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The City Council of the City of Charlotte, North Carolina, met in Regular Session on Monday, October 31, 1977, 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 the Reverend C. E. Dewberry, pastor of Gethsemane Baptist Church.

APPROVAL OF MINUTES.

Upon motion of Councilman Whittington, seconded by Councilwoman Locke, and carried unanimously, the minutes of the last meeting on Monday, October 24, 1977, were approved as submitted.

RULES SUSPENDED AND SUBJECT OF TRAFFIC LIGHT AT DR. CARVER ROAD AND WEST BOULEVARD PLACED ON AGENDA TO BE CONSIDERED AS FIRST ITEM OF BUSINESS.

Councilman Gantt referred to a recent memorandum from Mr. Burkhalter, City Manager, regarding a traffic signal and road improvements at Dr. Carver Road and West Boulevard. In lieu of the fact that Rev. Dewberry anticipated this item would be on the agenda today and the fact that these people have spent a tremendous amount of time coming back and forth to Council, Councilman Gantt moved that this matter be placed on the agenda today as the first item of business and a decision made on the issue one way or the other. The motion was seconded by Councilman Whittington.

Councilman Davis stated he would normally vote against a motion to place a non-agenda item at the beginning of the agenda, as the normal procedure to suspend the rules places the item at the end of the agenda, but since in talking with Rev. Dewberry today he informed him, in error, that it would be on the agenda, he would like to see it considered first.

The vote was taken on the motion to suspend the rules and consider this item at the beginning of the agenda and it carried unanimously.

TRAFFIC LIGHT TO BE PLACED AT THE INTERSECTION OF WEST BOULEVARD AND DR. CARVER ROAD.

Councilman Gantt stated last week Council considered and discussed in some detail with Mr. Corbett the alternatives that were available to the residents of Dr. Carver Road. That their perception of the problem is that they need a traffic light at the intersection of West Boulevard and Dr. Carver Road.

He stated that Mr. Corbett reported in some detail the fact that his findings did not indicate that a traffic light was needed; that the problem probably has more to do with finding an alternative access out of that particular area. That in that connection the Council asked him to consider a possible access route and the cost associated with such an access. That this week Councilmembers were sent maps showing the possible locations. One of those is parallel to West Boulevard and feeds into Donald Ross Road; the other one connects to Beachmount Avenue and Parker Drive, feeding directly into Remount Road. The cost associated with those improvements would be in the neighborhood of \$190,000.

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Councilman Gantt stated that in the discussion with Mr. Corbett last week he asked the question of what would be the possibility of placing a traffic signal that was activated only when residents or users were trying to get out of Dr. Carver Road? That Mr. Corbett indicated that the traffic signal would be approximately \$10,000. He stated in view of this and in view of the cost associated with trying to provide an additional access road, he would recommend that a traffic signal be placed at that intersection which would at least allow some relief for the people getting out of that area and that traffic signal be a trip-activated signal. That by doing this, at such time as the budget would allow the City to make an expenditure in the neighborhood of \$200,000, the traffic signal could possibly be removed and used in another location. That this would seem to be an equitable arrangement.

Councilman Gantt moved that a traffic signal be placed at the West Boulevard/Dr. Carver Road intersection. The motion was seconded by Councilwoman Locke.

In the discussion that followed Councilman Gantt stated the traffic signal did not need to be a permanent fixture when some improvements are found for access to the area. It was generally conceded that this was a unique situation, but Councilman Davis stated they need some justification to deviate from Mr. Corbett's priority setting procedures.

Councilman Davis questioned if Mr. Corbett has been able to look into this further this week. Councilwoman Chafin stated that Mr. Corbett came up with a \$190,000 alternative. Councilman Whittington read the contents of a report from Mr. Corbett for the benefit of those who had not read it, and stated the reason he supports the motion is that it is obvious that the City cannot build this road which is needed, but until we do this is a traffic hazard and the light should be installed to protect the ingress and egress and safety of those people who live there and go to church there until such time as there is a way to build a road from Dr. Carver Road to Donald Ross Road. That he is not so concerned about coming back to Parker Drive because West Boulevard is where all the traffic is. He hopes they can find a way to get Donald Ross Road to go to Wilkinson Boulevard and come back to West Boulevard.

Councilwoman Chafin stated the situation is unique in that there is no other way for the people who live in that area to get in and out of their neighborhood and it presents a severe traffic hazard problem at a variety of times and particularly on Sundays. That the church is having to employ their own security on Sundays. She is just not familiar with any other similar situation in the City.

Councilman Withrow stated the City allowed all of those apartments to be built in there and there is a low-income housing project on the right. With all of those people out there it is rather hard to get out into West Boulevard.

The vote was taken on the motion and carried unanimously.

ORDINANCE NO. 781-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE BY AMENDING THE ZONING MAP TO CHANGE ZONING FROM B-1 TO B-2(CD) PROPERTY LOCATED ON THE SOUTHWEST CORNER OF THE INTERSECTION OF INDEPENDENCE BOULEVARD AND HAWTHORNE LANE.

On motion of Councilman Gantt, seconded by Councilwoman Chafin, and carried unanimously, the subject ordinance was adopted amending Chapter 23, Section 23-8 of the City Code by amending the zoning map to change zoning from B-1 to B-2(CD), as recommended by the Planning Commission.

The ordinance is recorded in full in Ordinance Book 25, at Page 45.

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ORDINANCE NO. 782-Z AMENDING CHAPTER 23, SECTION 23-41 OF THE CITY CODE BY AMENDING THE TEXT OF THE ZONING ORDINANCE AS IT RELATES TO MAXIMUM DENSITIES ALLOWED WHEN CONSTRUCTING ONE-FAMILY ATTACHED UNITS.

Councilwoman Chafin moved adoption of the subject ordinance to amend the text of the zoning ordinance as recommended by the Planning Commission. The motion was seconded by Councilman Withrow and unanimously carried.

The ordinance is recorded in full in Ordinance Book 25, at Page 46.

CONTRACT WITH BETHLEHEM CENTER, INC., IN THE AMOUNT OF \$131,447, TO BE USED FOR A CONCENTRATED EDUCATION AND ENRICHMENT PROGRAM FOR SOUTHSIDE COMMUNITY DEVELOPMENT AREA RESIDENTS.

