

April 16, 1973
Minute Book 58 - Page 390

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held on Monday, April 16, 1973, at 2:00 o'clock p.m., in the Council Chamber, City Hall, with Mayor John M. Belk presiding, and Councilmembers Fred D. Alexander, Ruth M. Easterling, Sandy R. Jordan, James D. McDuffie, Milton Short, and Joe D. Withrow present.

ABSENT: Councilman James B. Whittington. Councilman McDuffie was absent at the beginning of the session, and came in as noted in the Minutes.

The Charlotte-Mecklenburg Planning Commission sat with the City Council, and as a separate body, held its public hearings on the zoning petitions, with Chairman Tate and Commissioners Boyce, Finley, Moss, Ross, Royal, Sibley and Turner present.

ABSENT: Commissioners Albea and Kratt.

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INVOCATION.

The invocation was given by Councilman Fred D. Alexander.

APPROVAL OF MINUTES.

Upon motion of Councilman Jordan, seconded by Councilman Short, and unanimously carried, the minutes of the meeting on April 9 and the Adjourned Meeting on April 12, 1973, were approved as submitted.

CITY OF CHARLOTTE EMPLOYEE PLAQUE PRESENTED LINWOOD ROBERT REAVIS.

Mayor Belk recognized Mr. Linwood Robert Reavis, Auto Mechanic II, Police Department, and presented him with the City of Charlotte Employee Plaque for his services to the City from September 1, 1950 until his retirement April 10, 1973. Each member of Council expressed appreciation to Mr. Reavis and wished him well in his retirement.

HEARING ON PETITION NO. 73-13 BY W. PRESSLEY KIRKPATRICK FOR A CHANGE IN ZONING FROM R-15 TO O-15 OF PROPERTY ON THE EASTERLY SIDE OF SHARON ROAD OPPOSITE RUTHERFORD ROAD AND SULKIRK ROAD.

The public hearing was called on the subject petition on which a protest petition has been filed and found sufficient to invoke the 3/4 Rule requiring six (6) affirmative votes of the Mayor and City Council in order to rezone the property. Council was advised that a general protest, containing 417 signatures, was also on file in the office of the City Clerk.

Councilman Alexander stated this is the case that Councilman Whittington was interested in, and he had asked that it be deferred as he would be absent today, and he would notify the people who were in protest to the rezoning.

Mayor Balk stated he did not see how Council could advertise a public hearing and then postpone it after it has been published; that he would not recommend that Council do it; if Mr. Whittington at a later time wanted to come in and make a statement, he does not see anything wrong with that.

Councilman Short stated Mr. Whittington had wanted an opportunity to speak later on this matter; he is away today on a civic duty, and did want to be involved personally in the discussion of this; there was comment that the opposition might concur with his preferences here. Since then, however, there have been some communications and a letter that seems to indicate the the opposition does not concur with this. He stated in order to accommodate any point of view that anyone might have on this matter, he would suggest that Council proceed and at the same time hold this hearing open for further comment on another day, if anyone wishes to comment further about it. This would be done only if the interested parties who are here are willing for it to be done that way.

April 16, 1973
Minute Book 58 - Page 391

Mayor Belk ruled that Council would proceed with the hearing.

Mr. Haynes, Attorney, stated they filed the petition on behalf of the petitioner, who is the owner of the property; but Mr. Whittington indicated he personally wanted to appear to explain his position before the Council and Planning Commission. That he is out of the City, at the International Conference of Little League today, and will be back later if Council would like to go along with Mr. Short's suggestions.

Mayor Belk stated that will be fine, but he does not think we should inconvenience the people who have answered this petition today.

Mr. Bryant, Assistant Planning Director, stated the request is from a residential classification to office in an area located on the eastern side of Sharon Road; the property in question is vacant; it has a solid pattern of single family usage across Sharon Road from it; is adjoined on the south by a solid pattern of single family residential zoning. The Beverly Woods Subdivision is on the west side of Sharon Road with Beverly Woods East on the east side of Sharon Road. Immediately adjoining the subject property to the north is a day care center that has been constructed in the past year or so; behind it is an area being used by the Sharon Volunteer Fire Department. He pointed out the Sharon Presbyterian Church and the cemetery and the high rise nursing home; immediately behind the property is a tract of land that is still vacant.

He stated the zoning pattern is a solid single family residential zoning. It is zoned R-15 on the east side of Sharon Road and R-12 on the west side. The nearest non-single family is the beginning of an R-15MF district at a point coming on down to Quail Hollow Road.

(COUNCILMAN MCDUFFIE CAME INTO THE MEETING AT THIS TIME, AND WAS PRESENT FOR THE REMAINDER OF THE SESSION.)

Mr. Haynes stated Mr. Whittington and his partner are in the funeral business, and they desire to have this property rezoned for the purpose of establishing a suburban funeral chapel. He stated this seems to be the trend in the industry, and some of his competition in the city has already done this. He stated he would prefer to let Mr. Whittington speak to the particulars of it.

Mr. David Harber, speaking in opposition to the petition, stated he has been asked to speak in behalf of the Beverly Woods Civic Association which is comprised of over 200 members; also he has been asked to speak for the specific petitioners who comprise 100% of the landowners who own adjacent property to the designated area. Also for the 417 general petitioners who are property owners in the Fairmeadows, Beverly Woods and Beverly Woods East sections.

Mr. Harber passed around copies of a county-tax map of the area and stated the area outlined in red is requested changed from R-15 to O-15. In the general petition it is stated the intent of the rezoning is to build a satellite funeral chapel. However, this requires a general rezoning to O-15 which would allow other numerous types of office buildings, professional buildings and even a motel as long as it complies with the code. He stated it is not so much the funeral chapel they are opposing, although it is part of their opposition, but it is the spot rezoning of O-15 which is in the middle of a residential area. The side of Sharon Road is R-15 all the way to Sharon School, and all the way down, for at least 1/2 mile. On the opposite side of Sharon Road is R-15 in both directions. He stated they feel the general rezoning from R-15 to O-15 will not only hurt the property values and the beauty of the neighborhood but it would increase traffic which is already a problem; also they are concerned about future spot rezoning in the middle of the residential area on other empty lots.

He stated the second reason in the petition for the rezoning indicates that satellite funeral chapels are needed in suburban areas and will not be detrimental to the surrounding property. He stated they disagree with this since O-15 is required for a funeral chapel and the other types of uses that O-15 implies. They feel it does affect the values of the property in the immediate area.

April 16, 1973
Minute Book 58 - Page 392

Mayor Belk asked if funeral homes are permitted in O-15, and Mr. Bryant replied funeral homes are permitted in O-6 and not in O-15. Mr. Haynes stated a satellite funeral home can be built in the county under a conditional use in an O-15 area. Mr. Bryant replied not as a conditional use, but is a permitted use by right in the county.

Mr. Harber stated on the assumption the petitioner still wants the O-15 zoning, they still feel this type of zoning is detrimental to their residential area. He called attention to the sharp bend on Sharon Road as it approaches Eastbourne, Rutherford, Sulkirk and Champaign, which are entrance roads, and the traffic presently there, and the fact these are major entrance roads from residential areas, this amount of traffic has caused a blinker light to be installed at Sulkirk Road. He stated it is their contention that an O-15 zoning would only serve to increase the danger and the traffic in this area.

Mr. Harvey Shafer, 5500 Warewhip Lane, stated he moved into Charlotte exactly three weeks ago today. He stated he and his wife did a lot of looking in one day and finally bought a home on Warewhip Lane; their primary reason for buying there was that it was strictly residential. They moved in on March 26 and about a week later they hear there is a petition for an O-15 zoning. He stated they paid top dollar for their home and did not mind paying it because it is worth it; but it will depreciate substantially in value if this rezoning is permitted. Had he known a petition was pending for the rezoning he would not have bought it.

