF CHARLOTTE, INC. FOR SEWER TRUNK AND MAINS, APPROVED.

Upon motion of Councilman Alexander, seconded by Councilman Withrow, and unanimously carried, subject contract was approved with Day Realty of Charlotte, Inc. for construction of 2,700 linear feet of sewer trunks and mains to serve Kingstown Apartments on Toddville Road, outside the city, at an estimated cost of \$68,340.00.

APPROVAL OF THE PAYMENT OF FIVE MONTHS RENT AND MOVING COSTS FOR THE TEMPORARY RELOCATION OF BOB'S JEWELRY AND LOAN COMPANY FOR THE DOWNTOWN PROJECT AREA.

Motion was made by Councilman Whittington, seconded by Councilman Harris, and unanimously carried, approving the payment of five months rent and moving costs for the temporary relocation of Bob's Jewelry and Loan Company for the Downtown Project Area, in the amount of \$5,475.00, and forgive \$10,725.00 in rent that is due and in arrears.

CONTRACT AWARDED HARTSELL BROTHERS FENCE COMPANY FOR CHAIN LINK FENCE.

Councilman Short moved award of contract to the low bidder, Hartsell Brothers Fence Company, Inc., in the amount of \$8,100.00, for approximately 1,585 lin. ft. of Industrial Type Chain Link Fence, completely installed with gates, posts and barbed wire for the Street Division's sites at South Yard Site and Patch Avenue. The motion was seconded by Councilman Withrow, and unanimously carried.

The following bids were received:

Hartsell Bros. Fence Co., Inc.	\$ 8,100.00
Wilson Fence Company, Inc.	9,678.00
American Fence & Supply Co.	10,064.75

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CONTRACT AWARDED HARTSELL BROTHERS FENCE COMPANY, INC. FOR CHAIN LINK FENCE AT PATCH AVENUE.

Upon motion of Councilman Short, seconded by Councilman Whittington, and unanimously carried, the subject contract was awarded the low bidder, Hartsell Brothers Fence Company, Inc., in the amount of \$6,835.00, for 1,480 lin. ft. chain link fence at Patch Avenue.

The following bids were received:

Hartsell Brothers. Fence Co., Inc.	\$ 6,835.00
Wilson Fence Co., Inc.	8,552.00
American Fence & Supply Co.	8,968.80

CONTRACT AWARDED S. R. GILLIAM CONSTRUCTION COMPANY, INC. FOR SANITARY SEWER TO SERVE CARMEL SOUTH.

Motion was made by Councilman Withrow, seconded by Councilman Whittington, and unanimously carried, awarding contract to the low bidder, S. R. Gilliam Construction Company, Inc., in the amount of \$48,735.25, on a unit price basis, for sanitary sewer construction to serve trunk to Carmel South.

The following bids were received:

S. R. Gilliam Construction, Inc.	\$48,735.25
McWhirter Grading Company	59,938.50
Thomas Structure Company	86,336.00
Dickerson, Incorporated	90,817.00
Sanders Brothers, Incorporated	104,290.00

CONTRACT AWARDED CROWDER CONSTRUCTION COMPANY FOR GENERAL CONSTRUCTION OF PLAZA ROAD BOOSTER PUMPING STATION.

Councilman Withrow moved award of contract to the low bidder, Crowder Construction Company, in the amount of \$167,929.00, on a unit price basis, for general construction of the Plaza Road Booster Pumping Station, which motion was seconded by Councilman Short, and carried unanimously.

The following bids were received:

Crowder Construction Company	\$167,929.00
A. P. White & Associates	180,730.00
Blythe Brothers Company	185,500.00
Tadco Construction Company	189,700.00
C. W. Gallant, Inc.	191,161.00
Thomas Structure Company	198,500.00
Sanders Brothers	220,000.00

CONTRACT AWARDED AUSTIN ELECTRICAL COMPANY FOR ELECTRICAL CONTRACT FOR THE PLAZA ROAD BOOSTER PUMPING STATION.

Upon motion of Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, contract was awarded the low bidder, Austin Electrical Company, in the amount of \$74,382.00, on a unit price basis, for electrical contract for the Plaza Road Booster Pumping Station.