Councilman Whittington moved approval of the subject contract with Bethlehem Center, Inc.. The motion was seconded by Councilwoman Chafin, who requested that Ms. Lucy Gist, Director of Bethlehem Center, comment on this contract and state to Council if this is, in fact, what the Center wants.

Ms. Gist stated that this is the program they want; they are excited about the concept of the total family - the back-to-school, camping, elderly - the whole thing; they appreciate Council's interest and support.

The vote was taken on the motion and carried unanimously.

RESOLUTION RELATING TO THE RETENTION OF LAND IN THE FIRST WARD URBAN RENEWAL AREA, PROJECT N. C. R-79 FOR DEVELOPMENT OF 25 MULTI-FAMILY RESIDENTIAL HOUSING RENTAL UNITS FOR LOW AND MODERATE INCOME FAMILIES.

Motion was made by Councilman Gantt, seconded by Councilman Whittington, adopting the subject resolution.

Councilman Davis asked where the \$52,000 comes from for this project? Mr. Paul Bobo, Assistant City Manager, replied it comes from funds already budgetted.

The vote was taken on the motion and carried unanimously.

The resolution is recorded in full in Resolutions Book 13, at Pages 71 thru 77.

SECOND AMENDMENT TO THE FOURTH WARD LOAN AGREEMENT TO INCREASE THE AMOUNT FROM \$700,000 TO \$1,500,000; ORDINANCE NO. 783-X PROVIDING FOR A SUPPLEMENTAL APPROPRIATION FOR THE RECEIPT AND DISBURSEMENT OF LOAN FUNDS AND LOAN REPAYMENTS.

Motion was made by Councilman Gantt, seconded by Councilwoman Locke, and carried unanimously, approving a second amendment to the Fourth Ward Loan Agreement between the City of Charlotte and North Carolina National Bank, agent for participating lenders, to increase the amount from \$700,000 to \$1,500,000 for a total increase of \$800,000.

On motion of Councilman Whittington, seconded by Councilwoman Chafin, and carried unanimously, the subject ordinance was adopted providing for a supplemental appropriation for the receipt and disbursement of loan funds and loan repayments.

The ordinance is recorded in full in Ordinance Book 25, at Pages 47 and 48.

PLANTED MEDIAN CONCEPT TO BE IMPLEMENTED FOR FAIRVIEW ROAD, FROM SHARON ROAD TO PROVIDENCE ROAD; STAFF DIRECTED TO TRY TO LOCATE THE FUNDING.

Motion was made by Councilman Williams that the planted median concept be implemented on the section of Fairview Road between Sharon and Providence Roads, and that the staff be directed to try to locate funds for funding it. The motion was seconded by Councilwoman Chafin.

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Mr. B. A. Corbett, Director of Traffic Engineering, stated several months ago Council asked him to study the feasibility of installing a median on Fairview Road from Sharon Road to Providence Road. That Fairview was opened approximately a year ago; it is a five-lane section with the middle lane being set aside for vehicles to travel either direction in that lane and turn left. He stated this has caused some confusion among the people out there because they do not understand just what this fifth lane is for and frequently they turn left without getting into the center lane. The cross section, from curb to curb, is some 64 feet.

He stated they analyzed several different possibilities. In talking with a horticulturist, a planted median would require, in the center, a depth of at least 24 inches to sustain growth such as grass, trees and shrubs. For that reason they discarded a concrete median and instead went toward the planted median. He displayed a sketch of a planted median. If this is approved for construction, they would build the median, beginning at Sharon Road and extending to Providence Road, with openings at all of the major interesections. He pointed out on the sketch where each of the openings would be provided and where there would be left-turn storage lanes.

Mr. Corbett stated that since this project is state-maintained, he talked with the State about their interest in constructing a median. They advised that they would not be willing to participate in the funding of it, however they would have no objection should the City desire to proceed with it.

He stated the basic idea is that the planted median would provide some beautification on a road which presently is in a residential area and with the median left turn slots would be provided at all of the intersections. In some of the developed area there would not be openings at all of the homes so they would have to go to the closest intersection to make a U-turn to get back to their homes.

Councilman Davis stated that someone told Council at one time that it was State policy not to build medians, but that he has heard conflicting reports. He asked Mr. Corbett if there was a time when Council could have asked the State to put a median in here and gotten it at State expense?

Mr. Corbett replied the State was asked to put a median in this project before it was constructed, however, they declined; that this goes back several years ago when they were contacted and asked, he believes on two occasions. In both instances they declined.

Councilman Williams asked if the 24-inch width is as wide as it is going to be? Mr. Corbett replied the median will be approximately 12 feet wide; that the 24 inch he referred to is the depth of the median which is necessary to sustain growth. They would remove the pavement in order to get that depth.

In response to a question from Councilman Gantt, Mr. Corbett stated the total project is approximately two miles long and roughly one-half of it is concrete, the other half planted. Councilman Gantt expressed concern about the short spans of planted area, that it might be cheaper to continue the concrete. Mr. Corbett replied they could do that but the sketch attempts to show the maximum amount of planting they could put in under the circumstances.

Councilman Whittington asked Mr. Bobo where the money can be obtained to do this project? Mr. Bobo replied they would have to look for it; possibly from Powell Bill funds; and possibly there are some projects which have been completed where funds were left over. Councilwoman Chafin stated that Council's concern is that it would not come from Contingency Funds because that would wipe us out.

Councilwoman Chafin asked what she referred to as indirectly related questions. (1) What is being done to improve the intersection at Sharon and Fairview? She has received a lot of inquiries about that. (2) Where are we in our lighting on Fairview?

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Mr. Corbett replied that lighting has been authorized for the full length of Fairview; that Duke Power has that authorization in its hands along with several other projects. That they plan to put some little delineators, such as they have in front of City Hall, on the pavement markings within this very large intersection at Sharon and Fairview. This will enable motorists to see the paint lines when it rains at night.

Councilman Whittington asked Mr. Corbett why he is recommending a median from Sharon Road down to Valencia where it is all vacant? Mr. Corbett replied the best time to build a median is when there is no development on the sides of the road; that he thinks Councilmembers are familiar with what happens when you try to build a median when it is already developed. That he would much rather see an attempt being made now to build it than ten years from now after the property is all developed. He stated he would like to see this done like Tyvola Road - between South Boulevard and I-77. The median openings were established and all of the development that has taken place there must make use of the existing median openings.