Also speaking in opposition was Mr. Harvey Woodside who stated he is an Elder in the Sharon Presbyterian Church, and live directly across the Street from the subject property. He stated the Session of the Church met and went on record in opposition to the rezoning. He filed a copy of the statement with the City Clerk.

Mr. Harber stated it was first requested that the O-15 rezoning be left open to allow Mr. Whittington to speak, which they are in agreement with; but it has also been suggested that the rezoning for this particular purpose requires O-6 rather than O-15. He asked if the next line of procedure is to continue to hold it open? Mr. Bryant replied he personally sees no point in continuing the O-15 consideration because it does not fulfill the purpose for which it was intended. Mayor Belk stated Mr. Haynes agrees with that.

Mr. Scott Thrower stated he lives beside Mr. Woodsides. He stated the statements and petitions have been filed in opposition to a rezoning to an office classification. He asked if that can be on record if another petition is filed in the future. Mr. Haynes stated they have no opposition to that; that Mr. Whittington is in no way trying to do anything that is not according to "hoyle" in this case. He is having to go through the standard procedures. Mr. Haynes stated they will stipulate that the protest petitions be transferred to a new petition for O-6 if the petitioner elects to file a new petition.

Councilman Short asked how the two year rule would be involved here? Mr. Underhill, City Attorney, replied he is checking on that now, and what will legally have to be done to the existing petition for O-15; how it can be disposed of so that an amended petition, if filed, can be considered. He stated under the city code the only way this property can be considered for O-6 would be to have no action taken on the present petition for O-15, and have the petitioners, if they desire, file a new petition for O-6 and have that advertised and have a separate hearing. That is the only way it can be done. The present petition cannot be amended.

Mr. Harber stated since there is a specific petition signed by 100% of the property owners surrounding the property opposed to this rezoning, does not the petition have to be heard? Mayor belk replied that is the reason he ruled at the beginning that it would be heard today, and that is what is being done now. Mr. Underhill stated the code says in order to amend a petition the request for an amendment has to be filed with the Council prior to the date of the hearing; a request was not made prior to today, so it cannot be amended. The only way Council can legally consider the rezoning to O-6 would be to have a new petition filed, and that will have to be done prior to action on the present petition for O-15. The petition cannot be withdrawn or amended because of the protest.

April 16, 1973
Minute Book 58 - Page 393

Councilman Withrow stated he thinks the people who are present should be asked if they agree to this? Mr. Harber stated they understand that the hearing has been held on the petition for O-15 today, and it is possible that Council will not vote on it until the petitioner can refile for O-6 at which time the protestants will be required to go through the same public meeting they have done for O-15. If that is the case they do not agree with it; they request that it be disposed of as heard.

Mr. Thrower stated a petition has been filed in opposition to this; he asked if there will be an eventual ruling on this as this petition is for a specific thing. That the opposition is interested in having a decision on this. Mr. Underhill stated he is not advocating one position or the other; that he is just trying to outline legally how you can accomplish hearing the matter on O-6. If Council rules upon the petition for O-15 prior to a new petition being submitted and being heard, and if they rule against and deny the request for rezoning, then another petition cannot be heard sooner than two years from the date it was turned down. Mr. Thrower stated they are opposed to office or any other rezoning other than the residential that is now on the property. Mayor Belk stated Council will not rule on this petition until it receives a recommendation from the Planning Commission. Mr. Thrower asked if once it goes to the Planning Commission and Council receives a recommendation, then Council will rule on this specific petition as it is filed? Mayor Belk replied in any event, Council will have to eventually rule on the petition.

Councilwoman Easterling stated under the O-15 zoning it is possible for this type of building to be built? Mr. Underhill replied it is not possible.

Councilman Alexander stated when this matter comes back from the Planning Commission and Council is required to act, and Council deferred action on the petition without setting any date for consummating its judgement on it, could the petitioner file under O-6? Mr. Underhill replied another petition could be filed while consideration on the existing petition is pending prior to any final determination by Council on the original petition. Councilman Alexander stated suppose on the second petition the Planning Commission reports and Council acts on that petition, and the first petition is still on deferral; he asked if that just stays until Council decides to do something about it? Mr. Underhill replied whatever Council decided to do on the second petition, then just to clear up the agenda Council should take some action on the original petition based on whatever action is taken on the second petition.

Mr. Thrower stated he believes they are being denied due process of the law if the hearing on this first petition is not given, and a second petition is presented and heard and acted on without the first one being acted on. He stated if Council has not acted between today and whenever the petitioner wants to file a second petition, then the petitioner can file a second petition which is even more liberal than O-15, and it does not seem fair.

Mr. Haynes stated in view of all the circumstances today, he would like to see if he can contact Mr. Whittington to see if there is anyway to have another hearing; that he is about to convince himself from what Council has said there probably is not. If that is it then it will be the end of it, and the protestants will be happy.

Councilman Short stated these matters that are described as perhaps "unfair" are legal points being stated by Mr. Underhill. That he is sure in the actualities of what will occur it is the intention of all the members of the Council to be completely fair. That he just wants to make sure we separate the intent of Council from the legal opinions the City Attorney has to give in response to questions.

Council decision was deferred for a recommendation of the Planning Commission

April 16, 1973
Minute Book 58 - Page 394

HEARING ON PETITION NO. 73-11 BY SCHLOSS OUTDOOR ADVERTISING COMPANY FOR A CHANGE IN ZONING FROM B-1 TO B-2 OF A LOT AT THE SOUTHWEST CORNER OF INDEPENDENCE BOULEVARD AND LAMAR AVENUE.

The public hearing was held on the subject petition.

The Assistant Planning Director advised this request is a change from B-1 to B-2 of one vacant lot located on the corner of Independence Boulevard and Lamar Avenue. There is a residence still facing on Independence Boulevard between the doughnut shop and the subject lot; coming down Lamar Avenue there are single family residences. Across Independence is the wholesale florist. Mr. Bryant stated the zoning pattern through the area is generally one of B-1; there is industrial zoning which begins out near the railroad on out Independence with some office zoning adjacent to the business zoning down Lamar Avenue. The property in question is completely surrounded by B-1 zoning.

Mr. Myles Haynes, Attorney for the petitioner, stated the lot is presently zoned B-1 and they want it rezoned to B-2 so they can place advertising signs on the property. He stated Independence Boulevard is a federal highway and carries heavy inter-state and inner-city traffic, and the B-2 zoning would be more appropriate than the B-1. The lot is rather rough and is below the grade level of the road, and it would not be economically feasible to fill it and use it for business purposes. There would be no problem about putting an advertising sign on the property. The property is presently surrounded by other B-1 and industrial zones, and to rezone to B-2 would in no way degrade the surrounding properties. For those reasons alone they ask that the zoning be changed.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred for a recommendation of the Planning Commission.

HEARING ON PETITION NO. 73-12 BY CHARLOTTE BUILDING INSPECTION DEPARTMENT TO CONSIDER AN AMENDMENT TO THE TEXT OF THE ZONING ORDINANCE REQUIRING A SIGN PERMIT PRIOR TO THE ERECTION OF A SIGN.

The public hearing was held on the subject petition.

Mr. Fred Bryant, Assistant Planning Director, stated the subject petition was suggested by the Building Inspection Department in order to present a little stronger situation in terms of the language of the ordinance when they are dealing with the necessity of issuing a sign permit.

