The City Council of the City of Charlotte, North Carolina met in regular session on Monday, February 10, 1975, at 3:00 o'clock p.m. in the Council Chamber, City Hall, with Mayor John M. Belk presiding, and Councilmembers Harvey B. Gantt, Kenneth R. Harris, Pat Locke, Milton Short, James B. Whittington, and Joe D. Withrow present.

ABSENT: Councilman Neil C. Williams.

INVOCATION.

The invocation was given by Reverend Paul Horne.

COUNCILMAN WILLIAMS ABSENT SERVING TWO WEEKS TOUR OF DUTY WITH THE NAVY

Mayor Belk advised that Councilman Williams is absent today serving a two week tour of duty with the Navy in Charleston, S. C.

HEARING ON BOND ORDERS.

Mayor Belk announced this is the date and hour fixed by the City Council for the public hearing upon the bond orders entitled:

1. Order authorizing $55,000,000 Airport Bonds,
2. Order authorizing $8,500,000 Sanitary Sewer Bonds,
3. Order authorizing $5,500,000 Street Widening, Extension and Improvement Bonds,
4. Order authorizing $3,500,000 Water Bonds,
5. Order authorizing $2,500,000 Public Transportation System Bonds,
6. Order authorizing $1,500,000 Sidewalk Bonds, and
7. Order authorizing $500,000 Recreation Facilities Bonds.

Mr. L. W. Brown, 3022 Minnesota Avenue, stated he is interested in the airport bonds, and with all the other things coming up Council will have a job selling the bond proposal. It will take everyone who is interested to get out and work. That he is not sure whether he will be interested in all of it.

Speaking for the bonds were Mr. Don Dixon, Chairman of the Chamber of Commerce Task Force on Transit; Ms. Dot Presser, Chairman of the Task Force on Pedestrian Safety; Mr. Stuart Child, Chairman of the Task Force on Airport Development; Mr. Hank Amerpol, former member of the Task Force on Bikeways; and Mr. Bill Veeder, Vice President of the Transportation Action Council of the Chamber of Commerce.

Mr. Don Burns, 1714 Sterling Road, stated he is spokesman for Friends of Freedom Park Citizens Group of Residents in Myers Park and East Dilworth. That Council has asked the citizens of Charlotte to consider the bond issue, and they are concerned that in their neighborhood the extension of the Sugar Creek Canal Project and commercialization of the area they live in would be detrimental to their community. Since the commitment of the money to the canal, they, the public, cannot get basic information about it; the cloud of secrecy rests over the issue; if this is the approach to openness, how can they hand over more tax dollars? The canal now ties up more than $2.0 million in tax funds; it is not on the ballot of the proposed bonds. The news media informed the public
that the Council decided in Myrtle Beach not to put the canal on the ballot because it would be defeated, and even kill the whole bond package. Under the conditions the bonds are doomed to defeat.

Mr. Burns stated they wish to present to Council a down payment on the petitions gathered against the canal project. They present them and call on Council to take an immediate vote among themselves on the release of the $2.0 million now held for the canal project. Before the voters give theirs, he asked Council to stop this evasion and secrecy, and let the public know where they stand.

Mr. Burns filed the petitions with the City Clerk.

Mayor Belk responded by saying this bond package today has nothing to do with the Sugar Creek Canal as it is not a part of the package. As far as any secrecy, Sugar Creek has been given much publicity, and if Mr. Burns would like to have a special session and if he would select anyone he likes, we will be glad to show him anything. There is nothing secret about it at all. But that is not in the bond package.

Mr. Paul Horne, speaking in the absence of Mr. Sidney Barber, President of the North Charlotte Action Association, and Mr. Max Webb, Vice President, stated that the statement he will read is the position which the Association has taken, and he cannot speak one way or the other for them:

"At the time when the City Council proposes to submit a 77 million dollar Bond Referendum to the people of the city of Charlotte, we the people of the North Charlotte Action Association are compelled to remind you of the 2.1 million dollars you have put in trust for the Sugar Creek Canal Project. All efforts of the city staff to convince the people of the merits this Canal Project might have, have failed.

With the economy of the nation as shaky as it is, and with more pressing needs of the communities of the City of Charlotte being revealed on every hand, we feel that until you release the 2.1 million dollars to be used for the betterment of the whole of Charlotte, the people of Charlotte will not support a bond issue. This money can and should be used for such improvements as bringing the Police Department up to quota, flood control of Briar Creek, better bus service, increase in pay for the Firemen, creating public service jobs for this present economic crisis, area Health Centers, etc.

With the Myers Park Homeowners Association and others urging and asking that the people of Charlotte have a final voice by vote on whether the people want the Sugar Creek Canal project or not, and the Friends of Freedom Park, Westside Citizens, Senior Citizens Association, and the North Charlotte Action Association with other community organizations urging and demanding your release of these monies from trust, we are calling upon you to hear what the people are saying loud and clear; that these monies be released from the trust into which you have placed them, to be used for the benefit of all the people of Charlotte.

Like the Friends of Freedom Park, we cannot support ANY Bond Issue until this 2.1 million dollars are released from trust, and put to the betterment of ALL the people of Charlotte.

Thank you.

Sidney Barber, President

Max Webb, Vice President"
Ms. Kathryn Speidel, Senior Citizens United, stated they would like to have some of the work that is at hand done first. She filed a petition requesting the Mayor and City Council to eliminate the ten cent transfer charge to bus riders. This charge increases the bus fare 25 per cent, and makes Charlotte's bus fare one of the most expensive in the United States. This is an unjust burden on those who use the bus regularly. She filed the petitions with the City Clerk.

Mr. Berry Glenn, Senior Citizens United, stated they are asking that the ten cents for bus transfers be eliminated. If they cannot get some action on this they cannot go along with the referendum.

Senator Jim McDuffie spoke in favor of the bond referendum. He suggested that the city put out information on the bond referendum giving the design of the building proposed at the airport, and also suggested that two seats on the Airport Authority be appointed by the County Commissioners so they would feel they are a part of this.

