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The City Council of the City of Charlotte, North Carolina, met on Monday, October 7, 1974, at 3:00 o'clock p.m., in the Council Chamber, City Hall, with Mayor pro tem James B. Whittington presiding, and Councilmembers Fred D. Alexander, Kenneth R. Harris, Pat Locke, Milton Short, Neil C. Williams and Joe D. Withrow present.

ABSENT: Mayor John M. Belk.

* * * * *

INVOCATION.

The invocation was given by Councilman Neil C. Williams.

MINUTES APPROVED.

Upon motion of Councilman Alexander, seconded by Councilman Harris, and unanimously carried, the minutes of the meetings on September 23 and September 30, 1974, were approved as submitted.

RESOLUTION IN MEMORIAM OF LUTHER H. HODGES.

The following resolution was read by Councilman Withrow.

"WHEREAS, it is with deep regret that the City Council learned of the death of Luther H. Hodges on Sunday, October 6, 1974; and

WHEREAS, at the time of his death he was living in retirement at his home in Chapel Hill; and

WHEREAS, Luther Hodges was a man of many careers and his accomplishments spanned the worlds of big business, international development, politics and government service in North Carolina, Washington and abroad; and

WHEREAS, in 1954, he became the governor of North Carolina and served more years than any governor in modern history and his courage and sense of fairness were invaluable during some of North Carolina's most turbulent times; and

WHEREAS, in 1961, he began a 4-year tenure as U. S. Secretary of Commerce and was chief liaison man with Congress during the debate on the 1962 Trade Expansion Act designed to liberalize trade restrictions around the world; and

WHEREAS, his background as a businessman enabled him to promote an industrial program which broke all records, and he launched a one-man campaign to bring industry and business to North Carolina paving the way for development that brought explosive industrial growth to the South.

WHEREAS, Luther Hodges contributed much to the growth of the South and particularly North Carolina through his imagination and driving energy, and his name will long be remembered as a part of our history.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of Charlotte, do, by this resolution and public record, recognize his significant contributions and recognize further that his death is a distinct loss; and that this Council does hereby extend its deepest sympathy to the family of Luther H. Hodges.

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BY THIS RESOLUTION, the name of Luther H. Hodges is hereby honored and memorialized, and the Council resolves that a copy of this resolution shall be spread upon the minutes of this meeting and a copy be forwarded to the members of his family."

Motion was made by Councilman Withrow, seconded by Councilman Alexander and unanimously carried, adopting the resolution.

COUNCILWOMAN EXCUSED FROM PARTICIPATING IN NEXT ITEM DUE TO CONFLICT OF INTEREST.

Motion was made by Councilman Harris, seconded by Councilman Short, and unanimously carried, excusing Councilwoman Locke from participating in the next item due to a conflict of interest.

RESOLUTION CLOSING A PORTION OF PEARL STREET, IN BROOKLYN URBAN RENEWAL AREA, PROJECT NO. N. C. R-43, IN THE CITY OF CHARLOTTE.

The scheduled public hearing was held on the petition of Urban Redevelopment Department of the City to close portions of Pearl Street, in Brooklyn Urban Renewal Area, Project No. N. C. R-43, in the City of Charlotte.

Council was advised the petition was investigated by the various city departments concerned with street rights of way and there are no objections to the closing of the above named street.

Mr. Vernon Sawyer, Director of Urban Redevelopment Department, stated the portion of Pearl Street for about 200 feet has been closed; the reason this portion has never been closed was because of the plans they had at one time to bring an exit ramp from the Expressway into Pearl Street; then take it into Kenilworth and Baxter Streets, and at that time have a separate drive using portions of Pearl Street to give access to the post office substation, and the Charlottetown Mall. That has been changed, and they now have structured Baxter Street to terminate with a cul-de-sac turn around. They have had to change the other parts of the plan and that involves closing these portions of Pearl Street. When it is closed a portion of it will revert to the Park and Recreation Commission, and the other half will revert to the City to add to the parcel that is being sold to the Housing Authority for the high rise apartment for the elderly. This will be utilized as part of the park that falls outside the present proposed Independence Expressway right of way.

No opposition was expressed to the street closing.

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

The resolution is recorded in full in Resolutions Book 10, beginning at Page 134.

RESOLUTION DECLARING AN INTENT TO CLOSE AN UNOPENED PORTION OF FAULKNER PLACE INTERSECTING WITH THE NORTHWESTERLY MARGIN OF MCALWAY ROAD, AND CALLING FOR A PUBLIC HEARING ON THE QUESTION ON MONDAY, NOVEMBER 4, 1974.