Mr. Jamison, Superintendent of the Inspection Department, stated this proposal is to clarify the wording of this particular section of the code. They have had some legal problems in trying to get convictions on people who erected signs without a permit. The local judge feels the language is not strong enough for him to convict a person in these cases.

He stated the new wording will strengthen the ordinance and will say it shall be unlawful to commence constructing, erecting, repairing or alternating signs prior to obtaining a permit.

Mr. Jamison stated the wording of the present ordinance is such that the courts feel that it is not binding.

Councilman Short stated on the matter of repair. If a man has a non-conforming sign he is allowed to repair it, is he not? He asked what happens if he has some minor repairs, and Mr. Jamison replied this small minor repairs does not require a permit. Councilman Short stated he wonders if we really need the word repair in there. That even with a non-conforming sign, it seems the law would clearly allow them to repair it. How can you ever deny a permit to repair? Mr. Jamison replied he does not think you would unless it is a completely dilapidated situation.

Councilman McDuffie stated the whole purpose is to put the city in a better position if the inspectors find someone who is renovating, adding to, or such. Generally this can be worked out but you might run into situations such as we have with houses that need to be closed, and the people are not reasonable.

April 16, 1973
Minute Book 58 - Page 395

Councilman Short asked how this kind of a hearing is advertised? It would appear to him that Interstate or the other firms would want to say something about this. He asked if they have anyway to know this hearing is today? If these gentlemen thought they had to get a building permit just in order to repair a billboard, they would be here? Mr. Jamison replied the text of that part is not changed; it is that way now.

Mr. Bryant stated there is no substance change in the way the ordinance now reads; it is merely language so that when the Inspector has to take someone to court, the city will find itself in a stronger position in terms of winning a favorable judgement from the court. There is absolutely no substance change involved.

Councilman Short stated the Planning Commission should give consideration on whether the word repair should remain.

Councilwoman Easterling stated the word repair, just as many other words, is subject to interpretation. So the Planning Commission needs to consider this also. Councilman Alexander asked what other penalty do you want to put upon them other than a late fee? Someone replied the removal of the construction. Mr. Bryant replied the implication is that perhaps even if you win a favorable judgement, all you are saying is the court would fine a person for putting it up. The need here is to make it stronger than that so if it is judged illegal, the court can take the action.

Mr. Underhill stated there is no change in the law which requires someone to get a permit. Councilman Short stated it is not changing the substance of the ordinance, but it is changing the penalty. If a man repairs a sign without a permit, and this ordinance is enacted, he may have to tear it down. That is a considerable difference. Mr. Jamison replied if it is an illegal sign, or if the sign has gone beyond the limits of legal repairs.

Council decision was deferred for a recommendation of the Planning Commission.

RESOLUTION CLOSING A PORTION OF ARGOSY STREET IN THE CITY OF CHARLOTTE, NORTH CAROLINA, ADOPTED.

The public hearing was held on the petition of the Redevelopment Commission to close a portion of Argosy Street, extending 75 feet north of Wearn Street and 91.48 feet south of Wearn Street.

Council was advised the request has been investigated by all City Departments concerned with street rights of way and there are no objections to the closing.

No one spoke for or against the petition.

Councilman Jordan moved adoption of the Resolution closing a portion of Argosy Street, in the City of Charlotte, North Carolina. The motion was seconded by Councilman Short, and carried unanimously.

The resolution is recorded in full in Resolutions Book 9, beginning at Page 118.

RESOLUTION PROVIDING FOR A PUBLIC HEARING, ON PETITION NO. 73-14 ON MAY 14, 1973.

Motion was made by Councilman Withrow, seconded by Councilman Short, and unanimously carried, adopting a resolution providing for a joint public hearing on Monday, May 14 in the County Commissioners' Board Room at 2:00 o'clock p.m. on Petition No. 73-14 for a change in zoning.

The resolution is recorded in full in Resolutions Book 9, at Page 120.

April 16, 1973
Minute Book 58 - Page 396

RESOLUTION DECLARING THE PUBLIC CONVENIENCE AND NECESSITY REQUIRE THE TAXICAB SERVICE PROPOSED BY THE APPLICATION OF VICTORY CAB COMPANY FOR THE ISSUANCE OF TWO ADDITIONAL CERTIFICATES TO OPERATE TAXICABS IN THE CITY OF CHARLOTTE.

The hearing was called on the application of Victory Cab Company for the issuance of two additional certificates to operate taxicabs in the City of Charlotte.

Council was advised the Taxicab Inspector has found this application to be in compliance with the City Code and not in excess of the demand for taxicab service.

No one spoke for or against the application.

Motion was made by Councilman Jordan, seconded by Councilman Short, and unanimously carried adopting a resolution declaring the public convenience and necessity require the taxicab service proposed by the application of Victory Cab Company for the issuance of two additional certificates to operate taxicabs in the City of Charlotte.

The resolution is recorded in full in Resolutions Book 9, at Page 121.

PARK AND RECREATION COMMISSION AUTHORIZED TO INCREASE 1972-73 BUDGET FOR RIP RAP ALONG SUGAR CREEK IN FREEDOM PARK.

Council was advised the Park and Recreation Commission has requested authority to increase their 1972-73 budget in the amount of \$82,580, from 1972-73 property tax revenue for rip rap along Sugar Creek in Freedom Park.

Councilman Short asked if the representatives of the Commission would consider having this item on the agenda for the next Council Meeting. That Mr. Tuttle advised him he found out about this rather suddenly, and would like for his committee to have some input into this matter. In deference to Mr. Tuttle and his committee, he wonders if this would be possible.

Mr. Whelchel of the Park and Recreation Commission replied it could be, but he sees no way it would interfere with any plans Mr. Tuttle's committee is considering. All this is doing is repairing and making possible from BOR matching funds of \$124,000 which the Commission does not want to lose.

Councilman Jordan stated if the plans for Sugar Creek were approved, would this rip rap ^{or} interfere with the plans? Mr. Whelchel replied we have to stop the erosion/else they will lose the driveways. Mr. Bobo, Assistant City Manager, stated if Project 70 is funded by the federal government this would have to be torn out; but the erosion is so advanced at this point it is advisable to go ahead with the work now.

Councilman Short stated he feels we owe this to Mr. Tuttle as he has put a great deal of effort, and he moved that the item be deferred for two weeks. The motion did not receive a second.

Councilman McDuffie stated if this is not done on a bid basis how did they arrive at the figure of \$82,500? Mr. Whelchel replied these are estimates from the City Engineering Department; it will have to be put out for bids.

After further discussion, Councilman McDuffie moved that the item be approved to come back for bids. The motion was seconded by Councilman Withrow, and carried unanimously.

Councilman Short stated this refers to property tax revenues. He asked if we are still under the eight cents limitation until July? Can Council actually do this as it says property tax revenues? Mr. Bobo replied this is part of the eight cents.

Councilman McDuffie asked the City Manager to give him a memo on how much funds came in and have not been spent, such as this for the Park and Recreation.

April 16, 1973
Minute Book 58 - Page 397

PARK AND RECREATION COMMISSION REQUEST FOR ADDITIONAL POSITION IN THEIR 1972-73 BUDGET, AUTHORIZED.

Councilman Short moved approval of the request of the Park and Recreation Commission for an additional position in their 1972-73 Budget to provide the newly opened Park Road Park with a full time manager who will live at the park, supervising its operation and maintenance. The motion was seconded by Councilman Jordan.

Councilman McDuffie asked the salary range? Mr. Diehl, Park & Recreation Director, replied it is classed as 723, steps A-F, and it is about \$6,500 to \$7,800. Councilman McDuffie stated he hopes if someone with a college education applies and fits the qualifications, the Commission will consider them.