Following the discussion, the following bond orders were approved:

Thereupon, upon motion of Councilman Whittington, seconded by Councilwoman Locke, and carried, the order introduced and passed on first reading on January 27, 1975, entitled: "ORDER AUTHORIZING $55,000,000 AIRPORT BONDS", was read a second time and placed upon its final passage. The vote upon the final passage of said order was:

AYES: Councilmembers Gantt, Harris, Locke, Short, Whittington, and Withrow.
NOES: None

The Mayor then announced that the order entitled: "ORDER AUTHORIZING $55,000,000 AIRPORT BONDS" had passed.

Thereupon, upon motion of Councilman Withrow, seconded by Councilman Short, and carried, the order introduced and passed on first reading on January 27, 1975, entitled: "ORDER AUTHORIZING $8,500,000 SANITARY SEWER BONDS", was deleted from the bond referendum. The vote was as follows:

AYES: Councilmembers Gantt, Harris, Locke, Short, Whittington and Withrow.
NOES: None.

The Mayor then announced that the order entitled: "ORDER AUTHORIZING $8,500,000 SANITARY SEWER BONDS" had been deleted.

Thereupon, upon motion of Councilman Short, seconded by Councilwoman Locke, and carried, the order introduced and passed on first reading on January 27, 1975, entitled: "ORDER AUTHORIZING $5,500,000 STREET WIDENING, EXTENSION AND IMPROVEMENT BONDS", was deleted from the bond referendum. The vote was as follows:

AYES: Councilmembers Gantt, Locke, Short, Whittington and Withrow.
NOES: Councilman Harris.

The Mayor then announced that the order entitled: "ORDER AUTHORIZING $5,500,000 STREET WIDENING, EXTENSION AND IMPROVEMENT BONDS" had been deleted.

Thereupon, upon motion of Councilman Whittington, seconded by Councilman Harris, and carried, the order introduced and passed on first reading on January 27, 1975 entitled: "ORDER AUTHORIZING $3,500,000 WATER
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BONDS", was deleted from the bond referendum. The vote was as follows:

AYES: Councilmembers Gantt, Harris, Locke, Short, Whittington and Withrow.
NOES: None

The Mayor then announced that the order entitled: "ORDER AUTHORIZING $1,500,000 WATER BONDS", had been deleted.

Thereupon, upon motion of Councilman Harris, seconded by Councilman Short, and carried, the order entitled: "ORDER AUTHORIZING $3,500,000 WATER BONDS", was passed a second time and placed upon its final passage. The vote upon the final passage of said order was:

AYES: Councilmembers Gantt, Harris, Locke, Short, Whittington and Withrow.
NOES: None.

The Mayor then announced that the order entitled: "ORDER AUTHORIZING $2,500,000 PUBLIC TRANSPORTATION SYSTEM BONDS", had passed.

Thereupon, upon motion of Councilman Withrow, seconded by Councilman Short, and carried, the order entitled: "ORDER AUTHORIZING $2,500,000 PUBLIC TRANSPORTATION SYSTEM BONDS", was passed a second time and placed upon its final passage. The vote upon the final passage of said order was:

AYES: Councilmembers Gantt, Harris, Locke, Short, Whittington and Withrow.
NOES: None.

The Mayor then announced that the order entitled: "ORDER AUTHORIZING $2,500,000 PUBLIC TRANSPORTATION SYSTEM BONDS", had passed.

The Clerk was directed to publish said orders in the Charlotte Observer once, and to publish at the foot of each of said orders the appended note as required by The Local Government Bond Act, as amended. Also, the City Clerk was directed to certify immediately a copy of the "Resolution Calling a Special Bond Referendum" to the County Board of Elections of Mecklenburg County.

Thereupon, upon motion of Councilwoman Locke, seconded by Councilman Harris, the resolution entitled: "RESOLUTION CALLING A SPECIAL BOND REFERENDUM" was passed by the following vote:

AYES: Councilmembers Gantt, Harris, Locke, Short, Whittington and Withrow.
NOES: None.
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The proceedings have been recorded in full in Ordinance Book 21, beginning at Page 451, and ending at Page 462.

Councilman Short stated this winds up being a bond issue of $59.5 million, all directed toward non-automotive transportation. That he believes this is something that each can work with and work with very successfully.

Councilman Harris stated he thinks it is very important to have a central office clearing facility here in City Hall on the release of bond information. That it is important to have the proper information communicated to the public as far as factual data so that we will not get into the situation of having lost some element of control. There should be a definite control of this information, making sure the correct data is given out. Councilwoman Locke suggested that a central location could be in the new offices of the Public Service & Information. The people could come in and see the renderings, and it would have easy access. Councilman Harris stated he just wants to have one central focal point, to get the right material.

Councilman Withrow stated he would again suggest that Councilmembers get out and sell the bonds to the public by being available to speak to all organizations.

RESOLUTION OF THE CITY COUNCIL CALLING A REFERENDUM FOR THE PURPOSE OF VOTING UPON A SPECIAL LEVY OF PROPERTY TAXES FOR THE PURPOSES OF OPERATING AND MAINTAINING THE BUS SYSTEM.

Councilman Short moved adoption of the subject resolution calling the referendum on the 8th day of April, 1975. The motion was seconded by Councilman Whittington, and carried unanimously.

The resolution is recorded in full in Resolutions Book 10, at Page 316.

DISCUSSION OF THE TRANSIT CENTER.

Mr. Bill McIntyre, Planning Director, stated the transportation center for the downtown area in order to be put in proper focus, needs to be considered in the light of the long range comprehensive transit plan. The comprehensive transit proposes a very evasive plan in the overall transportation system by adding a new element of transit service which will be provided. He stated the map indicates the lines that would be developed through the years with rapid transit facilities. Rapid transit facilities of a bus type for the foreseeable future about which the options and possibilities of having other types of rapid transportation in future years. The basic point of the map is that following this plan they would have rapid transit service of probably a central part of the city, out to all the central quadrants of the community. The uptown area is the obvious focus point, and is a very obvious and natural one in the light of circumstances today and expected circumstances tomorrow - circumstances of concentration of employment, concentration of people's designation in the downtown area that are high today in relation to other areas of the community and concentrations that are expected to get higher in future years. Here in the central area we expect about 100,000 people to be working in that area in future years, today there being about 40,000 people working in that area. That is just the concentration of workers; obviously, with that kind of working force, there are a lot of other things going on. Service is being provided so this means additional shoppers, people doing business of various types and educational and cultural activities, etc.
He stated he thinks this puts the idea of the transportation center that they had before them some time ago in general focus. He stated the principle line he would like to point to on this map in relation to a proposed transportation center represents a location in the Southern Railway corridor between Brevard and College Streets; that is expected to be the corridor to which rapid transit would move to provide the direct service into the core of the uptown area.