Motion was made by Councilman Alexander, seconded by Councilman Harris, and unanimously carried, adopting the subject resolution declaring an intent to close an unopened portion of Faulkner Place intersecting with the northwesterly margin of McAlway Road, and calling for a public hearing on the question on Monday, November 4, 1974.

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During the discussion, Councilman Short stated he would like to make sure that some of the people who live along there, such as Mr. Van Witherspoon and others, are specifically notified of this hearing.

The resolution is recorded in full in Resolutions Book 10, beginning at Page 135.

ORDINANCE NO. 409-X TRANSFERRING FUNDS WITHIN THE GENERAL REVENUE SHARING TRUST FUND TO ESTABLISH AN APPROPRIATION TO SUBSIDIZE PUBLIC TRANSPORTION FOR THE HANDICAPPED.

Councilman Harris moved adoption of the subject ordinance transferring \$25,000 within the General Revenue Sharing Trust Fund to establish an appropriation to subsidize public transportation for the handicapped. The motion was seconded by Councilman Withrow.

Councilman Williams asked how much money is available in the revenue sharing for this type of project? Mr. Burkhalter, City Manager, replied all of it; this is a carry over from last year. Mr. Coffman, Assistant City Manager stated there is approximately \$75,000 left from last year. Councilman Williams asked if there is any federal monies available for this sort of thing; that he noticed the Congress amended a portion of the transportation law last year under the general heading of grants and loans for special projects to meet the needs of the elderly and handicapped.

After a brief interruption to recognize Mr. Upton Bell in the audience, the discussion continued.

Councilman Williams stated it appears by earlier legislation and recent federal legislation that federal money is available for this purpose, specifically to aid the elderly and handicapped, as well as federal aid for bus systems generally. As he understands it, the big requirement is that the system be publically owned before you can get that type of federal money.

Mr. Burkhalter stated he would have Mr. Connerate, Intergovernmental Coordinator, to explore this further.

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

The ordinance is recorded in full in Ordinance Book 21, at Page 297.

PROCLAMATION PRESENTED TO UPTON BELL, PRESIDENT AND GENERAL MANAGER OF CHARLOTTE HORNETS, PRO FOOTBALL TEAM, AND WEDNESDAY, OCTOBER 9 PROCLAIMED AS CHARLOTTE HORNETS DAY.

Mr. Upton Bell, President and General Manager of the Charlotte Hornets, stated he is very happy to be here; what this City has done for the Football Team has been fantastic; that he has never seen any place where there has been such a great crush of people buying season tickets wanting the football team here, the great cooperation of Mayor Belk and all the City Officials to help their football team be a success. From the bottom of his heart he really appreciates everything that has been done here to help make this a success.

Mr. Bell stated ABC is coming into town to film a parade tomorrow and the football game on Wednesday and will do a study for the Reasonor Show on Saturday night of the City of Charlotte, WFL and a football team coming to a new city. That he thinks it is going to be a tremendous thing, and anything that they can do to reflect the good of what this city has done for their football team they really appreciate.

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He stated tomorrow at 12:00 p.m. there will be an old fashioned parade sponsored by the First Union Bank, the City of Charlotte, and other merchants in the Charlotte area, and a pep rally to welcome the Hornets, Charlotte's new World League Team. The parade will begin at Noon, from Sears Parking Lot Downtown, will feature the Charlotte Hornet players, coaches, bands and cheerleaders, from the High Schools, the South Mecklenburg ROTC color guards and other surprises. The parade will end at Jefferson-First Union Plaza where H. A. Thompson, radio personality of WBT, will lead the cheers and introduce Mayor pro tem Jim Whittington, the Head Coach, the entire Charlotte Hornet team, and himself.

Mayor pro tem Whittington stated in his 15 years down here he does not know anything that has happened to Charlotte to gain more momentum, more people involved, more people excited about a project than we are now with the Charlotte Hornets. He thanked Mr. Bell for naming this football team, the Charlotte Hornets. That he thinks the pro football team and the hornets are synonymous.

He stated as long as Mr. Bell keeps the attitude he has everything will go well with the Hornets and the Citizens of Charlotte-Mecklenburg and this area. The humble approach he makes to the people is gratifying and appreciated by all of us.

Mayor pro tem Whittington then presented Mr. Bell with a proclamation which was prepared by Mayor Belk before leaving the city, which declared Wednesday, October 9 as Charlotte Hornets Day.

ORDINANCE NO. 410-X TRANSFERRING FUNDS FROM THE URBAN RENEWAL BOND FUND TO FINANCE THE CITY'S CASH OBLIGATION FOR THE GREENVILLE URBAN RENEWAL PROJECT.

After explanation by Mr. Sawyer, Director of the Urban Redevelopment Department, Councilman Short moved adoption of the subject ordinance transferring \$770,000 from the Urban Renewal Bond Fund to finance the City's cash obligation for the Greenville Urban Renewal Project. The motion was seconded by Councilman Withrow.