The vote was taken on the motion and carried unanimously.

ORDINANCE NO. 766-X AMENDING ORDINANCE NO. 363-X, THE 1973 MODEL CITIES BUDGET, AMENDING THE TABLE OF ORGANIZATION FOR THE MODEL CITIES FINANCIAL SECTION.

Councilman Jordan moved adoption of the subject ordinance amending the Table of Organization for the Model Cities Financial Section by the addition of one accounting clerk position. The motion was seconded by Councilman Short, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 20, at Page 51.

ORDINANCE NO. 767-X TRANSFERRING FUNDS TO UTILITIES FUND CAPITAL IMPROVEMENT PROJECTS TO FINANCE IMPROVEMENTS TO WASTE WATER TREATMENT FACILITIES.

After explanation, Councilman Jordan moved adoption of the subject ordinance transferring funds in the amount of \$160,000 to finance needed improvements to the Irwin and Sugar Creeks Treatment Plants for the replacement of six rotary trickling filters at the Plants. The motion was seconded by Councilman Alexander, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 20, at Page 52.

HEARING ON ORDINANCE AMENDING CHAPTER 11, ENTITLED "LICENSES" OF THE CODE OF THE CITY OF CHARLOTTE, SCHEDULED FOR MONDAY, APRIL 30.

Councilman Short stated he wonders if the Mayor and other members of Council have any thoughts on whether these changes should be made after a public hearing in which perhaps the Merchants Association and other applicable associations would be invited to attend.

Councilman Alexander asked if these are not the changes Council requested sometime ago? Mr. Bobo, Assistant City Manager, replied these are being suggested by the City-County Tax Office within the limitations the Council has to make the changes. Most of the things Council has addressed itself to in the past has been those things that would require the legislature to change. These are some of the changes that have been discussed on the local level.

Speaking to the amendments and to licenses in general were Mr. Tom Sykes, and Mr. J. A. Stone, Tax Collector, explained the proposed changes.

April 16, 1973

Minute Book 58 - Page 398

Councilman Short stated he had mentioned a public hearing on this matter, and he had two or three motives in mind. One, he does not think Council should make 24 changes in the tax structure anytime, even if it is a penny each, without having some effort to involve the public even if no one came. In terms of citizen participation, Council should somehow notify the Merchants Association and the Bankers Association and so forth, and have a public hearing on this matter just because citizen participation is important. Another reason, he hopes this could be put off a little bit and handled at some time ahead with more explanation. That he started trying to dig out how much these increases were, but there are some 20-30 items and it will take half a day on Sunday, and he could not ferret it all out. That Council needs a list that shows what it is now, and the proposed changes. Also, Council can use some judgement on some of these items. There is one in here that is called a fast food establishment for \$50.00. In some of these types of businesses it takes 20 cars coming in off the city streets to earn a dollar, where most other businesses may have one car coming off the street to earn a dollar. When they earn a dollar it probably cost the public a lot of money just in the traffic controls, policemen and so forth necessary to get all those cars in there. Here is a chance to compensate somewhat for this situation.

Councilman Short moved that this be made a public hearing for these reasons and that it be scheduled for Monday, April 30 and the City Manager be asked to notify the Merchants Association and as many of the other Associations possible about this by letter. The motion was seconded by Councilman Alexander, and carried unanimously.

ORDINANCE NO. 768-X TRANSFERRING FUNDS FROM THE UNAPPROPRIATED BALANCE OF THE POWELL BILL FUND TO PROVIDE THE SUPPLEMENTAL APPROPRIATIONS FOR THE THIRD-FOURTH STREET CONNECTOR.

The ordinance transferring \$97,000 from the Unappropriated Balance of the Powell Bill Fund to the Capital Improvement Account for the purpose of funding the Third-Fourth Street Connector was presented for Council's consideration.

Mr. Hopson, Public Works Director, explained the project.

Councilman Jordan moved adoption of the subject ordinance, which motion was seconded by Councilman Short, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 20, at Page 53.

GRANT AWARD CONTRACT WITH NORTH CAROLINA DEPARTMENT OF NATURAL AND ECONOMIC RESOURCES DIVISION OF LAW AND ORDER FOR FAMILY CRISIS INTERVENTION UNIT, AND ORDINANCE AMENDING THE 1972-73 BUDGET ORDINANCE PROVIDING AN APPROPRIATION TO CARRY OUT THE LEAA-FUNDED FAMILY CRISIS INTERVENTION PROJECT, ADOPTED.

Motion was made by Councilman Short, seconded by Councilman Jordan, and unanimously carried approving the Grant Award Contract with North Carolina Department of Natural and Economic Resources Division of Law and Order for Family Crisis Intervention Unit, and Ordinance No. 769-X Amending Ordinance No. 520-X, the 1972-73 Budget Ordinance Providing an Appropriation in the amount of \$30,000 to carry out the LEAA-Funded Family Crisis Intervention Project, which is 100% federally funded.

The ordinance is recorded in full in Ordinance Book 20, at Page 54.

Councilman McDuffie asked if you will be able to call the police department and have someone to talk to somebody who is having a family argument? Assistant Chief Adams replied there is a duty officer at the desk; they will be able to refer them to someone. Mr. Bobo, Assistant City Manager, stated the officers will be trained to do what Mr. McDuffie is talking about for the immediate situation; then they refer them to the proper agency.

April 16, 1973

Minute Book 58 - Page 399

ORDINANCE NO. 770 AMENDING CHAPTER 17, SECTION 59, SUBSECTION (24) WITH REGARD TO LOCATION OF DRIVEWAYS.

Mr. Hoose, Traffic Director, stated this ordinance is the result of a problem with driveways where a developer establishes the location at a poor site distance such as over a hill, on a curve and the City does not have any jurisdiction to tell a developer to move. All his department can do is ask for cooperation.

Councilman McDuffie asked if this will have any affect on the ones already installed, and Mr. Hoose replied no.

Mr. Hoose stated his department reviews the plot plans before a permit is granted; this is for the loading, unloading and number of spaces for parking; then they recommend that they be changed if they are hazards or would cause problems; but that is all they can do. In most cases they cooperate, but in some cases they say they have gone too far and cannot change the drives.

Mr. Underhill, City Attorney, stated this basically says that before they seek a building permit they must come in to the Traffic Engineering Office with a proposed plan showing where the driveways will be located.

Upon motion of Councilman Short, seconded by Councilman Withrow, and unanimously carried, the ordinance was adopted, and is recorded in full in Ordinance Book 20, at Page 55.

Councilman McDuffie asked if it is possible for the City to consider requiring those in existence to be moved, with the idea that the city might have to pay for the construction, which in some cases such as a parking lot would not involve a lot of money. For a small amount of money in some cases we might be able to correct a lot of situations. He asked if this new ordinance includes any driveway, residential and all? Mr. Hoose replied the city does not control residential driveways; it does include apartment complexes and businesses.

Mr. Underhill advised he does not know how the city could legally change the driveways; that it would run into some pretty serious legal problems in attempting to go back and force the closure of a particular driveway location that is already approved.

TRAFFIC DIRECTOR REQUESTED TO HAVE INTERSECTIONS CHECKED FOR SITE DISTANCE.

Councilman Jordan stated now is the season when all the shrubbery, bushes and trees are coming out. He requested the Traffic Director to have all these intersections checked for site distance.

CONTRACT BETWEEN CHARLOTTE MODEL CITIES DEPARTMENT AND CHARLOTTE MEMORIAL HOSPITAL, APPROVED.