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The following bids were received:

Austin Electric Company	\$74,382.00
Ind-Com Electric Company	77,098.00
Bagby Elevator & Electric Company	78,755.00
Hensley & Mosley, Inc.	87,210.00
Bryant Electric Repair	89,500.00
Electrical Control & Engineering	92,430.00

CONTRACT AWARDED SANDERS BROTHERS, INC. FOR WATER MAIN CONSTRUCTION TO SERVE SHARONVIEW ROAD-OLD PROVIDENCE ROAD.

Motion was made by Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, awarding contract to the low bidder, Sanders Brothers, Inc., in the amount of \$301,133.08, on a unit price basis, for 16" water main construction to serve Sharonview Road-Old Providence Road.

The following bids were received:

Sanders Brothers, Inc.	\$301,133.08
Blythe Brothers Company	312,534.25
A. P. White & Associates	319,002.50
Thomas Structure Company	326,642.00
Harrison-Wright Company	336,770.80
Associated Equipment Company	346,279.32
Tadco Construction Company	444,700.00

JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE AND THE BOARD OF COMMISSIONERS OF MECKLENBURG COUNTY EXPANDING THE CHARLOTTE-MECKLENBURG HISTORIC PROPERTIES COMMISSION BY ADDING TWO MEMBERS.

Without objections from the City Council, Councilman Williams moved the adoption of a joint resolution of the City Council of the City of Charlotte and the Board of Commissioners of Mecklenburg County expanding the Charlotte-Mecklenburg Historic Properties Commission by adding two members. The motion was seconded by Councilwoman Locke, and carried unanimously.

The resolution is recorded in full in Resolutions Book 10, at Page 217.

NOMINATION OF PATSY KINSEY TO FILL A VACANCY ON THE HISTORIC PROPERTIES COMMISSION WHEN COMMISSION EXPANDED.

Councilman Williams placed in nomination the name of Ms. Patsy Kinsey for a one-year term on the expanded Historic Properties Commission.

INFORMATION ON DILLARD DRIVE EXTENSION REQUESTED GIVEN TO PLANNING COMMISSION AND THEY CONFIRM BACK TO COUNCIL THEIR RECOMMENDATION ON ZONING PETITION NO. 74-7.

Councilman Harris stated in connection with Petition No. 74-7 by Coca-Cola Bottling Company Consolidated for a change in zoning at the southwest corner of Milton Road and Dillard Drive, he would like to request that the action of City Council to extend Dillard Drive be given to the Planning Commission, and ask then to confirm back to Council whether or not their recommendation on the petition stands, or is changed by the action of Council.

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LETTER OF RESIGNATION OF COUNCILMAN FRED D. ALEXANDER.

Councilman Alexander presented the following letter of resignation:

"Honorable Mayor and Councilpersons:

It has been suggested that I should resign my seat as a member of the City Council of the City of Charlotte on November 26, 1974, or soon thereafter, due to my election to the North Carolina Legislature as a State Senator.

I do hereby submit my resignation as a member of the City Council of the City of Charlotte, North Carolina, to take effect immediately.

Sincerely,

Fred D. Alexander"

Councilman Short stated he and Mr. Alexander came on the Council together and he is most sincere when he says he will miss him tremendously.

Councilman Short moved that Council accepts Mr. Alexander's resignation effective immediately and congratulate him on the new horizons that he has cut out for himself. The motion was seconded by Councilman Whittington, and carried unanimously.

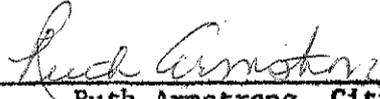
Mayor Belk stated he has enjoyed working with Mr. Alexander and will miss him; that he occupies a seat that he does not think can be filled as his presence has meant a lot to the growth of this city. He thanked him for the fine job he has done.

Councilman Whittington stated he has been on the Council ever since Mr. Alexander came on; that while they have differed on several things, they always came out friends because both of them, as well as everyone on this Council, has always been interested in what was best for the city. That even though they differed, they both reached the same end result. He stated Charlotte-Mecklenburg County will be better off with Mr. Alexander in Raleigh. He wished for him the best.

Councilman Withrow stated he has enjoyed working with Mr. Alexander also.

ADJOURNMENT.

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


Ruth Armstrong, City Clerk