Mr. Sawyer stated the total cost of the Greenville Project was \$16,145,456, of that the federal government's obligation is \$10,825,125, to match the city's \$5,528,000. In addition to that, we are getting a relocation grant, 100% federal, of \$1,129,078.00. That grant financed relocation 100% up to the point where the National Relocation and Land Acquisition Policies Act came into effect. From that point on even relocation costs are shared 1/3 and 2/3. He stated very little of the land had been disposed of; land has been sold to the city to construct the neighborhood facility; land has been sold for housing development to a non-profit organization; that they have agreed to sell a church site to one of the existing churches; and land to Duke Power Company for a substation, and they in turn will sell us some property. The bulk of the land is earmarked for residential use, and we are having the same problems as others in the market. They are still filling the industrial site. They have not stopped worked on the land. They want to be ready when the opportunity presents itself.

Mr. Sawyer stated the ten houses in the area have been sold several times, and the credit did not prove out; they are empty but the effort is being made to sell them. The last report he received they had 60 applications for the ten houses; out of the 60, four appeared to be qualified, but no actual sale or transfer has been made todate.

The vote was taken on the motion and carried unanimously.

The ordinance is recorded in full in Ordinance Book 21, at Page 298.

RESOLUTION AMENDING THE PAY PLAN TO ADD CLASS OF DOCUMENTATION SUPERVISOR AND ORDINANCE AMENDING THE TABLE OF ORGANIZATION FOR THE MIS DEPARTMENT.

Councilman Harris stated he would like to compliment the City Manager and staff on thoroughness this time about the position change; it is well documented in the Council's file. He asked how many people report directly to the MIS Director? The Personnel Director replied there are seven or eight.

During the discussion, Councilman Harris stated it sounds as though we have an outgrown department that needs restructuring from a standpoint of a span of control. That several times before some of the people on Council have asked about the idea of the personnel department needs for someone on staff to actually audit positions, and keep them current so that something like this does not occur, and having the proper functional organization within each division of each department of the city. That people within our own organization should have a direct line of communication with someone, but not necessarily with a department head with Mr. Motto's responsibilities; he should not have to be worrying about another clerk typist reporting directly to him. That he agrees with the recommendation before Council.

Upon motion of Councilwoman Locke, seconded by Councilman Williams and unanimously carried, the following resolution and ordinance were adopted:

- (a) Resolution amending the Pay Plan of the City by adding Class No. 409, Documentation Supervisor, assigned to Pay Range 19, Pay Steps A-F inclusive.

The resolution is recorded in full in Resolutions Book 10, at Page 138.

- (b) Ordinance No. 411-X amending Ordinance No. 214-X, the 1974-75 Budget Ordinance, amending the Table of Organization of the MIS Department by deleting one Research Assistant I position, and substituting lieu thereof, one Documentation Supervisor position.

The ordinance is recorded in full in Ordinance Book 21, at Page 299.

RETIREMENT PLAQUE PRESENTED WALTER PORTER, JR.

Mayor pro tem Whittington recognized Mr. Walter Porter, Jr., and presented him with a City of Charlotte Employee Plaque for his services in the Public Works Sanitation Division, from December 26, 1956 until his retirement September 3, 1974.

Mayor pro tem Whittington and each member of Council expressed their appreciation to Mr. Porter for his services to the City, and wished him well in his retirement.

MOTION TO RECONSIDER COG ITEM APPEARING IN COUNCIL MINUTES OF SEPTEMBER 9, MINUTE BOOK 60, PAGE 426.

Councilman Alexander moved that Council reconsider the Item listed in Minute Book 60, at Page 426, covering the comments and discussion of COG's agenda for Wednesday, September 11. The motion was seconded by Councilman Harris, and carried unanimously.

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COG DELEGATE INSTRUCTED TO VOTE IN FAVOR OF A-95 REVIEW OF GRANT FOR CHARLOTTE AREA FUND.

Councilman Alexander stated he was concerned when he had further conversation about this matter of the A-95 Review by COG of a \$5,000 Transportation Grant for Charlotte Area Fund, and felt some more indepth discussions should take place between the City staff and the staff of Charlotte Area Fund. That he has been aware on previous occasions that surveys made by the Charlotte Area Fund in areas such as this have been surveys that have brought forth information that has not come to the front in the normal run of surveys when they are made in matters of this type.

That he feels there would be a better meeting of the minds if Council would request City staff to get with the Staff of the Charlotte Area Fund again and see if they can have a meeting of the minds of how these two groups can work together to further implement the idea of transportation in this particular area. That he thinks we can get some benefits from it. He does not know whether a grant would be available for the fundings to the Area Fund, and neither does the Area Fund. But that does not keep them from applying.