Upon motion of Councilman Alexander, seconded by Councilman Jordan, and unanimously carried, the subject contract was approved between the City of Charlotte Model Cities Department and Charlotte Memorial Hospital (Sickle Cell Anemia), in the amount of \$1,000.00.

CHANGE ORDER NO. 1 IN CONTRACT WITH L. A. REYNOLDS COMPANY FOR MARSHALL PARK LANDSCAPING, APPROVED.

Motion was made by Councilman Alexander, seconded by Councilman Short, and unanimously carried, approving the subject Change Order No. 1 in contract with L. A. Reynolds Company for Marshall Park Landscaping. This Change Order, in the amount of \$1,755 will increase the total landscaping contract from \$99,648 to \$101,403.

April 16, 1973
Minute Book 58 - Page 400

CONTRACTS FOR WATER MAIN AND SANITARY SEWER CONSTRUCTION, APPROVED.

Councilman Jordan moved approval of the following contracts for water main and sanitary sewer construction, which motion was seconded by Councilman Short, and unanimously carried:

- (a) Contract with Model Cities Organization to Improve Our Neighborhoods, Inc. for construction of approximately 617 linear feet of 8-inch sewer main in Millbrook Avenue and Water Oak Road, inside the city, at an estimated cost of \$4,774.00. Applicant has deposited 100% of the estimated cost and is non-refundable.
- (b) Contract with Arrowood-Morgan Construction, Inc. for construction of approximately 4,430 linear feet of 8-inch trunk and mains in Bridlewood Subdivision, Section V, off Old Coach Road and Vickery Drive, located partly inside and partly outside the city, at an estimated cost of \$40,000.00. The applicant is to construct this sewerage system. The money deposited, \$1,190.75, is their proportional cost to previous construction and is non-refundable. The City will own, maintain and collect all revenue generated through this system.
- (c) Contract with John Crosland Company for construction of approximately 2,375 feet of 8", 6" and 2" water mains and two (2) fire hydrants to serve Sardis Woods Subdivision, Section B, outside the city, at an estimated cost of \$10,100.00. Funds will be advanced by the applicant under the terms of existing city policies as related to such water main construction.
- (d) Contract with John Crosland Company for construction of approximately 4,680 feet of 8", 6" and 1-1/2" water mains to serve the Sardis Woods Subdivision, Section A, outside the city, at an estimated cost of \$25,000.00. Funds will be advanced by the applicant under the terms of the existing city policies as related to such water main construction.
- (e) Contract with Alva R. Macken for construction of approximately 100 ft. of 2" Galv. W. I. or Galv. Steel Water main to serve property located on Saratoga Drive, inside the city, at an estimated cost of \$300.00. Funds will be advanced by the applicant under the terms of existing city policies as related to such water main construction.
- (f) Contract with The Ervin Company for construction of approximately 7,905 feet of 8", 6" and 2" water main and eight (8) fire hydrants to serve the Piney Grove Subdivision, outside the city, at an estimated cost of \$41,257.00. Funds will be advanced by the applicant under the terms of existing city policies as related to such water main construction.
- (g) Contract with Charlotte Pipe and Foundry Company for installation of approximately 250 feet of 6" C. I. water main to serve property abutting on Independence Boulevard, immediately west of Cedar Street, at an estimated cost of \$2,330.00. Funds will be advanced by the applicant under the terms of the existing city policies as related to such water main construction.

AGREEMENT WITH JOHN CROSLAND COMPANY TO ACCEPT WATER MAINS LOCATED IN COLLEGE DOWNS AREA, APPROVED.

Upon motion of Councilman Jordan, seconded by Councilman Short, and unanimously carried, the subject Agreement with the John Crosland Company was approved to accept certain water mains now located in the College Downs Area, at no cost to the City.

Prior to the motion, Councilman Withrow asked if these lines are being checked before they are taken over by the City, or will the City have to go in and put in new lines? Mr. Bobo, Assistant City Manager, replied they are being checked and in some instances changes have been made to upgrade them. But Staff felt there is sufficient value in this one to accept this offer; this is a private well system now, and they will be off the well system and on the city line.

April 16, 1973
Minute Book 58 - Page 401

ORDINANCES AFFECTING HOUSING DECLARED UNFIT FOR HUMAN HABITATION UNDER THE PROVISIONS OF THE CITY HOUSING CODE.

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

- (a) Ordinance No. 771-X ordering dwelling located at 1004 N. Church Street to be demolished.
- (b) Ordinance No. 772-X ordering dwelling located at 2236 Commonwealth Avenue to be vacated and closed.

The ordinances are recorded in full in Ordinance Book 20, beginning on Page 56.

CLAIM FILED BY REVEREND H. F. FORTENBERRY, FOR PROPERTY DAMAGE TO FIRST ASSEMBLY OF GOD CHURCH, DENIED.

Councilman Withrow moved claim filed by Reverend H. F. Fortenberry, in the amount of \$1,843.80, for property damage to First Assembly of God Church, be denied, as recommended by the City Attorney. The motion was seconded by Councilman Short, and carried unanimously.

STREETS TO BE TAKEN OVER FOR CONTINUOUS MAINTENANCE BY THE CITY.

Upon motion of Councilman Jordan, seconded by Councilman Alexander, and unanimously carried, the following streets were approved to be taken over for continuous maintenance by the City:

- (a) Ludwig Drive, from 185 feet east of Pentlow Place to 368 feet east of Pentlow Place.
- (b) Barrington Drive, from 167 feet north of intersection with Delivau Drive to 584 feet north of intersection with View Way Drive.
- (c) Markway Drive, from Barrington Drive to 384 feet east of Barrington Drive.
- (d) View Way Drive, from Barrington Drive to 316 feet east of Barrington Drive
- (e) Belle Plaine Drive, from Barrington Drive to 183 feet west of Barrington Drive.
- (f) Stonecrest Drive, from 132 feet north of Coronado Drive to 158 feet south of centerline of Coronado Drive.
- (g) Coronado Drive, from intersection of Stonecrest Drive, to 487 feet west of intersection with Stonecrest Drive.
- (h) Farmingdale Drive, from 195' north of centerline of Galene Ct. to 855' north of centerline of Galene Ct.
- (i) Atando Avenue, from intersection of Atando Avenue and Service Street to intersection with Simplicity Street.
- (j) Vane Court, from Atando Avenue to 345 feet north of Atando Avenue.

RESOLUTIONS DECLARING AN INTENT TO CLOSE A PORTION OF DONALD ROSS ROAD AND A PORTION OF CHELVESTON DRIVE, IN THE CITY OF CHARLOTTE, NORTH CAROLINA, AND CALLING FOR A PUBLIC HEARING ON MAY 14, 1973.

Motion was made by Councilman Jordan, seconded by Councilman Withrow, and unanimously carried, adopting resolutions declaring an intent to close a portion of Donald Ross Road and a portion of Chelveston Drive, in the City of Charlotte, North Carolina and calling for a public hearing on May 14, 1973.

The resolutions were recorded in full in Resolutions Book 9, beginning on Page 124.

April 16, 1973
Minute Book 58 - Page 402

ENCROACHMENT AGREEMENTS WITH STATE HIGHWAY COMMISSION, APPROVED.