Councilman Gantt stated he is concerned about where this project fits on their priority list of other roads that are coming up. Is Council, in effect, by approving this today putting it at the top of the list of road projects? He also stated that he is getting a little confused as to what the State's policy really is in regard to medians. That there were some people before Council three weeks ago concerning Albemarle Road. It is a state built road, yet we have a median there - the state says the median is not their policy but the city's policy but they put it in. Have they changed their policy since the time they built the road?

Mr. Corbett replied the only way he can answer that is to say that anytime they ask the State's support on medians they get different answers. That Council knows what the policy of the Traffic Engineering Department is on medians. He stated there is a vast difference between this Fairview Road project and Albemarle Road. Albemarle Road is a seven-lane facility; it is scheduled to carry close to 60,000 cars a day, which is as much as Independence carries now on its busiest days. Fairview does not have the development along it as does Albemarle Road and there will not be the traffic volume on it. As far as the State's position, they did support the City of Charlotte for a median on Albemarle Road; they did not support us in this case. Why? He can not answer that.

Councilman Williams stated the State is building the Plaza Road Extension and they are putting medians in. Mr. Corbett agreed, stating if they will recall, the citizens living along Plaza particularly asked City Council for a median with the majority of them being in favor of it, and for some of the same reasons that are being mentioned here. Most of it is a residential street and they like the atmosphere of the planted median.

Councilwoman Chafin stated she would like to share with Mr. Corbett some of the comments that several of the Councilmembers heard at a meeting on Sunday. One comment was that the engineers did too good a job with Fairview Road - they made it so straight that it encourages speeding; that there may be some truth to that, you get on it and just zoom. That the median will improve the safety situation.

Mr. Corbett stated, in answer to Councilman Gantt's question of priorities, that approval today does not give the Fairview Road project priority over any other projects that they have. All of the other projects listed in their CIP budget they need. There is no question about that, but he does feel that a median on this project is very important and should be put in before development starts along the road and it becomes an impossible situation.

Mayor Belk stated the last time we had bonds approved for roads was in 1973 and from now on we are going to be behind as we are out of money now.

Councilman Davis asked Mr. Corbett to point out the authorized pedestrian crossings between Sharon Road and Providence. Mr. Corbett replied there are two places at the present time - one is at the Swim Club where, when the

culvert was built a third section was provided for a pedestrian underpass under Fairview Road. The other location is at Carmel Road where pedestrian signals were recently installed to function with the traffic signal. At Councilman Davis' request he pointed out the only school that fronts on the project at the present time - Country Day.

Councilman Davis asked how medians affect traffic safety in terms of pedestrian crossing, either at authorized places or at unauthorized locations? Mr. Corbett replied they do provide a place where a pedestrian crossing the road, rather than cross all of it, can cross half of it and find refuge on the median until he can find a break in traffic from the other direction.

Councilman Davis stated he would like to see this median built and will probably vote for it. That it is an important matter. That based on the experience Council has had in the past on medians, it is important that they hear from residents of this area who will be immediately affected by it. He has heard from a few of them but does not think that many of them know what is being considered today. He hopes that Councilman Williams will permit a delay in this decision in order to give time for public reaction. He would hate to have the road dug up and put in the median and then have a bunch of irate citizens come down. He cannot imagine why they would complain about it but he would still like to have its construction confirmed by a little positive citizen in-put.

Councilman Williams stated that of course the money has to be found before any work can start; that the time between now and the uncovering of money ought to be sufficient for citizen response.

Mr. Peter Gerns, 3125 Mountainbrook Road, stated he speaks for this motion as a representative of the Council of Southeast Homeowners Association which is composed of some 15 homeowners extending from Huntingtowne to Rama Road. The Association has worked for the inclusion of the median for some time. He, personally, has gone to Raleigh and talked with Mr. Riggs about the median, the different ways it can be placed, and he urged the Council to give its strong support to Councilman Williams' motion for the median on Fairview Extension.

He stated originally there was supposed to be a median, but through some imaginations in Raleigh, the median was dropped. Unfortunately, as he recalls and he believes he attended all of the meetings pertaining to Fairview Extension, nothing was ever said at any of these meetings that the median was not to be included. It was either assumed there would be a median or they were told there would be one. That if this statement had been made at the time of the public hearings he thinks they would have heard a hue and cry over the exclusion of the median. He is sorry that the City now has to consider spending as much as \$250,000 in putting in a 24-inch deep planted median. He stated the organization he speaks for is unanimous in its support of this median. He hopes Council will give this a fairly high priority for the reason that there are accidents lurking along that road, especially at night when you really cannot see the lanes.

Mr. Woody Fox, 5401 Hardison Road, stated as a resident of that area he speaks against the median. He only came to listen today, but since the trend seems to be toward the median he will make a few comments. He travels the road every morning on his way to work. Personally, he thinks the drawing shows a very beautiful project and he is in favor of it from the aesthetic standpoint, but from the cost standpoint he has to object to it. That the road has already been built without the median and it would be a waste of funds to go back and spend close to a quarter of a million dollars to put the median in just for aesthetics. As he understands it, that is the only reason for it. That he does not have all of the facts and figures, but he does not see that safety is a factor in this particular median when you have all the cuts that Mr. Corbett has talked about. He used Atlanta as an example for just pure traffic control, in what they have done with their five-lane system and what it has done for moving traffic. He stated his entire contention is the price tag - he likes the idea of greenery but cannot see spending taxpayers' money to put in a median now just to upgrade the area.

The vote was taken on the motion and carried unanimously.

LEASE WITH FEDERAL AVIATION ADMINISTRATION FOR SPACE IN FAA BUILDING,
AT AIRPORT, APPROVED.

Councilwoman Locke moved approval of a lease with the Federal Aviation Administration for 2,934 square feet of space in the FAA Building, at a rate of \$5.50 per square foot for a term of 12 months. The motion was seconded by Councilman Whittington, and carried unanimously.

RESOLUTION RELATING TO PARKING SPACES FOR CITY EMPLOYEES FAILS TO CARRY.

Motion was made by Councilman Davis to adopt his proposed resolution relating to parking spaces for city employees. The motion was seconded by Councilman Williams for discussion.