Mayor pro tem Whittington stated he would hope that Council would agree to have the City staff meet with Mr. Gerns and Mr. Kornegay. After they have done that, then the City staff come back and report to Council if they have found there is a need to make further studies of people who need this assistance under the T.A.P.E. Program.

Mr. Gerns, Chairman of the Charlotte Area Fund Board, stated they have already met with Mr. Hoose and staff. That the Executive Committee of COG is going to meet tomorrow afternoon at 7:30 and he is asking Council today to take the bull by the horn. There is nothing further that can be done by having more meetings.

During the discussion that followed Mr. Feahr of the City's staff and Mr. Kornegay, Executive Director of Charlotte Area Fund spoke.

Councilman Alexander moved that Council instruct its Delegate to COG to approve the Charlotte Area Fund request. The motion was seconded by Councilman Harris.

Mayor pro tem Whittington stated he thinks to do this is a mistake, and Council should be reminded of the fact that time and time again it has been said that COG is telling Council what to do, and this is a good example of that.

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

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

COMMENTS BY COUNCILMAN SHORT ON COG.

Councilman Short stated in Council meeting on September 9, Councilwoman Locke asked what was going to happen at the COG meeting in Gastonia a few days thereafter. That he could not recite everything on the agenda and left the Meeting and called the Executive Director of COG and asked him to bring to him the various A-95 items and other items that would be a part of that meeting in Gastonia. This was done, and later in the meeting the floor was given to him and he proceeded to read from a stack of A-95 papers. When it came to the matter of the \$5,000 request of the Charlotte Area Fund, he did nothing but read from those papers, and the Council Minutes clearly show that, which is as follows:

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"The Charlotte Area Fund has an item for comment which is a \$5,000 grant request for funds for a study to identify transportation needs of low income elderly residents who rely upon the city bus service as their only means of transportation."

Councilman Short stated this was what the project was about and he just read it off the form. The minutes continued:

"Also in conjunction with other agencies serving senior citizens to develop a plan for improving bus transportation to all residents over 62 years of age.

He stated comments of Mr. Hoose on this subject include 'Our department is already involved in this data collection....' "

Councilman Short stated this was the end of the quote, and at the end of quote he stopped. That Council has a letter in which it is stated, referring to that reading of mind, "Mr. Short proceeded to tell the Council the Charlotte Area Funds request for \$5,000 should be shelved. He did not make his intention to scuttle the Charlotte Area Fund known to me. His statements to the Council were unfortunately not in accord with the facts." He stated this letter which has been written to all members of Council is a considerable misconception of his remarks that he made as shown in the minutes.

RESOLUTION AUTHORIZING THE REFUND OF CERTAIN TAXES COLLECTED THROUGH CLERICAL ERROR FROM TEN TAX ACCOUNTS.

Upon motion of Councilman Withrow, seconded by Councilwoman Locke, and unanimously carried, the subject resolution was adopted authorizing the refund of certain taxes in the total amount of \$4,434.78, which were collected through clerical error against ten (10) tax accounts.

The resolution is recorded in full in Resolutions Book 10, at Page 139.

ORDINANCES AFFECTING HOUSING DECLARED UNFIT FOR HUMAN HABITATION.

Council was advised the property owners had indicated they would not contest the orders on the unfit housing.

Motion was made by Councilman Williams, seconded by Councilwoman Locke, and unanimously carried, adopting the following ordinances affecting housing declared "unfit" for human habitation:

- (a) Ordinance No. 412-X ordering the dwelling at 507 Bradford Drive to be vacated and closed.
- (b) Ordinance No. 413-X ordering the dwelling at 1021 Greenleaf Avenue to be vacated and closed.
- (c) Ordinance No. 414-X ordering the demolition and removal of the dwelling at 3901 Lake Road.
- (d) Ordinance No. 415-X ordering the demolition and removal of the dwelling at 1901 Union Street.
- (e) Ordinance No. 416-X ordering the dwelling at 910 West First Street to be vacated, demolished and removed.

The ordinances are recorded in full in Ordinance Book 21, beginning at Page 300.

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SANITARY SEWER EASEMENTS FOR ANNEXATION AREAS.

Councilman Alexander moved approval of twenty-four (24) parcels of sanitary sewer easements for annexation areas, as follows, which motion was seconded by Councilman Williams, and carried unanimously:

- (a) Annexation Area I (11) Sanitary Sewer Trunks
10 parcels
- (b) Annexation Area I (2) Sanitary Sewer Trunks
4 parcels
- (c) Annexation Area I (4) Sanitary Sewer Additions
1 parcel
- (d) Annexation Area I (3) Sanitary Sewer Trunks
2 parcels
- (e) Annexation Area II (7) Sanitary Sewer Additions
5 parcels
- (f) Campbell Creek Sanitary Sewer Outfall
1 parcel
- (g) Derita Woods Area Sanitary Sewer Trunks
1 parcel

PROPERTY TRANSACTIONS AUTHORIZED.