Councilman Alexander moved approval of the following encroachment agreements with the State Highway Commission, which motion was seconded by Councilman Short, and unanimously carried:

- (a) Encroachment Agreement permitting the City to construct a 16-inch Ductile Iron Pipe Sanitary Sewer Line within the right of way of Albemarle Road, NC 27.
- (b) Encroachment Agreement permitting the City to construct a 6-inch water main within the right of way of Fallsdale Drive, SR1857, Benbow Lane, Glencurry Drive, SR1860, and Edgerly Court in Coulwood Hills XIII.
- (c) Encroachment Agreement permitting the City to construct approximately 350 feet of 2-inch G.W.I. water mains and approximately 1,860 feet of 6-inch C.I. water mains within the right of way of Valley Grove Road, Sunflower Road and Wiseman Drive with mains in Valley Grove Road, Sunflower Road and Arrow Lane in Valley Grove Subdivision.
- (d) Encroachment Agreement permitting the City to construct approximately 210 feet of 2-inch A.C. water main and approximately 4,670 feet of 6-inch A.C. water main and approximately 5,185 feet of 8-inch V.C. pipe sanitary sewer line within the right of way of Nations Ford Road, Colony Acres Subdivision.

RIGHT OF WAY AGREEMENT WITH STATE HIGHWAY COMMISSION PERMITTING THE STATE HIGHWAY COMMISSION TO ENCROACH ON PROPERTY BELONGING TO THE CITY TO WIDEN OAKDALE ROAD, APPROVED.

Upon motion of Councilman Withrow, seconded by Councilman Jordan, and unanimously carried, approving a Right of Way Agreement with the State Highway Commission permitting the State Highway Commission to encroach on property belonging to the City to widen Oakdale Road to 60 feet in width, measured 30 feet on each side of the center line of the road. This agreement also allows the State Highway Commission to improve and widen the intersection of North Carolina Highway #16 and Oakdale Road.

PROPERTY TRANSACTIONS, AUTHORIZED.

Motion was made by Councilman Withrow, seconded by Councilman Short, and unanimously carried, authorizing the following property transactions:

- (a) Acquisition of 4.6 x 54' of easement at 7101 South Boulevard, from Mobil Oil Corporation, at \$54.00, for construction of 24-inch water line on Woodlawn Road, Selwyn Road and Barclay Downs Road.
- (b) Acquisition of 15' x 104.53' of easement at 6910 Burlwood Road, from Office Properties, Inc. at \$105.00, for Trunks to Eliminate Stonehaven Lift Stations.
- (c) Acquisition of 15' x 48.85' of easement at 6921 Waldorf Road, from Joseph A. Gasquez and wife, Dianna B., at \$49.00, from Trunks to Eliminate Stonehaven Lift Stations.
- (d) Acquisition of 15' x 75' of easement at 8930 Old Monroe Road, from Mecklenburg County, at \$1.00, for sanitary sewer to serve Old Monroe Road.
- (e) Option on 50' x 139.21' x 82.50' x 138.17' of property, with a one-story frame house, at 1020 Eveningside Drive, from Jessie B. McCree (widow), at \$7,000.00, for Irwin Creek-Sugar Creek Open Space Project, Phase II.

April 16, 1973
Minute Book 58 - Page 403

SPECIAL OFFICER PERMITS AUTHORIZED.

Councilman Short moved that the following Special Officer Permits be authorized for a period of one year, which motion was seconded by Councilman Withrow, and carried unanimously:

- (a) Issuance of permit to John Albert Barnette for use on the premises of Johnson C. Smith University, 100 Beatties Ford Road.
- (b) Issuance of permit to John Samuel Eagle for use on the premises of Johnson C. Smith University, 100 Beatties Ford Road.
- (c) Issuance of permit to James Ewell Graham, Sr. for use on the premises of Johnson C. Smith University, 100 Beatties Ford Road.
- (d) Issuance of permit to Theodore E. Washington for use on the premises of Johnson C. Smith University, 100 Beatties Ford Road.

PAYMENTS TO PRISMO UNIVERSAL COMPANY FOR INSTALLATION OF HOT SPRAY PLASTIC MATERIAL ON CERTAIN STREETS IN THE CITY OF CHARLOTTE, NORTH CAROLINA.

Upon motion of Councilman Withrow, seconded by Councilman Short, and unanimously carried, payments were authorized made to Prismo Universal Company in the amounts of \$10,582 and \$17,604.25 for hot spray plastic material placed on city streets during March of 1973.

Mayor Belk stated when someone is going up Fourth Street in the second lane from the right with two other lanes to his left, he starts turning because he does not realize it is a four lane one-way street. He suggested that Mr. Hoose have some of the intersections straighten before you get to the one-way; especially the third and fourth lane to the left. That he has seen several near misses on that; the people do not even look and just pull right out in front of the other cars.

CONSIDERATION OF APPOINTMENT TO THE INSURANCE ADVISORY COMMITTEE, COMMUNITY FACILITIES COMMITTEE AND AUDITORIUM-COLISEUM-CIVIC CENTER AUTHORITY DEFERRED.

Councilwoman Easterling moved that consideration of the appointment to the Insurance Advisory Committee be deferred until next meeting. The motion was seconded by Councilman Jordan, and carried unanimously.

Councilman Short moved that consideration of appointment to the Insurance Advisory Committee be deferred until the next meeting. The motion was seconded by Councilman Jordan, and carried unanimously.

Councilman Alexander moved that consideration of the appointment to the Auditorium-Coliseum-Civic Center Authority be deferred until the next meeting. The motion was seconded by Councilman Short, and carried unanimously.

CONTRACT AWARDED BLYTHE BROTHERS COMPANY FOR SANITARY SEWER CONSTRUCTION FOR UPPER BRIAR CREEK INTERCEPTOR.

Upon motion of Councilman Jordan, seconded by Councilman Withrow, and unanimously carried, contract was awarded the low bidder, Blythe Brothers Company, in the amount of \$205,076.00 on a unit price basis, for sanitary sewer construction for Upper Briar Creek Interceptor, subject to approval of the North Carolina Office of Water and Air Resources and the Environmental Protection Agency.

The following bids were received:

Blythe Brothers Company	\$205,076.00
Crowder Construction Company	219,852.50
Gilbert Engineering Company	278,031.00
Thomas Structure Company	294,994.00
Ben B. Propst	296,584.00
Rand Construction Company	330,584.00
Sanders Brothers, Inc.	452,636.00

April 16, 1973
Minute Book 58 - Page 404

CONTRACT AWARDED T. A. SHERRILL CONSTRUCTION COMPANY FOR STREET IMPROVEMENTS ON SOUTH TRYON AT WEST MOREHEAD STREET.

Motion was made by Councilman Withrow, seconded by Councilman Alexander, and unanimously carried, awarding contract to the low bidder, T. A. Sherrill Construction Company, in the amount of \$21,818.00, on a unit price basis, for street improvements on South Tryon at West Morehead Street.

The following bids were received:

T. A. Sherrill Construction Co.	\$21,818.00
Crowder Construction Co.	24,023.00
Rea Construction Co.	24,079.00
Blythe Brothers Co.	25,443.00

CONTRACT AWARDED T. A. SHERRILL CONSTRUCTION COMPANY FOR STREET IMPROVEMENTS ON WEST THIRD STREET-WEST FOURTH STREET CONNECTOR.

Councilman Jordan moved award of contract to the low bidder, T. A. Sherrill Construction Company, in the amount of \$245,885.25, on a unit price basis, for street improvements on West Third Street-West Fourth Street Connector. The motion was seconded by Councilman Alexander, and carried unanimously.

T. A. Sherrill Construction Co.	\$245,885.25
Rea Construction Co.	255,301.00
Crowder Construction Co.	260,384.00
Blythe Brothers Co.	279,141.00

CONTRACT AWARDED GILBERT ENGINEERING COMPANY, INC. FOR INSTALLATION OF DISTRIBUTION SYSTEM WATER MAIN FROM PARK ROAD TO SHARON ROAD.