One of the most important things in planning transportation, that people will actually use, is to make sure to the maximum possible extent that the transportation is convenient. Convenience is really an essential element to the extent the system is convenient; it will tend to be utilized to the extent that the system is not convenient. Here in this location they have developed three aspects of convenience that are extremely important to aspiring to and expecting to develop a system that would meet the needs of the people.

One of the purposes that the transportation center will serve is that it would be the primary focal point for local transportation. In other words, those buses somewhat like the ones we have today, local service, local buses, operating on local streets. They are going to have that type of system in the future no matter what other elements we have in a transportation system. Here at this location, we would be able to bring together the primary location for transfers among local buses - from one local bus to another. A second element of convenience that is important and that is achieved here is the convenience of transfer from the local system which will certainly continue into the future to a future system, that we will have the rapid system that he just talked about. Both types of transportation would be dealt with in this center on both local and the rapid system.

Councilwoman Locke stated there is no question that we do need a transit center, but that site does bother her because of the rail system and in the next five years the railway system will become our regular transit system. And she stated that she doesn't think that with one rail line you can have a rapid transit system.

Mr. McIntyre replied that Councilwoman Locke is assuming that the system that will be utilized would be a train operating on rails - this is not necessarily the case. As a matter of fact, the probability is that for the next 15 or 20 years, we would not have this kind of system configuration. We are much more likely to have, during this time period, the configuration of buses operating on bus ways or operating on freeways rather than a rail system. The consultant that developed this plan and this system indicated that frequently if you try to use rails you run into problems that complicate the rail operation. And if you are going to use the rails for a rapid transit, you need them every 2,3 or 4 minutes. So there are very substantial potential conflicts between the use of rails for public transportation of the type they are talking about, mass transit system, and using for more conventional railroad purposes.

He stated that if we build rapid transit according to this plan it will anticipate putting a facility in concourse above the rails, so that they will actually have a concourse available for buses to move under. If in future years the demands on the system indicated that we should move to a rail system or some other type of fixed guideway sort of operation, then that concourse itself could be used for rails or sky buses or whatever.

Councilman Short stated the main thing here is the land use, not necessarily the rails, whether it is subway, or overhead or what, if it is on rails, it is land use, you would not be able to have a main artery
going down through or close to the heart of the city. He stated he does not think people really realize the potential value of this lot here. This will tie into the downtown, governmental plaza, with the whole concept of transportation, land use, the whole works.

Mr. McIntyre stated the third convenience factor is where we realize we have an opportunity in this community to do something that will provide us with unusually convenient rapid transit service, and that is tying this rapid transit line directly into the second level pedestrian system, that they all know is being planned and is actually being developed. This gives us the prospect of bringing people in on the rapid line; they can get off the bus or whatever kind of facility; and in most cases, move directly into a controlled passageway. Under these passageways there will be heat and air conditioning, protected shelter, and within a couple of blocks, for a great number of people perhaps the majority, of their destination.

Councilman Harris stated he supports what Mr. McIntyre is talking about as far as the site; he thinks the site has to be the Charlotte Fish & Oyster site and we ought to earmark that site for future development of what we are talking about. He asked if we could use general revenue sharing funds for that? We should buy the land and get the right-of-way from North Carolina Railway. He stated he supports the concept and the idea of using this land. The only thing he disagreed with was the rendering of the concept of the use of the land as such, the manner in which it was used. He supports buying that block and earmarking for this use and facility because he thinks this is the most critical decision that they are going to have relating to our whole governmental plaza, the downtown development, all the other things that he thinks it is going to be the key. But the principle thing right now he thinks is for us to reserve that land.

Mr. Hoose stated they are looking at concepts on how to move the local buses so that the long range buses can operate in this terminal and leave by Fourth Street to the Expressways and to the Interstate System. The buses will be operated over the streets to the terminal at grade; and local buses to the sections in the city - these are express buses other than the long range buses using the existing city streets with some modification in the movement to and from the center. Circulation can take place within the center and into the street patterns and the two systems can take care of the passengers.

Councilwoman Locke asked if the transfers will be moved from the Square until we can get some other facility? Mr. Hoose replied they are not going to move the traffic; that there will be lateral stopping at the Square since this is the only point we have with the east-west-north-south. There will be lateral stopping at the Square. That is the only point there is.

Mr. Hoose stated they have a plan they will propose and have worked out in conjunction with the Traffic Engineering Department, and the Chamber of Commerce Committee which will be ready in the very near future.

ORDINANCE AMENDING THE 1974-75 BUDGET ORDINANCE, AMENDING REVENUES AND EXPENDITURES IN THE AMOUNT OF $12,000 TO PROVIDE AN APPROPRIATION FOR THE OPERATION OF THE GOVERNMENTAL PLAZA PARKING FACILITY FOR THE REMAINDER OF THE FISCAL YEAR, DEFERRED ONE WEEK.

Councilman Gantt stated on January 27, Council considered the same proposal and at that time the City Manager suggested they go back and work out some of the details. There were some questions about the parking
rates, and another private enterprise operating this thing and the whole issue of what other departments might pay for the use of the parking lot. Since that time there have been some citizens who are city employees, who feel as if they are being wronged by the fact that they are going to have to pay at least $5.00 a month to park in this facility. They are dealing with 715 spaces and there are some city employees who feel as if most of the city employees who work in offices in this area should park for nothing or at least be subsidized by the city through the payment of an office rental charge. Here we are looking at a situation where we may have to, even though we are offering a subsidy, because the break-even rate is $16 per parking space, that on the 27th they were offering $5.00 a month for city employees to use the space. He is wondering whether or not the 715 spaces, whether or not they could examine the possibility that giving the employees we now have in the area and the available free parking, that maybe 100-125 of these spaces ought to be free or something a lot lower than $5.00 a month for city employees.