The resolution is as follows:

WHEREAS, the City of Charlotte wishes to decrease the number of motor vehicle trips attracted to and generated by the governmental operations of the City of Charlotte; and

WHEREAS, the City wishes to demonstrate its commitment to controlling and coordinating the supply of all-day commuter parking in the Central Business District; and

WHEREAS, the City wishes to demonstrate its commitment to converting automobile commuter trips to transit commuter trips;

NOW, THEREFORE BE IT RESOLVED, that the City of Charlotte will - on the city-owned property used for parking and bounded by Fourth, Third, Davidson and Alexander Streets - change the existing distribution of parking spaces from forty two (42) metered public spaces, forty-three (43) spaces for city-owned vehicles and two hundred and twenty-eight (228) spaces for the private vehicles of City employees to one hundred and thirteen (113) metered public spaces for short terms use only (less than four hours), seventy-five (75) spaces for city owned vehicles and one hundred and twenty-five (125) metered spaces for the vehicles of public employees for long term use (more than six hours).

BE IT FURTHER RESOLVED, that the City of Charlotte will offer transit service for at least the morning and evening peak periods in areas where, in the professional opinion of the City's Transit Planner, there exists adequate potential demand because of public employee concentrations to justify providing such transit service.

Councilman Williams stated it was his understanding the county employees were charged for their parking; now he has been told that is incorrect. Mr. Bobo, Assistant City Manager, replied he asked the County what they were charging for their employees, and they said the only charge they have is a \$3.00 deposit for a card that will activate the gate.

Councilman Gantt stated he appreciates what Mr. Davis is trying to do in putting into action some specific concerns of this council with regard to the public transportation policy. That he guesses Mr. Davis feels we should clean our own house before asking the public to do certain things. The problem he has with the resolution is that it tends to be punitive to some employees and not to others. There are people going to work over in the Cameron Brown Building who do not have to pay anything for parking, and they are in the governmental plaza. Those employees who find themselves having to park in this parking lot because of circumstances of where they work, finds themselves with a parking fee tacked on. That if we are going to require parking fees to increase the possibility of people using the bus system, then we should apply that equitably to all persons driving their automobiles.

Councilman Whittington stated if this resolution is passed, it will cause the city employees to move from this area, and find free parking spaces in places such as church parking lots and other places. There is no way to do this unless it is made uniform, and the county and city do the same thing. When that time comes he would be in favor of the resolution.

Councilwoman Chafin stated she also appreciates Mr. Davis' concern, and basically supports the concept, and she hopes we will move towards this. But she thinks we need a comprehensive approach with some cooperation from the county, and providing as indicated in the resolution, some positive incentives to our employees to ride our buses.

She stated this is kind of a piece meal approach to the rider complex problem. Councilman Withrow stated we should eliminate the council parking spaces and let them ride the bus.

Councilman Davis stated he would like to address several of the concerns expressed by the council members, and some of those included in the agenda materials. On the question of equity - you cannot be equitable to all employees. To begin with, they all drive different distances to work, and we cannot make their employment the same distance for every employee. They have to live with that. We could never make it completely equitable. A year and half ago we determined that free automobiles and free parking were not a part of the employee compensation package. So this is done for the convenience of the city. This is not in any way punitive to have this changed for the convenience of the city. As far as treating the city and county the same, he thinks while we have separate political bodies we have to deal with our own situation, and not wait for guidance from the county. The problem of the "flop over" of county parking in the city lots, and city parking in county lots exists now, and may continue to exist. As far as free parking spaces around, that is great, and we can get some revenues from our city property, and let these employees park free elsewhere.

Councilman Davis stated as far as making a comprehensive approach to it, he thinks you have to start somewhere. If Council acted today to eliminate 900 parking spaces, it would be mass chaos tomorrow morning. By making a small movement in the beginning, and indicating that our policy is to reduce the city's involvement in the operation of parking facilities and lots, would be a constructive move. By doing it in this manner, this would give the private sector of the economy time to react and provide whatever parking spaces are needed down here.

To address the other issue raised by Mr. Bobo in his memo. His number one item says we are arbitrarily taking away a privilege. This is not in the privilege category; it is for the convenience of the city. He hopes no one thinks this action has been arbitrary.

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Councilman Davis stated he has been making proposals along this line for 18 months now. He stated there is nothing whimsical or impulsive about it. That it is very well thought out and planned so that every Councilmember, consultant, Planning Commission and members of the Community could venture into this.

He stated there would be some employees that would enjoy free parking during this phase down; but the City Manager would be free to take some administrative action to assess a small charge on them if the matter of equity was a concern.

That under Item 2, there are a number of employees whose cars are necessary for carrying out their daily responsibilities - this is true and it names, for example, 40 building inspectors. He stated this does not entail any obligation for the City to provide parking. To begin with, the City does not provide their automobiles. They are asked to use their own privately-owned vehicles. The City does not undertake to provide the maintenance, the gas, the oil or the tires; they do this themselves. That he would presume they are compensated for this in a reasonable manner that is satisfactory to them. The compensation, if necessary, could be adjusted but just to single out one item, like parking, and say because they are using their own cars, we have to provide parking - does not hold water.

Councilman Davis stated the memo says 18% of the employees live in areas where bus service is not available; that the percentage for employees in private sectors is much higher than that. Here again, this is a fact of life, we cannot economically make bus service available for 100% of the population. That we are looking toward a Mass Transit System but there will be a few people for whom the taxicab might always be a more efficient means of transportation.

He stated this would be a small move - a kind of token nature, but it is important to him because he has been on the Council for two years now and it was one of his major platform considerations in 1975. That 18 months ago, he asked the Planning Commission for some specific suggestions about devices we could use to discourage the use of automobiles and received nothing specific back from that. That 15 months ago, during the Budget Session, he made a proposal to eliminate some of the city automobiles on a phase-out program and free parking - this did not gain favorable approval. One year ago, he asked the Transit Planner to give us some specific devices to encourage transit and discourage automobiles and had a series of postponements on that, saying they had a Comprehensive Program which was going to be put before Council. He stated he was disappointed that Council was not given more specific things to enable them to indicate the direction this policy was going to take.