Upon motion of Councilman Alexander, seconded by Councilman Jordan, and unanimously carried, contract was awarded the low alternate bidder, Gilbert Engineering Company, Inc., in the amount of \$449,742.00, on a unit price basis, for installation of 24" Distribution System water main from Park Road to Sharon Road.

The following bids were received:

Gilbert Engineering Co., Inc.	\$479,992.00
Rand Construction Co., Inc.	521,385.00
Blythe Brothers Company	529,000.00
Thomas Structure Company	549,000.00
Sanders Brothers	600,000.00
Pierce Ditching Company	675,000.00

Alternate bids.

Gilbert Engineering Co., Inc.	\$449,742.00
Rand Construction, Inc.	495,385.50
Blythe Brothers Company	499,000.00
Thomas Structure Company	519,000.00
Sanders Brothers	588,000.00
Pierce Ditching Company	665,000.00

CONTRACT AWARDED THOMAS STRUCTURE COMPANY FOR INSTALLATION OF DISTRIBUTION SYSTEM WATER MAIN FROM SHARON ROAD TO PINEVILLE ROAD.

Motion was made by Councilman Withrow, seconded by Councilman Short, and unanimously carried, awarding contract to the low alternate bidder, Thomas Structure Company, in the amount of \$441,000.00, on a unit price basis, for installation of a 24" Distribution System Water Main from Sharon Road to Pineville Road.

April 16, 1973
Minute Book 58 - Page 405

The following bids were received:

Thomas Structure Company	\$470,000.00
Rand Construction Co., Inc.	490,484.00
Blythe Brothers Comapny	517,000.00
Pierce Ditching Company	625,000.00
Sanders Brothers	651,000.00

Alternate bids.

Thomas Structure Company	\$441,000.00
Rand Construction Co., Inc.	464,484.00
Blythe Brothers Company	492,000.00
Pierce Ditching Company	615,000.00
Sanders Brothers	635,500.00

CONTRACT AWARDED FIRESTONE TIRES FOR THE CITY'S REQUIREMENT OF PASSENGER AND TRUCK TIRES AND TUBES.

Councilman Jordan moved award of contract to the low alternate bidder, Firestone Tires, in the amount of \$30,112.60, on a unit price basis, for the city's requirement of Passenger and Truck Tires and Tubes. The motion was seconded by Councilman Withrow and carried unanimously.

The following bids were received:

The B. F. Goodrich Co.	\$22,448.08
L & N Tire Company	23,533.07
Goodyear Tire Co.	24,262.38
Firestone Tires	25,726.17

Alternate bids.

Firestone Tires	30,112.60
Goodyear Tire Co.	33,193.72
L & N Tire Company	34,867.54

CONTRACT AWARDED L & N TIRE COMPANY FOR TRUCK AND GRADER TIRES AND TUBES.

Upon motion of Councilman Withrow, seconded by Councilwoman Easterling, and unanimously carried, contract was awarded the low bidder, L & N Tire Company, in the amount of \$61,962.03, on a unit price basis, for Truck & Grader Tires & Tubes.

The following bids were received:

L & N Tire Company	\$61,962.03
The B. F. Goodrich Co.	65,465.23
Goodyear Tire Co.	67,441.63
Firestone Tires	69,347.53

CONTRACT AWARDED BAR FLY CORPORATION FOR HELICOPTER ENGINE REPLACEMENT.

Motion was made by Councilman Alexander, seconded by Councilman Jordan, and unanimously carried, awarding contract to the only bidder, Bar Fly Corporation, in the amount of \$6,386.00, for Helicopter Engine Replacement.

Councilman Alexander asked the life of a helicopter engine? Lieutenant Edison of the Police Department replied it is recommended for 1,200 hours; there is about 1,160 hours on the engine now, and the manufacturer recommends 1,000 as a safety factor. That it has been a little over a year since the engine was replaced.

Councilman Short stated he hopes Council will have an opportunity to get some description from the Police Department about some of the things this helicopter does. That he thinks what the helicopter does would just amaze Council. That he would like to schedule a session to just talk about the helicopter.

April 16, 1973

Minute Book 58 - Page 406

RESOLUTION APPROVING APPLICATION FOR PRELIMINARY LOAN IN THE AMOUNT NOT TO EXCEED \$30,000 FOR APPROXIMATELY SEVENTY-FIVE LOW RENT PUBLIC HOUSING.

Councilman Alexander stated Council has received a recommended resolution on housing for the Charlotte Housing Authority.

Councilman Alexander moved adoption of a Resolution approving an application for preliminary loan for low-rent public housing. The motion was seconded by Councilman Jordan, and carried unanimously.

The resolution is recorded in full in Resolutions Book 9, at Page 126.

RESOLUTION OF CITY COUNCIL ADOPTING PROCEDURES FOR THE CONDUCT OF BUSINESS DURING REGULARLY SCHEDULED COUNCIL MEETINGS.

Councilwoman Easterling asked if the City Manager's office has received any comments or any criticism about the procedures Council has been studying for some time about the conduct of business during meetings. Mr. Bobo, Assistant City Manager, replied they have not received any comments from Council.

Councilwoman Easterling stated as there have been no suggestions or corrections since the procedures were last submitted to Council, she moved the adoption of the Resolution of City Council adopting procedures for the conduct of business during regularly scheduled Council meetings. The motion was seconded by Councilman Withrow, and carried unanimously.

The resolution is recorded in full in Resolutions Book 9, beginning at Page 127 and ending at Page 130.

Councilman Alexander asked if this new procedure will eliminate anyone from coming to Council and bringing up any subject they wish to bring up? Councilwoman Easterling replied the card they will receive at the door and fill out and bring to the Clerk would facilitate that; that Council would still have the right to say no and to come back another time if it were not convenient in the agenda to do it.

DISCUSSION OF PRIORITIES FOR CONSTRUCTION OF SIDEWALKS.

Councilman McDuffie asked if Council can get some idea of how the priorities will be set up in determining where sidewalk money will be spent. That he is getting letters and calls from people requesting sidewalks in certain parts of the city. Council has to determine how to spend the money.

Councilman Alexander replied he thought it was the understanding that it would start around the schools. Councilman McDuffie stated one he received today was about Inwood Drive and this is around a school. Mr. Bobo stated a criteria has been worked out for the selection, and it is based on schools; that staff will come back to Council with a copy for Council's approval.

Councilman McDuffie stated it may be that Council will want to develop a policy or talk about whether it wants to use some of it for seed money where some people are willing to participate. Councilman Alexander stated he would not be willing to consider that until the schools are taken care of just the way it was said in the campaign; that he would not even want to discuss it until Council has taken care of the schools; then we can come back and set priorities for other doings.

Councilwoman Easterling stated she has had several calls from the people in the Hoskins School area, and they are very disturbed because the streets they had been promised would be fixed, might now be taken from the list because the school at Hoskins has been moved to Thomasboro; they pointed out to her on the telephone there are still a number of children having to walk to Thomasboro to school; that they are not all being carried by bus; and the need is still there. So they do not want those streets taken off the list.

April 16, 1973
Minute Book 58 - Page 407

Mr. Bobo stated when they found out that the Hoskins School would be closed, they did cancel out the sidewalks to that school. Since Mrs. Easterling has pointed out there are some children walking to Thomasboro, he has asked the Traffic Engineering Department to make a survey of this and determine if there is a need of sidewalks in the area. That he will have that report shortly.

TRAFFIC COUNT AND COST OF REPLACING WOODEN BRIDGE ON MILTON ROAD REQUESTED.