In looking at the operating cost for the company that is going to run the parking garage and what it is going to cost the city, we see a $3,000 difference. If we rented half of the space at the rates given in the attachment they have, they would make their $7,100 plus more and give up the 7% they have to pay Allright to run it. If we could run this parking garage ourselves and provide for those city employees who will feel aggrieved by the fact that they are being docked a certain amount of money per month, that to be able to pay off the note on the garage and at the same time be ethical to the people who work in the city. He stated he did not see anything that looks at the whole issue of what happens if the subsidy was completely the $16.00.

Mr. Dick Thompson, speaking on behalf of the Police Department employees, stated their request is to park in the rear of the Plaza Building itself. There are approximately 262 spaces out back; plus 23 spaces on Trade Street, which at this time have meters on them. This has three entrances, one through the Plaza Building, one from Trade Street, and one from Elizabeth Avenue. Their reason for asking for this is that other city and county employees, as best as they can determine, are furnished free parking - city barn employees are furnished free parking, city hall personnel are furnished free parking, and the fire sub-stations have been fenced and have paved parking areas for the purpose of employee parking by ordinance. City personnel at Cameron-Brown are furnished free parking by the city. The employee does not have to pay for it, the city pays for it in the rent. The County employees are furnished free parking and the other buildings in the urban renewal area furnish their tenants parking. He stated it is true they have been offered parking space at City Hall - there are approximately 200 spaces - and he has checked it himself in the mornings between 8 and 10 and there are from 10 to 20 spaces available. The Police Department has approximately 600 driving personnel. This is on different shifts - approximately 283 are working during day light hours, and that number will double up around 3:00 p. m. when the shifts change.

He stated they believe the result of this charge would further tend to penalize the lower paid individuals in rank in the Police Department because of the exception of a couple of Lieutenants and a few Captains, the ranks above Sergeant drive city equipment home anyway. Therefore, they are penalizing the Sergeants and Patrolmen basically.

Councilman Harris stated he thinks we should take the commerce of the building itself. He stated the only thing he disagrees with Councilman Cant on is that a private enterprise should operate the garage; but he
agrees that we should take the lot in the rear for the benefit of the
city employees and that it ought to be a controlled lot used through
parking stickers only on the cars or through a gate.

Mr. Burkhalter, City Manager, stated for the three years he has been
here he has been trying to get some parking for the police offices.
The employees were paying out of their own pockets for a parking lot.
The City had no money to build a parking structure or to buy the land
and put it together. But someone came along who was able to put this
package together. There was no way for him to come to Council and say
the City is going to pay for this structure unless we charge for the
parking. The Police Department agreed to help defray the cost to have
a place to park. He stated he told Council this when it was first
brought up.

Mr. Burkhalter stated if Council does not want them to pay for it that
is all right, but that is the way they bought the picture in the first
place. Councilman Harris stated there will still be revenue from the
building. Mr. Burkhalter stated if Council wants it done this way, then
he would request that Council instruct him to come back to Council with
some plan to work this out.

Councilman Harris moved that Council instruct the City Manager to bring
back a proposal to run the building as a commercial establishment for
parking and the back part of the lot be reserved for city employees on
a free basis. The motion was seconded by Councilwoman Locke.

After further discussion, Mayor Belk suggested that the City Manager
not receive specific instructions at this time, and postpone it for
one week. And he asked for a motion to postpone.

Councilman Withrow moved that the item be postponed. The motion was
seconded by Councilman Harris, and carried unanimously.

RESOLUTION AUTHORIZING MUNICIPAL AGREEMENT BETWEEN THE CITY AND THE
NORTH CAROLINA STATE BOARD OF TRANSPORTATION FOR FAIRVIEW ROAD EXTEN-
SION, ADOPTED.

After discussion, Councilman Harris moved adoption of the subject reso-
lution authorizing the agreement for the extension of Fairview Road, at
a total project cost of $3,100,000. The motion was seconded by Council-
woman Locke, and carried unanimously.

The resolution is recorded in full in Resolutions Book 10, at Page 317.

ORDINANCE NO. 533-X TRANSFERRING FUNDS FROM UNAPPROPRIATED UTILITY
BOND FUNDS TO INCREASE THE APPROPRIATION FOR THE CONSTRUCTION OF WATER
MAINS TO SERVE ANNEXATION AREAS.

Motion was made by Councilman Short, seconded by Councilman Whittington,
and unanimously carried, adopting the subject ordinance transferring
$2.0 million to serve the following annexation areas:

(1) Purchase Mountainbrook Water System $ 65,000
Annexation Area 1-1
(2) Derita Water Distribution System Extension 1,150,000
Annexation Area 11-7
(3) Arrowood Road Transmission Main 450,000
Annexation Area 1-11
(4) Hickory Grove Elevated Tank (1/2 MG) 335,000
Annexation Area 111-6

The ordinance is recorded in full in Ordinance Book 21, at Page 463.
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ORDINANCE NO. 534-X TRANSFERRING $30,000 WITHIN THE GENERAL REVENUE SHARING TRUST FUND TO PROVIDE A SUPPLEMENTAL APPROPRIATION FOR THE TRANSIT STUDY UPDATE PROJECT.

Upon motion of Councilman Gantt, seconded by Councilwoman Locke and unanimously carried, the subject ordinance was adopted transferring $30,000 within the General Revenue Sharing Trust Fund to provide a supplemental appropriation for the Transit Study Update Project.

The ordinance is recorded in full in Ordinance Book 21, at Page 464.

ORDINANCE NO. 535-X TRANSFERRING $300,000 FROM UNAPPROPRIATED UTILITY BOND FUNDS TO INCREASE THE APPROPRIATION FOR THE PARKWAY AVENUE SEWER TRUNK.

Upon motion of Councilman Short, seconded by Councilman Harris, and unanimously carried, the subject ordinance was adopted transferring $300,000 from unappropriated Utility Bond funds to increase the appropriation for the Parkway Avenue Sewer Trunk.

The ordinance is recorded in full in Ordinance Book 21, at Page 465.

ORDINANCE NO. 536-X, TRANSFERRING $224,000 WITHIN THE GENERAL REVENUE SHARING TRUST FUND FOR THE GRAYSON PARK (BEALE STREET) COMMUNITY CENTER.

Motion was made by Councilman Harris, seconded by Councilman Whittington, and unanimously carried, adopting an ordinance transferring $224,000 within the General Revenue Sharing Trust Fund for the Grayson Park (Beale Street) Community Center.

The ordinance is recorded in full in Ordinance Book 21, at Page 466.