Councilman Davis stated four months ago, during the Budget Sessions for this year, he again moved the reduction of automobiles and free parking. At that time, they were told not to confuse this with the budget consideration and they should take this up separately. That he is now bringing this up separately and it is important to him to indicate Council's support of transit in a tangible way. This is an opportunity for Council to say "this is going to be our policy; this is a small move and we can expect more of this nature." or it is an opportunity for Council to say "We're pouring tax money into the transit system", which has been a demonstrated way to fail in other parts of the country, and we continue to study and do nothing.

Councilwoman Locke stated in the memo it says the Transit Department is completing a report which it proposes to submit to Council in January. She thinks all of what Mr. Davis says is well and good; but at this point in time, our transit system is not able to take care of those people that would probably ride the bus as we do not have circular routes; there are so many things we need to do with the transit system. Councilman Davis asked if she said we are not able to take care of them? Councilwoman Locke replied at this point in time the bus system cannot take care of some of the people we would like to take care of. That 18 percent of the employees do not even live on bus routes. We will have to go to the taxpayers again and ask them in a bond referendum to subsidize the bus system so that we can have circular routes; so we can have outlying parking areas

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for people to park and come into town at peak hours. Councilman Davis replied there is one in operation on E. Independence Boulevard right now; we have had several other. Councilwoman Locke stated she thinks we will have to subsidize the bus system a little more, and get outlying parking areas, and use shuttle bus systems coming in. At that time, then we can face this issue. For the time being she thinks it will have to sit, and allow the transit office come back to Council with their recommendation.

Mayor Belk stated the whole thing seems crazy if you take an unfair advantage of a group of people; that he would hope we always have a parking problem around here because if we do not, we will have a dead city. That there is plenty of parking out in the cemetery lot, if you want to go out there; you could bus all those people out there and not a one of them will ever come back - if you want a dead city, we will not have a parking problem. He would hope we always have a parking problem and he would hope we can solve it without taking an unfair advantage of a group of people who work for the City.

He stated he was over in Statesville, North Carolina about two weeks ago and they do not have any parking problems downtown. That five years ago, they had a parking problem but now everyone has moved out and left them. They do not have a parking problem now.

Councilman Davis asked Mayor Belk if he understood the resolution and Mayor Belk replied he has read it but he did not understand it. Councilman Davis stated the resolution does not eliminate parking but changes it from parking reserved for employees to parking available to any member of the public, including city employees.

Councilman Davis stated on Mondays, when we have Council Meetings and a large turn-out of the public, we get a lot of complaints from people who cannot find a parking space and this would at least give the taxpaying citizens who support the parking lot, an opportunity for a few more parking spots out there.

Councilman Williams stated most of the employers in the downtown area do not provide free parking for their employees. Councilwoman Locke stated most of the big employers do provide free parking, Duke Power, Observer and others. Mr. Paul Bobo, Assistant City Manager, stated the Library provides free parking for their employees.

Mayor Belk stated five years ago you could go to downtown Statesville and you could not even get close to stores; you would have to park about two blocks away. He stated now there is plenty of parking because it is a dead city. That he is saying let's do something with the problem now instead of waiting until the problem dies and then it is too late - this is what a lot of towns do. He stated if you wanted to solve the parking problem, instead of penalizing those who are using it, you want to make it more convenient to them.

Councilman Williams stated it different for employees than for customers because employees do not have much choice - they have to go there to work. Mayor Belk stated these are the ones you are penalizing - the ones who have to go there.

Mayor Belk stated we ought to have a certain spot to take care of the crowd when they want to come and it would be a good idea to advertise that parking would be provided. That he would be in favor of buying that next block and saying that no one could park there unless they are going to come to the Council Meeting. He stated he thought Councilman Davis had a good point with this idea. That it ought to be convenient for the citizens to come in if they want to talk with Council where they would have a free parking spot.

Councilman Williams asked what would happen if the City built an office building on that spot and Councilwoman Locke stated part of the lot would have to be divided for parking.

Councilman Davis stated we all like our cars and like to go shopping but it bothers him that we have had one serious energy crunch and the experts tell us that we are certain to have another one and a longer lasting one because of world wide shortages. That it bothers him to go blithely along our way and become a fair sized city and not have any viable alternative to the private automobile.

Councilman Gantt stated the problem is really more symbolic at this point than substantive and he does not know whether that will have any significant impact on what Council wants to do particularly as it relates to the downtown area. That we have parking studies, commissions and some people looking into the parking in the downtown area and he understands from the memorandum from Paul Bobo that Council is supposed to be getting something else related to a recommendation from Transit with regard to this. He stated he really does want to see the big picture of what it is that we need to be doing in that area. That it seems to him if we pay these consultants, maybe we ought to hear what they have to say before we take any action.

He stated he had the feeling when he read the memorandum that we were talking about 113 parking spaces and while it is a symbolic gesture to say we want to do right and try to clean up our own house, it just does not seem to hold water in light of some other things that may be in the works.

Councilman Davis stated it is symbolic and the substantive part is because it indicates a change in our policy; that the City is going to get out of the business of providing parking.

Councilman Withrow called the question. The vote was taken on calling the question, and carried unanimously.

The vote was taken on the motion to adopt the resolution, and failed to carry on the following vote:

YEAS: Councilmembers Davis and Williams.

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

RESOLUTION ENDORSING THE STATE CLEAN WATER BOND REFERENDUM.

Upon motion of Councilman Gantt, seconded by Councilwoman Chafin and unanimously carried, the resolution endorsing the State Clean Water Bond Referendum in the amount of \$230 million on November 8, 1977, was adopted.

The resolution is recorded in full in Resolutions Book 13, at Page 78.

CRITERIA FOR SELECTING SATELLITE FACILITIES SITES, APPROVED.

Motion was made by Councilman Whittington, seconded by Councilwoman Chafin, and unanimously carried, approving the criteria for selecting satellite facility sites.

RESOLUTION AUTHORIZING THE CONVEYANCE OF SURPLUS FIRE ALARM BOXES TO THE CHARLOTTE-MECKLENBURG FIRE MUSEUM, INC.

Councilwoman Locke moved adoption of the subject resolution authorizing the conveyance of 285 surplus fire alarm boxes to the Fire Museum, Inc. The motion was seconded by Councilman Whittington, and carried unanimously.

The resolution is recorded in full in Resolutions Book 13, at Page 79.

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RESOLUTION PROVIDING FOR THE ISSUANCE OF \$4.4 MILLION SANITARY SEWER BOND ANTICIPATION NOTES.