Upon motion of Councilman Withrow, seconded by Councilman Williams, and unanimously carried, the following property transactions were authorized:

- (a) Acquisition of 20' x 45.65' of easement on Arrowood Road, near Nations Ford Road, from Arrowood Investments, Ltd. at \$50.00, for proposed 16-inch Water Line on Arrowood.
- (b) Acquisition of 20' x 67.43' of easement on Arrowood Road, near Nations Ford Road, from Beverly W. Armstrong and wife, Katherine A., at \$75.00, for Proposed 16-Inch Water Line on Arrowood Road.
- (c) Acquisition of 136.40' x 33.08' x 127.90' x 25.85' of easement at 6020 Providence Road, from George W. Crisler and wife, Mayme B., at \$165.00, for Proposed 16-Inch Water Main in Old Providence Road at McAlpine Creek.
- (d) Acquisition of 25' x 468.52' of easement at 3157 Dalecrest Drive (off), from Derita Woods Utilities, Inc., at \$570.00, for Upper Irwin Creek Interceptor Sanitary Sewer Project.
- (e) Acquisition of 15' x 243.70' of easement at 2000 block of Barringer Drive, near I-77, from Charlotte Park and Recreation Commission, at \$1.00, for Sanitary Sewer to serve 2000 block of Barringer Drive.
- (f) Acquisition of 15' x 236.63' of easement at 4112 Rea Road, from Lester McCleese Rea and wife, Bessie I., at \$237.00, for Sanitary Sewer pressure line to connect Providence Utilities System Pump.
- (g) Acquisition of 15' x 172.98' of easement at rear of 6500 block of Lynn Avenue, from Teiple S., Inc., at \$175.00, for Sanitary Sewer Trunk to serve Carmel South Project.

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SPECIAL OFFICER PERMITS APPROVED.

Motion was made by Councilman Withrow, seconded by Councilman Williams, and unanimously carried, approving the following Special Officer Permits for a period of one year:

- (a) Renewal of permit to Fred R. Andrews for use on the premises of Charlotte Park & Recreation Commission property.
- (b) Renewal of permit to Murray Lee Blackwell for use on the premises of Southern Railway Company.
- (c) Issuance of permit to Cynthia Lane Blue for use on the premises of Richway, Inc., 3205 Freedom Drive and 6030 E. Independence Boulevard.
- (d) Issuance of permit to Brown Thurman Carpenter for use on the premises of Richway, Inc., 3205 Freedom Drive and 6030 Independence Boulevard.
- (e) Issuance of permit to Lenora Lynn Driggers for use on the premises of Richway, Inc., 6030 East Independence Boulevard and 3205 Freedom Drive.
- (f) Issuance of permit to Henry Thomas Eanes for use on the premises of Richway, Inc., 3205 Freedom Drive and 6030 E. Independence Boulevard.
- (g) Renewal of permit to Coleman Green for use on the premises of Jefferson First Union Plaza.
- (h) Issuance of permit to Alice Fay Helms for use on the premises of Richway, Inc., 3205 Freedom Drive and 6030 East Independence Boulevard.
- (i) Issuance of permit to Martha Ann McKim for use on the premises of Richway, Inc., 3205 Freedom Drive and 6030 East Independence Boulevard.
- (j) Issuance of permit to John Carl Smith for use on the premises of Richway, Inc. 3205 Freedom Drive and 6030 Independence Boulevard.
- (k) Renewal of permit to Herbert Nolan Threatt for use on the premises of Jefferson First Union Plaza.
- (l) Issuance of permit to Williamson Newell Wallace, Jr. for use on the premises of Richway, Inc., 6030 E. Independence Boulevard and 3205 Freedom Drive.
- (m) Issuance of permit to George P. Walter for use on the premises of Richway, Inc., 6030 E. Independence Boulevard and 3205 Freedom Drive.
- (n) Renewal of permit to Thomas B. Wolfe for use on the premises of Charlotte Park and Recreation Commission property.

Councilman Harris asked if Chief Goodman has done anything about the request he made at a previous meeting about checking on the possibility of reviewing the procedures for the issuance of Special Officer Permits. The City Manager advised that he has not received the report but he will look into it.