RESOLUTION AUTHORIZING THE REFUND OF CERTAIN TAXES COLLECTED AND LEVIED THROUGH CLERICAL ERROR AND ILLEGAL LEVY.

Motion was made by Councilman Harris, seconded by Councilwoman Locke, and unanimously carried, adopting the subject resolution authorizing the refund of certain taxes in the total amount of $3,326.74 which were collected and levied through clerical error and illegal levy against forty-seven (47) tax accounts.

The resolution is recorded in full in Resolutions Book 10, at Page 319.

PROPOSED SETTLEMENT IN THE CASE OF CITY VS. R. J. McRAE, ET AL, APPROVED.

Councilman Whittington moved that the settlement be approved, in the amount of $15,000, for property for the Motor Transport facility on Louise Avenue, as recommended by the City Attorney, and concurred in by the City's Real Estate Division. The motion was seconded by Councilman Gantt, and carried unanimously.

ENCROACHMENT AGREEMENTS, APPROVED.

Councilman Harris moved approval of the following encroachment agreements (with the North Carolina Department of Transportation), which motion was seconded by Councilman Whittington, and carried unanimously.
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(a) Agreement to construct a 6-inch cast iron water main at the intersection of Albemarle Road and Nathaniel Green Road.

(b) Agreement to construct an 8-inch sanitary sewer line crossing Sardis Road North to serve Sardis Oaks.

(c) Agreement to construct an 8-inch water main extension on Steele Creek Road, south of Westinghouse Boulevard.

APPROVAL OF EASEMENTS FOR ANNEXATION AREAS.

Councilman Short moved approval of the following nine (9) parcels of sanitary sewer easements for annexed areas, which motion was seconded by Councilwoman Locke, and carried unanimously.

(a) Annexation Area I (1) Collector Mains
3 parcels

(b) Annexation Area I (2) Sanitary Sewer Trunks
3 parcels

(c) Annexation Area I (4) Sanitary Sewer Additions
1 parcel

(d) Annexation Area I (11) Sanitary Sewer Trunks
1 parcel

(e) Annexation Area II (7) Sanitary Sewer Collector Main Additions
1 parcel

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY FOR VARIOUS PROJECTS, ADOPTED.

Motion was made by Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, adopting a resolution authorizing condemnation proceedings for the acquisition of property belonging to Pappamihiel Development Corporation, a North Carolina corporation, located at 7731 East Independence Boulevard, in the City of Charlotte, for the Campbell Creek Sanitary Sewer Outfall Project.

The resolution is recorded in full in Resolutions Book 10, at page 322.

Upon motion of Councilwoman Locke, seconded by Councilman Whittington, and unanimously carried, a resolution was adopted authorizing condemnation proceedings for the acquisition of property belonging to Elam R. Wolfe and wife, Millicent L. Wolfe, located at 5332 Monroe Road, in the City of Charlotte, for the Annexation Area I (4) Sanitary Sewer Additions Project.

The resolution is recorded in full in Resolutions Book 10, at Page 323.

Councilman Whittington moved adoption of a resolution authorizing condemnation proceedings for the acquisition of property belonging to D. L. Phillips and wife, Louise E. Phillips; Tom Mattox and wife, Azela S. Mattox; and James O. Moore and wife, Jane M. Moore, located at 6001 York Road, in the City of Charlotte, for the Annexation Area I (11) Sanitary Sewer Trunks Project. The motion was seconded by Councilwoman Locke, and carried unanimously.

The resolution is recorded in full in Resolutions Book 10, at Page 324.
RESOLUTION TO RESCIND AUTHORIZATION TO INSTITUTE CONDEMNATION PROCEEDINGS AGAINST PROPERTY BELONGING TO CONTINENTAL RESTAURANT SYSTEMS, INC. FOR THE SHARON AMITY ROAD WIDENING PROJECT.

Motion was made by Councilman Whittington, seconded by Councilman Harris, and unanimously carried adopting the subject resolution rescinding authorization to institute condemnation proceedings against property belonging to Continental Restaurant Systems, Inc. for the Sharon Amity Road Widening project.

The resolution is recorded in full in Resolutions Book 10, at Page 325.

PROPERTY TRANSACTIONS AUTHORIZED.

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

(a) Acquisition of 15' x 622.05' of easement, at 13451 Carowinds Boulevard, from The Carowinds Corporation, at $1.00, for Sanitary Sewer to serve Frog Creek Campground.

(b) Acquisition of 20' x 327.73' of easement at Worth Place, off block of Lawton Road, from M. R. Godley and wife, Margaret L., F. O. Godley and wife, Nabel E., at $1.00, for Sanitary Sewer to serve Worth Place.

(c) Acquisition of 15' x 105.82' of easement of 8322 Knights Bridge Road (off Sharon Road), from Sharon South Homes Association, at $1.00, for Sanitary Sewer Right-of-Way for Sharon South Section 2-B.

(d) Acquisition of 29.96' x 59.75' x 60.00' of property, with a one-story frame duplex, at 1805 Statesville Avenue, from Dr. John P. Kennedy and wife, Mary B., at $9,370.00, for Statesville Avenue Widening Project.

(e) Acquisition of 50.0' x 205.21' x 50.34' x 1' of property, with a one-story frame residence, at 1721 Statesville Avenue, from Lee Kinney and wife, Loraine T., at $20,705.00, for the Statesville Avenue Widening Project.

(f) Acquisition of 48.70' x 193.57' x 50.0' x 192.0' of property, with a one-story frame residence, at 1729 Statesville Avenue, from Crosby H. Byrd and wife, Maude A., at $22,690.00, for the Statesville Avenue Widening Project.

(g) Acquisition of 50' x 199.39' x 50.34' x 192.57' of property, with a one-story frame residence, at 1725 Statesville Avenue, from Romeo Alexander and wife, Frances, at $18,425.00, for the Statesville Avenue Widening Project.

(h) Acquisition of 20' x 31.42' x 20' of property at 1301 Amble Drive (off N. Graham Street), from Thomas M. Brown, Inc., at $1.00, for Right-of-Way acquisition Thrush Lane and Amble Drive Project.