Councilman Gantt introduced a resolution entitled: Resolution Providing for the Issuance of \$4,400,000 Sanitary Sewer Bond Anticipation Notes.

Thereupon Councilman Gantt moved the passage of the resolution entitled: "Resolution Providing For the Issuance of \$4,400,000 Sanitary Sewer Bond Anticipation Notes", and Councilman Withrow seconded the motion, and the resolution was passed by the following vote:

AYES: Councilmembers Gantt, Withrow, Chafin, Davis, Locke, Whittington, and Withrow.

NOES: None.

The resolution is recorded in full in Resolutions Book 13, beginning at Page 80 and ending at Page 84.

ORDINANCE NO. 784-X EXTENDING THE CATV FRANCHISE CURRENTLY HELD BY CABLEVISION OF CHARLOTTE UNTIL JANUARY 9, 1978.

Councilman Whittington moved adoption of subject ordinance extending the CATV Franchise currently held by Cablevision of Charlotte until January 9, 1978. The motion was seconded by Councilman Williams.

Councilwoman Locke asked what arrangements had been made with Cablevision currently as far as money is concerned between now and January 9, 1978 and Mr. Charles Buckley, Assistant City Attorney, replied they will operate under the existing terms.

Councilwoman Locke asked about the existing terms and Mr. Buckley replied the fees remain the same as listed in the ordinance. He stated there are eight points being discussed. Councilwoman Locke asked if there was any kind of agreement on any of the eight issues and Mr. Burkley replied they are very, very close; that there have been a couple of problem areas and that is why they are asking for an extension.

Mayor Belk stated at first Council gave the franchise to two different people and it did not work out and then they came back and gave the franchise to one company, which was a lot better approach. You can understand why they were trying to let both of them work it; but it was too much capital to invest for the amount of places they had. They cannot afford the overall coverage. What they are arguing about now is how do you compromise.

Mayor Belk stated everyone that can afford cablevision should have a chance to have it. That Charlotte is not getting the service they should with this franchise. Therefore, we should push them for service for those who want it - this is what they are compromising on.

Councilwoman Locke stated if the issues are not settled pretty soon, then Council ought to just say let's go on and find somebody else. Mayor Belk replied we have a certain obligation to the ones who are already doing it if they will be reasonable. Councilwoman Locke stated that is right - if they are going to be reasonable - that Council has extended and extended and extended the franchise, well over a year.

Councilwoman Locke stated she would like to say for the record that if they cannot reach any kind of compromise within a certain period of time, such as January 9, 1978, she would be willing to say let's forget it and go on and find another franchisee for this.

Councilman Whittington stated he appreciates what Ms. Locke said but they have the franchise and they have somehow got to provide the services. Councilwoman Locke stated there are other companies and Councilman Whittington replied he did not see any of them trying to get the franchise. Councilwoman Locke stated the other companies have not been approached in any way.

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Mayor Belk stated we have a certain obligation to the one we are working with if they can meet the demands. Councilman Whittington stated Staff should be allowed to work this out first.

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

The ordinance is recorded in full in Ordinance Book 25, at Page 49.

RESOLUTION ESTABLISHING A PUBLIC HEARING ON THE QUESTION OF ADOPTING A NEW WATER AND SEWER RATES AND CHARGES.

During the discussion on the subject resolution, Councilman Whittington stated he thought this Council should try to resolve this if staff can come up with the information; that he does not think this is something that should be left for the new Council that will take office. Mr. Bobo, Assistant City Manager, stated it is possible this can be resolved within the next two weeks.

Motion was made by Councilman Withrow, seconded by Councilman Davis, and un-animously carried, to adopt the resolution setting the public hearing for Monday, November 21, 1977, Educational Center, at 7:30 P.M., which resolution is recorded in full in Resolutions Book 13, at Page 85.

RESOLUTION CALLING FOR A JOINT HEARING BY THE CITY COUNCIL AND THE CHARLOTTE-MECKLENBURG HISTORIC PROPERTIES COMMISSION ON THE QUESTION OF DESIGNATING HISTORIC PROPERTIES.

Upon motion of Councilman Gantt, seconded by Councilman Withrow, and un-animously carried, resolution was adopted calling for a joint public hearing on Monday, November 21, 1977 on the question of designations of the exterior of the structure known as "Sugar Creek School House", and the residential structure and real property known as the "Vanlandingham Estate" as historic properties.

The resolution is recorded in full in Resolutions Book 13, at Pages 86 and 87.

Councilman Davis stated the agenda material stated there is an enclosure which gives the owner's reaction to these designations, but he could not find this in the material. Councilwoman Locke stated the minutes of the Historical Properties Commission went out today, and it stated the owners were in agreement with the designation. Councilman Davis requested the Assistant City Manager to forward him a copy of this material.

WITHDRAWAL OF NAME FROM NOMINATION TO THE WTVI, INC. BOARD OF DIRECTORS, AND JUDITH N. RANSON APPOINTED FOR UNEXPIRED TERM.

Councilman Whittington stated he would like to remove the name of Ms. Vickie Cleaves from consideration of appointment to the WTVI, Inc. Board of Directors.

Motion was made by Councilwoman Locke, seconded by Councilman Whittington, and un-animously carried, appointing Ms. Judith N. Ranson to the WTVI, Inc., Board of Directors to fill an unexpired term to expire December 31, 1977.

APPOINTMENTS TO CHARLOTTE AREA FUND BOARD OF DIRECTORS, DEFERRED.

Councilman Williams stated he would like to apologize to Councilmembers for not getting a resume of Mr. Lewis W. Davis to them before today's meeting. Councilwoman Chafin stated she has not sent in the resume on Mr. Thomas M. Ingram either. Each of the names had been placed in nomination to be considered at this meeting.

Councilman Williams moved that Council defer consideration of appointments to the Charlotte Area Fund Board of Directors. The motion was seconded by Councilwoman Locke, and carried unanimously.

AWARD OF CONTRACTS.

1. On motion of Councilwoman Locke, seconded by Councilman Whittington, and carried unanimously, contract was awarded to the low bidder, Blythe Industries, in the amount of \$12,990.25, on a unit price basis, for construction of Stockwood Drive pedestrian bridge.