Councilman Short stated he assumes the Special Officers provide police and guard type services to the various places indicated such as the Southern Railway and others. He requested that a memo be prepared for Council from the City Manager and Chief of Police about the procedures necessary for a merchant to follow when there is a shoplift. Can these special police be used to do the necessary at that time. That he continues to receive comments from a certain merchant about the shoplift procedures in Charlotte.

Councilman Short stated he would appreciate a statement of the routine that merchants are required to go through. Perhaps he could tell the party that brings this up to him that he should have a Special Officer permit.

Mr. Burkhalter, City Manager, stated he will have Pat Hunter of the Police Department to prepare a statement on what has to be done and how it is structured.

Councilman Short stated he understands state law, in an effort to help in this exact problem, has offered the possibility of outlying magistrates who would be in offices in various places; we have not taken advantage of this. This seems to be the principal point made by the party who brings it to him.

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CHANGE ORDER NO. 1 IN CONTRACT WITH PIEDMONT GRADING & WRECKING COMPANY, APPROVED.

Councilman Harris moved approval of Change Order No. 1 in contract with Piedmont Grading & Wrecking Company, for the demolition of structures at 120, 122, 124 and 130-32 East Trade Street, increasing the contract price of \$19,995.00 by \$3,000.00. The motion was seconded by Councilwoman Locke, and carried unanimously.

CHANGE ORDER NO. 2 IN CONTRACT WITH THOMAS STRUCTURE COMPANY FOR THE IRWIN CREEK CROSSOVER OUTFALL SEWER, APPROVED.

Upon motion of Councilwoman Locke, seconded by Councilman Harris, and unanimously carried, the subject change order in contract with Thomas Structure Company was approved for the Irwin Creek Crossover Outfall Sewer, increasing the contract price of \$975,670 by \$692.80.

CHANGE ORDER NO. 4 IN CONTRACT WITH TRAMMELL CONSTRUCTION COMPANY FOR THE MCALPINE CREEK WASTEWATER TREATMENT PLAN PROJECT, APPROVED.

Motion was made by Councilwoman Locke, seconded by Councilman Harris, and unanimously carried, approving the subject Change Order No. 4 in contract with Trammell Construction Company, for the McAlpine Creek Wastewater Treatment Plant Project, decreasing the original contract price of \$2,499,154.15 by \$1,385.76.

CONTRACT FOR CONSTRUCTION OF SANITARY SEWER MAINS DEFERRED AND CONTRACT FOR WATER MAIN CONSTRUCTION AUTHORIZED.

Motion was made by Councilman Harris and seconded by Councilwoman Locke to approve the following contracts:

- (a) Contract with Sambo's Restaurants, Inc. for the installation of 635 linear feet of 8-inch sewer mains, beginning in Freedom Drive, inside the city, at an estimated cost of \$8,395.00. The applicant has deposited 10% of the estimated cost with the City to construct the lines and refunds to be made as per the agreement.
- (b) Contract with Southern Bell Telephone Company for the construction of 350 feet of 6-inch C. I. Water Main, and one fire hydrant, to serve Old Reid Road, inside the city, at an estimated cost of \$2,550.00. Funds will be advanced by the applicant and refunds made all in accordance with the existing city policies.

Councilman Alexander said the word "Sambo" distracts him and makes him wonder about the type of advertising that will be done, and he asked that the contract with Sambo's Restaurant, Inc. for sanitary sewer mains be deferred until we can get some information on what they are doing and how it will be done. That he would like to know something about their advertisements before he votes to approve the contract.

Councilman Harris changed his motion to defer action on (a) and approve the contract under (b). The motion was seconded by Councilwoman Locke, and carried unanimously.

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CONTRACT AWARDED BLYTHE BROTHERS COMPANY FOR BRIDGE IMPROVEMENTS - SARDIS LANE BRIDGE, PROJECT NO. 512-74-108.

Upon motion of Councilman Short, seconded by Councilman Withrow, and unanimously carried, contract was awarded the low bidder, Blythe Brothers Company, in the amount of \$46,422.00, on a unit price basis, for bridge improvements, Sardis Lane Bridge, Project No. 512-74-108.

The following bids were received:

Blythe Brothers Company	\$ 46,422.00
Crowder Construction Company	50,156.00
Hickory Construction Company	54,054.50

CONTRACT AWARDED DEMCO, INC. FOR DEMOLITION AND SITE CLEARANCE AT 316 EAST TRADE STREET.

Motion was made by Councilman Short, seconded by Councilman Withrow, and unanimously carried, awarding contract to the low bidder, Demco, Inc., in the amount of \$16,550.00, for demolition and site clearance at 316 East Trade Street (formerly Charlotte Fish & Oyster).