(i) Acquisition of 8' x 231.48' x 6.97' x 229.83' of property, plus construction easement, at 3101 North Sharon Amity Road, from Continental Restaurant Systems, Inc., at $5,200.00, for Sharon Amity Road Widening Project.
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(j) Option of 65,164.262 sq. ft. of property at 900-916 Persimmon Street, from M. Lee Heath and wife, Anne P. Heath, at $23,350.00, for property for Motor Transport Facility Project.

(k) Acquisition of 32.27' x 62.23' x 77.61' and 15.71' x 31.84' x 36.27' and 5.00' x 74.18' x 8.69' x 66.07' of property, with a two-story apartment building with basement, at 1134 Elizabeth Avenue, from Clyde R. Mitchell, Jr., at $99,500.00, for Kings Drive Relocation.

CONTRACTS FOR THE CONSTRUCTION OF WATER MAIN EXTENSIONS AND SANITARY SEWER EXTENSIONS, APPROVED.

Motion was made by Councilman Harris, seconded by Councilman Withrow, and unanimously carried, approving the following contracts for the construction of water main extensions and sanitary sewer extensions:

(a) Contract with Dravo Corporation for the construction of 2,650 feet of 8-inch cast iron water main and two fire hydrants, at an estimated cost of $23,000.00, to serve Steele Creek Road to Sam Neely Road, outside the city limits. Funds will be advanced by the applicants, and refunds made, all in accordance with the existing city policies.

(b) Contract with Wilson Heights Church of God for construction of 400 linear feet of 8-inch sewer line in B Avenue, beginning at Beatties Ford Road, and running to the Church, outside the city, at an estimated cost of $12,000.00. The applicant will construct the entire system at their own proper cost and expense, and the city will own, maintain and operate the system and retain all revenues, at no cost to the city.

CHANGE ORDER NO. 1 IN CONTRACT WITH GILBERT ENGINEERING COMPANY, APPROVED.

Motion was made by Councilman Harris, seconded by Councilwoman Locke, and unanimously carried, approving Change Order No. 1 in contract with Gilbert Engineering Company for the 24-inch water main from Park Road and Woodlawn Road to Morrison Boulevard and Sharon Road to reflect a net decrease in the contract price of $9.44.

CONTRACT AWARDED SCHOEFFEL INSTRUMENT CORPORATION FOR SCANNING DENSITOMETER FOR THE CRIME LAB OF THE POLICE DEPARTMENT.

Motion was made by Councilman Withrow, seconded by Councilman Whittington, and unanimously carried, awarding contract to the low bidder, Schoeffel Instrument Corporation, in the amount of $9,093.42 for one (1) Scanning Densitometer for the Crime Lab of the Police Department.

The following bids were received:

   Schoeffel Instrument Corp. $9,093.42
   Ortec, Inc. 9,570.00

CONTRACT AWARDED NORRIS INDUSTRIES FOR DETECTOR CHECK VALVES FOR THE UTILITY DEPARTMENT.

Upon motion of Councilman Short, seconded by Councilman Whittington, and unanimously carried, contract was awarded the low bidder, Norris Industries, in the amount of $24,925.00, on a unit price basis for
fifty-three (53) detector check valves for the Utility Department.

The following bids were received:

- Norris Industries: $24,925.00
- ITT Grinnell Corp.: $26,738.78
- Hersey Products: $38,283.00

**CONTRACT AWARDED OLYMPUS CORPORATION FOR PHOTO MICROSCOPE FOR THE POLICE DEPARTMENT.**

Councilwoman Locke moved award of contract to the low bidder, Olympus Corporation, in the amount of $7,437.00 for one photo microscope for the Police Department. The motion was seconded by Councilman Whittington, and carried unanimously.

The following bids were received:

- Olympus Corporation of America: $7,437.00
- Baltimore Instruments Co., Inc.: $7,734.00

**CONTRACT AWARDED AMERICAN OPTICAL CORPORATION FOR FORENSIC MICROSCOPE AND DUEL VIEWING CONFERENCE UNIT FOR THE POLICE DEPARTMENT.**

Councilman Harris moved award of contract to the only bidder, American Optical Corporation, in the amount of $8,002.00, on a unit price basis, for one forensic microscope and duel viewing conference unit for the Police Department. The motion was seconded by Councilman Short, and unanimously carried.

**CONTRACT AWARDED BAUCOM BATTERY SERVICE FOR AUTOMOTIVE BATTERIES FOR ALL DEPARTMENTS.**

Upon motion of Councilman Whittington, seconded by Councilwoman Locke, and unanimously carried, contract was awarded to the low bidder, Baucom Battery Service, in the amount of $20,064.00 on a unit price basis, for automotive batteries for all departments.

The following bids were received:

- Baucom Battery Service: $20,064.00
- Battery Ignition Dist.: $22,051.24
- Goodyear Service Stores: $22,143.65
- Joint & Clutch Service: $22,795.83
- Piedmont Auto Exchange: $23,492.68
- International Harvester Co.: $30,468.03

**CONTRACT AWARDED GILBERT ENGINEERING COMPANY FOR SANITARY SEWER CONSTRUCTION TO SERVE PARKWAY AVENUE TRUNK.**

Upon motion of Councilman Gantt, seconded by Councilman Whittington, and unanimously carried, contract was awarded to the low bidder, Gilbert Engineering Company, in the amount of $237,986.00, on a unit price basis, for sanitary sewer construction to serve Parkway Avenue Trunk.

The following bids were received:
DISCUSSION OF THE CITY'S BUDGETING PROCESS.

Mr. Bill Stuart, Budget & Evaluation Director, stated preparatory to Council's discussion today they tried to put together a few pages of information on the City's Budget Process, which would enable Council to get an overview prior to discussing it. There are two pages which show the highlights of the budget process calendar, showing major dates of who does what and when. The calendar breaks itself down into three basic elements: (1) Preparation of Departmental Estimates; (2) Review, Analysis and Development of City Manager's Recommended Budget - including Document Preparation; (3) Review Modification approval by the City Council.

He stated the Departmental Estimates Phase is the starting point of the whole process. It begins in December with CIP (capital improvement requests) and begins in January for operating request. This is the phase we are in right now. They have given departments their budget request instructions; they are in the process of preparing those requests now. They received some budget requests last week and will be receiving budget request material for the rest of this month. The legal deadline is April 30, and that is significant. The State law says that the latest the departments can turn in the budget requests is April 30. We are just too big to operate that way and would not be able to get by if they used the last day which is in the law. Once the department requests are in they then move into the next phase.