The following bids were received:

| | |
|----------------------|--------------|
| Blythe Industries | \$ 12,990.25 |
| Crowder Construction | 15,249.00 |
| Hickory Construction | 15,938.50 |
| Sanders Brothers | 19,472.00 |

2. Councilman Withrow moved award of contract to the low bidder, Blythe Industries, Inc., in the amount of \$161,230, on a unit price basis for Southside Community Development drainage improvements, Phase I. The motion was seconded by Councilwoman Chafin, and carried unanimously.

The following bids were received:

| | |
|------------------------|--------------|
| Blythe Industries | \$161,230.00 |
| Crowder Construction | 163,841.50 |
| Sanders Brothers, Inc. | 192,404.00 |

PURCHASE OF ADDITIONAL SCOTCHLITE MATERIAL FROM MINNESOTA MINING AND MANUFACTURING COMPANY ON EXISTING CONTRACT, APPROVED.

On motion of Councilman Whittington, seconded by Councilman Withrow, and carried unanimously, approval was given for the purchase of 24,300 square feet of additional Scotchlite material on the existing contract at the same unit cost quoted in 1976.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO RONALD D. SMITH AND WIFE, RACHEL S. SMITH; T. LaFONTINE ODOM, TRUSTEE; AND BRICE M. HORTON AND WIFE, EDITH C. HORTON; LOCATED AT 1025 LITTLE ROCK ROAD, IN THE COUNTY OF MECKLENBURG, FOR ANNEXATION FIRE STATION SITE, LITTLE ROCK ROAD PROJECT.

Motion was made by Councilwoman Chafin, seconded by Councilman Withrow, and unanimously carried, adopting the subject resolution to authorize condemnation proceeding for the acquisition of property for annexation Fire Station site.

The resolution is recorded in full in Resolutions Book 13, at Page 88.

CONSENT AGENDA APPROVED.

Upon motion of Councilwoman Locke, seconded by Councilman Withrow, and carried unanimously, action was taken on Consent Agenda items as follows:

1. Adoption of a resolution announcing an intent to exchange land in the West Morehead Community Development Target Area with James Lewis Griffin and wife, Mary M. Griffin.

The resolution is recorded in full in Resolutions Book 13, at Pages 89 and 90.

2. Approval of a loan to Harold C. Quinn and wife, in the amount of \$49,950 for the purchase and restoration of property at 513 North Pine Street in the Fourth Ward Urban Redevelopment Project Area.

- 3. Adoption of a resolution stating an intent to close portions of Mavis Street and Johnson Street, in the Greenville Urban Renewal Project N. C. R-78, and calling a public hearing on the question on Monday, November 28, on petition of the Community Development Department.

The resolution is recorded in full in Resolutions Book 13, at Pages 91 and 92.

- 4. Approval of an open non-exclusive contract with Holder and South Realtors, Inc., for real estate broker's service in Brooklyn Project No. N. C. R-43.
- 5. Approval of contracts for construction of sanitary sewer mains, as follows:
 - (a) Contract with John Crosland Company for the construction of 3492 linear feet of 8-inch sanitary sewer main to serve Sardis Woods III, outside the city, at an estimated cost of \$52,380.
 - (b) Contract with P. J. Development Company for the construction of 1006 linear feet of 8-inch sanitary sewer mains to serve Old Saybrook Subdivision, inside the City, at an estimated cost of \$15,090.
 - (c) Contract with Syragan Realty, John Crosland Company, Agent, for the construction of 4193 linear feet of 8-inch sanitary sewer lines to serve Idlewild South-Section II, inside the city, at an estimated cost of \$62,895.

- 6. Approval of the following property transactions:

- (a) Acquisition of 204' x 813.52' x 202' x 758' of land at 6201 Delta Road, from First Union National Bank of N.C., Trustee under will of C. S. Hollifield, at \$16,500, for annexation fire station sites.
- (b) Acquisition of 40,000 square feet of land at 1917 Sugar Creek Road, from Louis G. Ratcliffe, Jr., et ux Margaret and Joseph S. Ratcliffe et ux Nancy D., at \$38,250, for annexation fire station site.

- 7. Adoption of ordinances ordering the removal of weeds, grass, trash and limbs from properties in the City:

- (a) Ordinance No. 785-X ordering the removal of trash and rubbish from vacant lot adjacent to 905 Rodey Avenue.
- (b) Ordinance No. 786-X ordering the removal of weeds and grass from lot adjacent to 804 Crater Avenue.
- (c) Ordinance No. 787-X ordering the removal of weeds and grass from lot at 218 West Independence Boulevard.
- (d) Ordinance No. 788-X ordering the removal of weeds and grass from vacant lot at 2813 Lake Avenue.
- (e) Ordinance No. 789-X ordering the removal of weeds and grass from vacant lot at 401 North Pine Street.
- (f) Ordinance No. 790-X ordering the removal of weeds and grass from lot at 408 West 7th Street.
- (g) Ordinance No. 791-X ordering the removal of weeds and grass from vacant lot adjacent to 708 East Boulevard.
- (h) Ordinance No. 792-X ordering the removal of weeds and grass from lot at 1615 Beatties Ford Road.
- (i) Ordinance No. 793-X ordering the removal of weeds and grass from vacant lot adjacent to 2401 Celia Avenue.
- (j) Ordinance No. 794-X ordering the removal of weeds and grass from vacant lot at 2419 Cedlia Avenue.
- (k) Ordinance No. 795-X ordering the removal of weeds and grass from 1225 and 1229 Louise Avenue.
- (l) Ordinance No. 796-X ordering the removal of weeds and grass at 1519 Sunnyside Avenue.
- (m) Ordinance No. 797-X ordering the removal of weeds and grass at 4309 The Plaza.

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- (n) Ordinance No. 798-X ordering the removal of weeds and grass from vacant lot adjacent to 3103 North Myers Street.
- (o) Ordinance No. 799-X ordering the removal of weeds and grass in 700 block of East 27th Street.
- (p) Ordinance No. 800-X ordering the removal of weeds and grass at 2009 Bentley Place.
- (q) Ordinance No. 801-X ordering the removal of weeds and grass at 2615 Duncan Avenue.
- (r) Ordinance No. 802-X ordering the removal of trash and limbs from 1809 Logie Avenue.
- (s) Ordinance No. 803-X ordering the removal of trash and limbs at 3328 Ritch Avenue.
- (t) Ordinance No. 804-X ordering the removal of abandoned vehicle at 1939 Thurmond Place.
- (u) Ordinance No. 805-X ordering the removal of abandoned vehicle at 2615 Duncan Avenue.