The following bids were received:

Demco, Inc.	\$ 16,550.00
S. B. Cox, Inc.	17,900.00
D. H. Griffin Wrecking Co.	19,200.00
Piedmont Grading & Wrecking Co.	19,200.00

CONTRACT AWARDED W. H. ROBERTSON CONSTRUCTION COMPANY FOR LANDSCAPING OF BLOCK 2 IN THE GREENVILLE URBAN RENEWAL AREA.

Councilman Alexander moved award of contract to the low bidder, W. H. Robertson Construction Company, in the amount of \$6,075.00, for landscaping of Block 2 in the Greenville Urban Renewal Area, which motion was seconded by Councilman Short, and unanimously carried.

The following bids were received:

W. H. Robertson Construction Co.	\$ 6,075.00
Piedmont Grading & Wrecking Co., Inc.	6,500.00
O. L. Parker & Son, Inc.	6,650.00

CONTRACT AWARDED W. H. ROBERTSON CONSTRUCTION COMPANY FOR LANDSCAPING OF BLOCKS 3 AND 5 IN THE GREENVILLE URBAN RENEWAL AREA.

Upon motion of Councilman Withrow, seconded by Councilman Short, and unanimously carried, contract was awarded the low bidder, W. H. Robertson Construction Company, in the amount of \$9,850.00, for landscaping of Blocks 3 and 5 in the Greenville Urban Renewal Area.

The following bids were received:

W. H. Robertson Construction Co.	\$ 9,850.00
Joe Frazier Landscaping	11,600.00
Piedmont Grading & Wrecking Co., Inc.	14,000.00

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CONTRACT AWARDED PIEDMONT GRADING & WRECKING COMPANY, INC. FOR DEMOLITION AND SITE CLEARANCE OF STRUCTURE AT 916 EAST 7th STREET.

Motion was made by Councilman Short, seconded by Councilman Withrow, and unanimously carried, awarding contract to the low bidder, Piedmont Grading & Wrecking Company, Inc., in the amount of \$6,200.00, for demolition and site clearance of structure at 916 East 7th Street.

The following bids were received:

Piedmont Grading & Wrecking Co., Inc.	\$ 6,200.00
D. H. Griffin Wrecking Co., Inc.	6,400.00
Houston Grading & Wrecking Co., Inc.	12,500.00

CONTRACT AWARDED W. H. ROBERTSON CONSTRUCTION FOR SITE PREPARATION OF GREENVILLE URBAN RENEWAL AREA.

Upon motion of Councilman Harris, seconded by Councilman Short, and unanimously carried, contract was awarded the low bidder, W. H. Robertson Construction Company, in the amount of \$5,687.00, for site preparation of Greenville Urban Renewal Area.

The following bids were received:

W. H. Robertson Construction Co.	\$ 5,687.00
Piedmont Grading & Wrecking Co., Inc.	6,000.00
O. L. Parker & Son, Inc.	7,200.00

EXECUTIVE SESSION OF CITY COUNCIL SET TO CONSIDER A PERSONNEL MATTER.

Councilman Harris moved that the City Council hold an Executive Session immediately upon the conclusion of this meeting for the purpose of considering a personnel matter pursuant to G. S. 143-318.3(b). The motion was seconded by Councilwoman Locke and carried unanimously.

RESOLUTION EXTENDING SYMPATHY AND HONORING WILLIAM M. FICKLEN.

Councilman Alexander read the following resolution, and moved its adoption:

"WHEREAS, it is with deep regret that the City Council learned of the death of William M. Ficklen on Saturday, October 5, 1974; and

WHEREAS, at the time of his death, he was Economic Development Manager for the Charlotte Chamber of Commerce; and

WHEREAS, for the last fifteen years Mr. Ficklen has been instrumental in shaping Charlotte's industrial development by working to bring new industry into the area or enticing other businesses to stay in the area; and

WHEREAS, the City of Charlotte and the surrounding area are sincerely indebted to Bill Ficklen for his contributions to the economic development of this area.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, in regular session assembled, this 7th day of October, 1974, that the Mayor and City Council of the City of Charlotte, do, by this resolution and public record, recognize his significant contribution to the City of Charlotte, and recognize further that his death is a distinct loss to the City in which he worked and won deep respect.

BE IT FURTHER RESOLVED, that this resolution be spread upon the minutes of the Council and a copy thereof be sent to the family of Mr. Ficklen in recognition of his respected place in this community"

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The motion was seconded by Councilman Short, and carried unanimously.

COUNTY COMMISSIONERS TO BE CONTACTED ABOUT PARTICIPATING IN THE BIKEWAY TO UNCC AND ITEM TO BE PLACED ON AGENDA FOR COUNCIL CONSIDERATION.