This is approximately two months work on the part of the City Manager and his staff, Budget and Evaluation, Finance, Planning and Personnel, where the review, referral analysis, determination of needs for operating and capital programs is all analyzed and developed, based on the department's request. At the beginning of April they pull all that together in the form of the preliminary conclusion on what will constitute the Manager's Recommended Budget. This is where the needs are balanced against the estimated resources available. We finish our preliminary work as far as basic preliminary conclusions about the beginning of April and then for a period of about four to six weeks they prepare the documents, which in effect produces this mass of budget requesting information which they work down into a manageable, understandable package. That process takes until about mid-May.

In mid-May it is ready for presentation to City Council for the third stage which is City Council Review, Modification and Adoption. Concerning the legal deadline here, the State requires the City Manager, no later than June 1, to submit his budget recommendations to Council. On their schedule they are showing mid-May, which is a little advanced time. The Council then has a six-week period from mid-May until the end of June, which covers all the time they wish to schedule for the purpose reviewing and studying the Manager's recommended budget. Also in that time, they schedule a public hearing for citizens input, leaving it all until final adoption on June 30, because that is a regular Council meeting day.
The material that is given Council at the time the Manager submits his budget are familiar two documents: (1) Objective Document; (2) Detailed Information. At that time Council is given a full package of information on the Manager’s budget recommendations. This includes program highlights, plans for accomplishments, recommendations in respect to physical policies, property tax, preliminary pay plan recommendations and recommendations on capital improvements.

During the discussion that followed, Councilman Harris stated he would like to recommend a change in the process where it says that Departments submit budget requests to the City Manager, and ask the City Manager to submit copies of these requests to Council as they come in.

Mr. Burkhalter, City Manager, stated this would probably destroy a considerable amount of the rapport between the Manager and the Department heads. If the Department heads can go to the Council with the budgets, they will see a different kind of budget. He stated he is talking about a purely management situation. If Council expects a truly fiscally responsible budget, then they have to do it as a whole, not as a piece. Also he thinks it would be a physical impossibility for any one council-member to review all these documents; we are talking about a stack of detailed papers, three or four feet high. He stated all this information is given to Council in capsule form; no information is kept from them whatsoever. When Council looks at the document as a whole, then they can change any part of it they would like. In this way Council would only see what came originally; the Department heads change their minds about items and they are removed or changed in some way. Staff spends many manhours working with these requests. They add up all the possible resources, all the reserves, all the anticipated revenues. They have to go back to some of the Departments and tell them we must re-evaluate because we cannot do certain things when it comes to the point of going to Council and recommending that Council raise taxes.

Mayor Belk stated he thinks the point being overlooked is that we operate under the City Manager form of government, and it is different from the other forms such as commission forms of government. We have a Manager to do this, and it would create a bad situation if we broke down this management.

During the discussion Councilwoman Locke stated the budget is very cumbersome; and Council needs a review prior to the review of the final proposed budget. The Council members need help because it is the major thing that Council does, and really just okay it because of the time. Councilman Harris stated the whole point is the matter of timing of when the Manager sends the information to Council. That he did not say anything about the Council going directly to the Department heads. He would like to get the information they are talking about with all the approvals and disapprovals to come later. The idea of setting the objectives is Mr. Burkhalter’s function, and he is not trying to interfere with that. It is just that he thinks that Council should be able to get information earlier than receiving the printed document and saying here it is. He is saying Council should get a listing or something of the recommended or suggested programs to see if there is something there. For instance, on one that was denied last year, there was no information in the budget as to why it was denied. It was just there and that it had been turned down. That brings up the situation of having it all to the focal point of these four nights they have for hearings, and trying to resolve it at that point. He is just saying it looks as if they could get more information before that time. Councilman Harris stated he is not saying anything about Council members going directly to Department heads. That it is a matter of timing and when Council gets
information and in what format. That he wants to get all this information through the City Manager, and he is not wanting it any other way. The Council should be able to get the information earlier than receiving a printed document, and saying here it is, buy it or turn it down. Council should be able to get a list of the recommended, or suggested programs, or whatever, to see what they are. There was no information in the budget last year of why certain requests were turned down. It was just there, and it stated they were turned down.

Mr. Burkhalter stated if it is not resolved at that point, when will they resolve it. Are they going to resolve it individually before getting to the meetings, or are they going to have meetings before they have meetings. The point is they have to resolve them sometime, and that is the time to resolve them. Mr. Burkhalter stated he can give Council more broken down information. That staff does not give the reason why it is turned down. If they will go back and read the Manager's message they will see some in there of why they did certain things. If Council is concerned about why the Departments are not given certain things, he sees no reason why Council cannot be given a document showing the reasons for cutting it out. Councilman Harris stated he wants access to all requests eventually, somewhere in the budget process. Mr. Burkhalter replied staff will see that he gets this; but he would like for them to not get it before he makes his recommendations. Councilman Gantt stated he thinks this is fair enough. Maybe this is the answer, because during the budget sessions Council has the right to ask what the original requests were. Mr. Burkhalter stated this has been done to a great extent in the past. That he will give Council a detailed breakdown of each request and why it was denied.

Councilman Short stated the point that part-time elected officials, Councilmembers, cannot get it all done, and cannot get around to everything, and do not have enough time is a point that is applicable the year round. The point that was made a week or so ago that Councilmembers are very strongly dependent upon the Administrative Staff is a valid point; but the only cure for that would be something very drastic. We would have to get away from the management form of government entirely and use something like the commission form, in which case you put the whole city open to the most rank politics. That he does not believe we are in a position to go to one of the other forms of government, and that is going to be about the only answer for that problem.

Councilman Withrow stated this was very well and thoroughly discussed in Houston. After all the discussion, some man got up, cleared his throat and said, "Gentlemen, we have a council-manager form of government, and if we don't have competence in our manager, we fire him."

Councilman Whittington stated this discussion is healthy and will happen every time you have new people on the Council. But he wants Mr. Burkhalter to know and Mr. Stuart to know that Council has prepared the budget here in the past, when we did not have a City Manager, and it turned out to be a good budget. That he was a member of Council, and Mayor Smith appointed two members of Council to work with the Accountant, George Livingston, to prepare the budget. He stated another thing that should be pointed out today is when Mr. Brown who spoke earlier said that in all his years in the city he did not know the tax rate had ever been cut. Councilman Whittington stated he knows it was cut four cents in one year.