The ordinances are recorded in full in Ordinance Book 25, beginning at Page 50 and ending at Page 70.

POLICE ACTIVITIES AT DALTON VILLAGE.

Councilman Whittington stated he read in the newspaper last week that the Police Department is going to remove the police activity in Dalton Village. That is all he knows about it, that they said they were going to remove it. He stated before that is done he thinks Council ought to be informed of this and why; that most of them have been speaking to the effectiveness of that police activity and have hoped it would be expanded to other areas.

Mr. Bobo stated he would get a report on this.

CITY PERSONNEL MEETS WITH MINORITY BUSINESS PEOPLE TO ACQUAINT THEM WITH PROCEDURES FOR SECURING CITY CONTRACTS.

Councilman Whittington stated on October 26th at Belmont Center the Department of Public Works, the Engineering Department, Assistant City Manager Wylie Williams, the Utility Department put on a very informative presentation on minority business enterprise. There were about 50 or 75 minority business people participating and asking questions, etc. That he believes they went away from there better informed on the ways the City is trying to help them in the bid process and in the marketplace and the entree to get some of the contracts that they have not had before.

COMMENTS OF MAYOR AND COUNCILMEMBERS ON CHARLOTTE AREA FUND; ITEM TO BE PLACED ON AGENDA FOR MEETING OF NOVEMBER 7, 1977.

Councilwoman Chafin stated several weeks ago the Charlotte Area Fund came to Council with a request for funds. Since that time they have been to the County and their request was denied. That she understands there are some very basic legal problems in Council making any sort of allocation to them along the lines they are requesting. She also understands that until such time as they deal with this, the City cannot sign the federal forms that they need. She asked if that is to come back to Council, or has that been taken care of?

Mr. Bobo stated it is his understanding that it is to come back to Council.

Councilwoman Chafin stated they are under a time crunch.

Mayor Belk stated he would recommend they dissolve it; it is the most worthless thing we have had. Councilman Withrow agreed.

Councilwoman Chafin stated there are some very basic problems with it and she hopes when it is placed on the agenda Council can deal with them.

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The Mayor stated he does not know of anything worse in the City than them. They do not do anything.

Councilwoman Chafin stated they have the potential to do something. Mayor Belk replied they had that ten years ago. Councilman Gantt stated he wished the Mayor had told them that when they were here, but then he added that the Mayor was not here, but out of town, when representatives of the Area Fund last appeared before Council. The Mayor stated he has been telling them that all along.

Councilman Whittington stated he had some calls last week from black people stating Council should get rid of the Charlotte Area Fund.

Councilman Davis stated he voted against reappointing Arthur Lynch last week and he was almost ready to vote against Lewis Davis today. That he does not think Council should appoint a new director and send him down there knowing that they do not support the thing. That they should bring this to a vote and determine if they are going to support it. In all conscience, he cannot vote for someone and send them down there to do a job and say "We are not going to back you up."

Councilwoman Chafin stated that when the Board members came before Council at her request, they were not prepared and there was not much time. She agreed with the Mayor that all of them did not show up.

Councilman Gantt stated it would make a lot of sense if they want to have a discussion on the merits of the program to inform them of what Council wants. That previously it was poorly handled in that they did not understand what it was that Council was after; that they need to be more specific and send them a letter saying that Council wants some justification of why they need to support the program. That all Councilmembers have been receiving a lot of data from that organization and that Councilwoman Chafin is right - Council needs to say one way or the other what they want to do. That they certainly know the Mayor's feelings on it now.

Mayor Belk stated this is an old agency. That the Area Fund got crossed up when they started the program and it was called Model Cities. Every city had the same thing, perhaps calling it something else. Basically what Council felt at the time was that unless it came in under the City, we did not want anything to do with it. Model Cities came in under the City operation and they tried to get the City and County to do Model Cities. The Charlotte Area Fund would not go along with that; they wanted to have another agency so they kept their operation on another thing and we never had anything to do with it. The City operated Model Cities. In his opinion Model Cities was worth about 10 percent of the money the City gave them. We got the County to go along with it. He stated we made a lot of bad mistakes on Model Cities by having certain sections instead of the whole area. The Charlotte Area Fund held on to theirs and we are still fighting them. Now Model Cities has gone out of existence because it was not any good and it was a lot better than the Charlotte Area Fund. Nevertheless, you have the same problem and they are still not doing any good. He stated he has never been in favor of the Charlotte Area Fund. They and the Model Cities program ended up fighting because one came straight from the federal government and the other came under the city from the money angle and the city got the county to go along. The County still will not mess with the Charlotte Area Fund.

Mr. Bobo stated the City does provide some indirect service to the Area Fund even now, transportation, office space, etc.

Councilwoman Chafin stated she can speak to it and she plans to speak at length when it is on the agenda. She has some very definite feelings about where it has been and where it is today. In all due respects, she will have to disagree with the Mayor. That the Charlotte Area Fund made some lasting contributions to this community. There are many programs operating that would not be in existence today were it not for the Area Fund, including the Manpower Program, Hot Meals for the Elderly, Legal Aid, the Neighborhood Center concept, many of our youth programs, senior citizen programs, etc.

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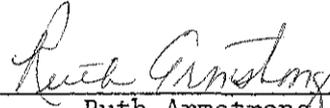
She stated that today she does not know what they are doing; she cannot see any visible evidence of their effectiveness and she is greatly concerned. The only program they are operating that she can justify is Headstart which can operate without the Area Fund.

Councilman Whittington stated the question he has is what programs are being duplicated? That is what they should get straightened out.

Councilman Davis proposed that they adopt the ideas of the Mayor, Councilman Gantt and others who have contributed to this discussion and place this on the agenda for discussion and decision next Monday, November 7, and instruct the City Manager to inform the Charlotte Area Fund - all of the directors - that the City Council would like to hear from them as Council wants to consider whether or not the City will fund the Charlotte Area Fund and what involvement, if any, we are going to have with it in the future.

ADJOURNMENT.

On motion of Councilwoman Chafin, seconded by Councilman Whittington, and unanimously carried, the meeting adjourned.



Ruth Armstrong, City Clerk