Councilman Williams stated in a memorandum dated September 27 to the Councilmembers from the City Manager there is a report on the bikeway to UNCC, and the conclusion of the memo states that they stand ready to make a verbal presentation at Council's convenience. He stated he hopes Council will do something about that in the near future, possibly as an agenda item next week.

Councilman Harris asked if the County is involved in this? Councilman Williams stated he has had some conversations with Mr. Gerdes about it and he was receptive to the idea of contributing some money.

Mayor pro tem Whittington suggested that we get this information from the County, and then get it on a Council agenda.

Councilman Williams stated perhaps this could be a joint session, or invite them to come and participate.

SUGGESTION THAT A CONFERENCE SESSION BE SET WITH PERSONNEL DIRECTOR AND CHIEFS ON PROMOTIONAL PROCEDURES.

Councilman Williams stated in connection with the promotional policy in the fire department, each Councilmember received a memorandum from Mr. Earle this week. He stated he is in favor of the Council going on record in some fashion in favor of a promotional policy in the fire department which gives equal weight to two criterias. One, a written examination, and the second, periodic evaluation of on-the-job performance.

Mayor pro tem Whittington stated he is concerned about this also; but he would suggest that Council not take any action here and put it on a conference session with Mr. Earle and the Chiefs present, so that he can ask questions, and if anyone else wants to have any input into it they can. That he thinks Mr. Williams' points are well taken, but he has some more, which Council does not have time to discuss today. He stated he wants more information, and then he thinks it should be a Council conference session to discuss it with Mr. Earle and with the Chiefs, and anybody else in the Fire Department that wants to come.

The City Manager stated if it is the will of the Council that that sort of arrangement would be acceptable he will pass it on to Mr. Earle. That Mr. Earle is meeting with the Civil Service Board in the morning and they may come up with something that is very acceptable to everyone, and they may not.

Mayor pro tem Whittington stated there are several things like the extension of the present examination that is several years old, and it should be brought to Council as quickly as it can. Next week if possible, if not, then as soon thereafter as possible.

The City Manager stated there are two very strong positions on this. One is very strongly for a written examination, and one is very strongly against it.

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Councilman Alexander stated what he gets from the letter is that they will sit down and have a discussion of this whole examination policy, hoping to evolve a meeting of the minds. That he would think Council would be a little premature to attempt to make judgement today before they have had a chance to sit down and discuss this.

Councilman Williams stated this is the place where he sees the morale could suffer if the men do not know what is guiding them. Mr. Burkhalter stated whatever is done will affect the morale both ways.

DECISION ON REQUEST OF O. C. EARNEY TO BE PLACED ON NEXT AGENDA.

Councilman Williams stated the attorney for Mr. O. C. Earney has contacted him about what decision Council intends to make about his client. That staff has recommended against it in a memorandum and he agrees with it. But the Attorney wants a decision one way or the other from Council.

He asked that this item be placed on the agenda for next week for Council's decision.

ETHICS RESOLUTION TO BE GIVEN TO COUNCIL PRIOR TO NEXT MEETING.

Councilman Harris stated he asked about an ethics resolution, and he asked if anyone is working on this? Mr. Stradinger, Assistant City Manager, advised that it is ready. Councilman Harris asked that it be given to Council prior to the next meeting.

CITY MANAGER REQUESTED TO MEET WITH DIRECTOR OF UTILITIES DEPARTMENT ON STANDBY CHARGES FOR SPRINKLER SYSTEMS.

Mayor pro tem Whittington stated every member of Council, at one time or another, has received letters from Mr. Carl Baxter, President of Baxter-Davis Company, about standby charges for their sprinkler systems. He requested the City Manager to have a meeting with Mr. Dukes, Director of Utilities Department, and see if there are other ways this can be done, and whether or not this is too much. Based on what they are doing in Houston, Texas seems to be a fairer and more equitable way to do it.

The City Manager advised there is a study in process and Community Facilities Committee is reviewing it while they are working on the rate study.

CITY MANAGER REQUESTED TO SET UP FIELD TRIP FOR COUNCIL TO THE MILTON ROAD AREA.

Mayor pro tem Whittington stated Mr. Withrow, Mr. Williams, Mr. Short and he attended a meeting yesterday on Milton Road, along with two members of the Planning Commission, and two members of the Staff. These people were meeting to share their concerns about a zoning petition to be heard at a joint meeting of the City and County on the 14th of October. He stated they are concerned about Barrington Drive and Dillard Drive as it relates to the thoroughfare plan.

Mayor pro tem Whittington stated he thinks Council would do well to make a field trip out there and go over this with maps and with staff in the near future.

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Mayor pro tem Whittington stated as there are no objections he is asking the City Manager to arrange this trip for Council.

ADJOURNMENT.

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

Ruth Armstrong
Ruth Armstrong, City Clerk