Councilman Whittington stated again what is talked about here is healthy, and Mr. Burkhalter has made some concessions. But the underlying fact is whether we agree with this or not, it is the City Manager's responsibility with his staff to prepare the budget. If Council does not like
it, then all Council has to do is to cut the tax rate, which cuts the services, and cuts the budget. It boils down to the fact that the Manager prepares the budget, and Council adopts the tax rate.

**MAYOR LEAVES MEETING AND MAYOR PRO TEM PRESIDES**

Mayor Belk left the meeting at this time, and Mayor pro tem Whittington presided for the remainder of the session.

**APPOINTMENTS TO THE PARADE PERMIT COMMITTEE.**

Motion was made by Councilman Short to appoint Mr. Bill Hill to a three year term on the Parade Permit Committee. The motion was seconded by Councilwoman Locke, and carried unanimously.

Councilman Harris moved the appointment of Mrs. William (Jane) Harley to a two year term on the Parade Permit Committee. The motion was seconded by Councilwoman Locke, and carried unanimously.

Motion was made by Councilman Harris, seconded by Councilwoman Locke, and unanimously carried, appointing Police Chief J. C. Goodman, Fire Chief Jack Lee, and Traffic Engineer Bernie Corbett, or their designates, to the Parade Permit Committee.

**APPOINTMENT OF CHAIRMAN AND VICE CHAIRMAN OF PARADE PERMIT COMMITTEE DEFERRED ONE WEEK.**

Councilman Withrow moved that the appointment of the Chairman and Vice Chairman of the Parade Permit Committee be deferred one week. The motion was seconded by Councilman Locke, and carried unanimously.

**NOMINATIONS TO FILL UNEXPIRED TERM ON PLANNING COMMISSION.**

Councilman Short placed in nomination the name of Isaac (Ike) Heard, Sr. to fill the unexpired term of Paul Drummond on the Charlotte-Mecklenburg Planning Commission.

Councilman Withrow placed in nomination the name of John Ramsey to fill the unexpired term of Paul Drummond on the Charlotte-Mecklenburg Planning Commission.

**COMMENTS AND SUGGESTIONS ON THE CAMPAIGN FOR THE UPCOMING BOND REFERENDUM.**

Councilwoman Locke stated Council is going to have to set a time to discuss the campaign for the bond referendum. The time is very limited; that we have to appoint a Chairman, deputies and a lot of work to do in this campaign. That she thinks next week is a little too late to begin work on it. Mr. Burkhalter, City Manager, stated that normally the Mayor appoints the Chairman; that if Council has someone they would like to recommend he has been looking for someone. Mayor pro tem Whittington suggested that the City Manager tell Mayor Belk that Council is ready to go, and ask that he try to get his Chairman and then include Council as the workhorses in this bond issue along with any citizens he wants to use.

Mr. Burkhalter stated it is a good feeling to know that everyone on the Council supports this $59.5 million bond referendum; it will make it much easier to go out and sell the package when Council is 100 per cent
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behind it. This is the way they should run things, and he is very proud of them. Everything that is in this package is desperately needed.

Councilman Short stated in September 1972 they lost a part of a bond package, and it was at Councilman Withrow's suggestion that Council come back and personally handle this bond issue that they did, and in April 1973 they passed the whole thing. He stated he thinks Council can do it again this year on the same basis.

Mrs. Dot Presser stated she is delighted that Council left the sidewalks in the bond referendum. That she has been looking at a memo dated January 27 and it says the location for these sidewalks will be developed from recommendations made by citizen groups, City Council, City Government Departments, and the School Board. That it was her understanding that plans had already been made for these funds, and outlined that there was a booklet on the subject. That the Pedestrian Task Force was looking forward to going over this before it is filed. Mr. Burkhalter, City Manager, suggested that she call Mr. Hopson, Public Works Director, and he will tell her exactly how this is done.

Councilman Harris stated the Study Council has had a lot of other priorities that Council could not fund. There are already priorities established through all this extensive work that has been done. The question should be resolved and make sure we are absolutely clear, from the standpoint of going out and selling the bonds, that Council in the future could take this approval and change and make these sidewalks anywhere. We are not funding; we cannot have a list of one through five sidewalks that we are voting on to build specifically because the Council always has the right to change them. Councilwoman Locke stated in the campaign she thinks we will have to designate where these sidewalks will be, and that is what Mrs. Presser is asking.

Mayor pro tem Whittington stated he talked yesterday with Councilman Williams, and he asked for consideration that Council not cut out the sidewalks, bike paths, and the recreation facilities, which were left in. Having said that, he thinks that Council should leave here today in a unified effort, knowing that about six months ago Council started thinking about a bond package for 1975. He stated all of Council should be commended for the deliberate and diligent way they went about trying to cut this package to be conservative as the federal and state governments are asking the citizens to do, and yet leaving in projects that are absolutely essential and vital to the future of this city, and most of them will pay for themselves. Mayor pro tem Whittington stated he hopes the citizens of this City will support the Council in this bond issue.

Councilman Short stated this bond issue is 92 per cent self-liquidating and it literally is self-liquidating because this is from airplane passengers, the $55 million, and that is passengers from all over the world.

RESOLUTION IN MEMORIAM OF MAURINE C. WATTS.

Councilman Harris read the following resolution:

WHEREAS, it is with deep regret that the City Council learned of the death of Maurine C. Watts, wife of Deputy City Attorney William A. Watts, on Saturday, February 8, 1975.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, in regular session assembled, this 10th day of February, 1975, that the Mayor and City Council of the City of Charlotte, do, by this resolution and public record, extend their deepest sympathy to the family of Maurine C. Watts.
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BE IT FURTHER RESOLVED, that this resolution be spread upon the minutes of this meeting and a copy thereof be sent to her family.

RESOLVED this 10th day of February, 1975.

The resolution was adopted unanimously by the City Council as everyone stood in a moment of silence in memory of Mrs. Watts.

ADJOURNMENT.

Mayor pro tem Whittington declared the meeting adjourned.

[Signature]

Ruth Armstrong, City Clerk