Councilman McDuffie asked Staff to give Council the cost of replacing the bridge on Milton Road; it is the only wooden bridge he knows of that is left in the city limit. That we now have money to widen the Plaza to Milton Road, and this is about 500 feet to the right and it is four lanes with the exception of a few feet on this side of Milton Road. It is a dangerous situation; it is a heavily traveled area. Council should know the exact cost and the traffic count.

COUNCIL GOES ON RECORD REQUESTING THE COUNTY COMMISSIONERS TO MOVE ON A NEW BELT ROAD AROUND CHARLOTTE.

Councilman Withrow stated during the bond campaign all he heard was about a belt road around Charlotte.

He moved that Council go on record asking the County Commissioners and the Planning Commission to get busy; that it is time to make some sort of positive expression to go ahead and do this before all these buildings go up. The motion was seconded by Councilman Short.

Councilman Short stated the county is still trying to get some enabling from the legislature. They will get it but he does not think it is completed yet.

WRITTEN COMMENTS ON BICYCLE PROGRAMS PASSED AROUND TO COUNCIL MEMBERS.

Councilman Short stated Council has scheduled a report from the Traffic Engineer very soon about possible bicycle programs - bikeways and soforth - in Charlotte and in this community. He has studied a lot of towns. He stated about six or eight months ago he wrote a number of towns and he has a summary of what he received from eight of the towns. That preliminary to what Mr. Hoose is going to do and with his permission he passed around the summary to each member of Council.

DISCUSSION AND RECOMMENDATIONS ON BETTER COMMUNICATION WITH THE CITIZENS AND CITY MANAGER REQUESTED TO STUDY THE RECOMMENDATIONS AND LET COUNCIL HAVE HIS IMPRESSIONS AND COMMENTS.

Councilman Short stated he believes that Council should discuss further additional means of direct communication between this City Council and the members of the public. It seems to him this is needed and is something he picked up in the course of the bond campaign. This is needed to get the facts and proposals and opinions, and suggestions to the public and to get back from them their feelings and opinions about things.

He stated this is not an effort to criticize the press or the broadcasters. All of Council has praised them for what they do; but he does not feel that we can expect them to be the principal citizen participation program for local government. The main thing we have talked about is more televised Council meetings, and Council is proceeding with this effort. But perhaps there are some other things.

He stated one possibility is that Council might try keeping the citizen action line open at night, on certain nights, for an hour or two, and perhaps Council members could be on hand certain evenings and give answers and give opinions that people might call in and want information about.

April 16, 1973

Minute Book 58 - Page 408

Councilman Short stated Council might arrange with Channel 42 WTVI, or perhaps with some radio station for Council members and Staff members to present some kind of informative review of the minutes of each Council meeting at some time in the latter part of the week when the minutes are ready. Only items of real interest would be reviewed and all sides of controversial matters and split decisions would be explained. Also telephone comments could be entertained at this time as a part of this program.

He stated he also wonders about the possibility of changing the Council conference sessions from Monday at 2:00 to Monday night at 8:00 o'clock at WTVI. The formal Council meeting would still be at 3:00 on Monday in the Council Chambers. But the conference sessions are very informative; they are informal and they are for the purpose of enlightening Council, and it could enlighten the public.

Councilman Short requested that the City Manager study these possibilities and let Council have his impressions and feelings.

Councilman Alexander asked his thinking about having Council Meetings at night. Some people declare that would be an improvement as far as public relations are concerned. Councilman Short replied Council has been talking about this for many years. The difficulty apparently is if you have the formal Council meeting at night it is a difficulty for the Staff and for the City Manager. Council needs to operate from this room while the entire city establishment is available. This is a point that has always been made, and has sort of stopped Council as far as the formal Council meetings at night are concerned. But he is suggesting that at least the conference session could be at night at the T.V. Station. While Council is getting informed the whole city could be informed.

Councilman Alexander stated one of his suggestions was that Council be present to answer questions. To make that useful, Council will need the backing of the technicians then. It would not get anywhere to refer an answer to some other date. That he cannot see where it would resolve something until you have the backing of that particular technician.

Councilman Short replied this would not be a perfect answer but on a trial basis it may bear trying.

Councilman McDuffie stated the televising of a meeting one night a month would take care of part of Mr. Short's suggestion about meeting at night; and if Council goes into the neighborhoods once a quarter, he believes the public will give Council enough to do, that with watching once a month on TV they would be 100% more informed than they are now.

He stated he has mentioned to the Public Service Director that he include in the mail out, in the water bill, a questionnaire asking people if they voted "no" on the bonds, to tell their reasons; and if there is a complaint, to put it into words and let Council know what it is. He stated a night meeting once a month is not too much of an imposition on the Staff if you give an afternoon or the next morning off.

Councilman Short asked about the possibility of at certain times on WTVI just having an explanation of the important parts of the minutes by Councilmembers with the aid of some of the staff. It would be possible to say this was done and state the reasons, and that some did oppose it and give their reasons. It seems you could get across the gist of the Council meeting in 30 minutes by sticking to the important things the public really should know about.

Councilman Withrow stated during his speaking engagements on the bond campaign, each civic club stated they would like to have a councilmember out at certain periods to speak to them. They wanted to know if the public relations director would contact all the presidents of these clubs and set up appointments for individual councilmembers to speak. It showed during the bond campaign by taking it to the grass roots it paid off.

April 16, 1973
Minute Book 58 - Page 409

Councilman Short stated he is trying to get at something that is not a one-way proposition. At a civic club it is just about almost entirely the Councilman telling them. Some way is needed where we can get gleanings back from them. That is the reason he is talking about keeping the citizen action line open at night and letting Council man it. The suggestion is to have the minutes reviewed on WTVI and phone inquiries being accepted.

(COUNCILMAN JORDAN LEFT THE MEETING AT THIS TIME AND WAS ABSENT FOR THE REMAINDER OF THE SESSION.)

Councilman Withrow stated at one time he brought up community involvements and a proposed system where the Council would go out and set up community organizations manned by good people, people who are interested in communities. He stated he did set up two such communities and they are going strong, and they are set up with good people and it is not politically oriented at all. He stated the Councilmembers should go to these community organizations and speak to the people. Mayor Belk stated he would buy that more than having the Council meetings. Councilman Withrow stated if we do not do this, then the disorganized groups will do it for us. Mayor Belk stated this appeals to him much more than taking the Council meeting around, because the people are basically not interested in what is going on in the Council meeting unless it is something in their neighborhood. If you meet with them on some kind of common ground then you are serving the needs of the community.

Councilman Short stated he knows there is some disagreement about whether we should go further with publicizing, or televising Council meetings themselves. That these suggestions he made this afternoon did not include any further extension of that idea. Mayor Belk stated the Council continues to talk about meeting on WTVI, and the only point he is trying to make is that as long as you can get coverage on all the stations you are better off than limiting yourself to one station. Right now, Council is getting coverage from all the news media, and he thinks Council should consider and appreciate what it is now receiving. Councilman Short asked if the Mayor has a specific indication from some news media or broadcaster that they would object to something like appearances on WTVI, with the idea this is competition for "All In The Family", or some such program? Mayor Belk replied he is not speaking for the news media, they can speak for themselves. He can only speak for himself and he thinks we are getting coverage. This subject has been brought up time and time again with the Mayors of the ten cities on what the people want, and how to get better meetings, and what you can bring so the people will be more interested, and how you can do a better job. That Charlotte stands out far beyond any other city in getting the information to the people through the news media. That in Salisbury they say they wish they did not have Council meetings on television so much as they are not interested. He stated the news media in Charlotte is so powerful that we get better coverage than any city he knows about. To limit it to one channel he thinks is dangerous.

Councilman Withrow stated in every paper you read there is something about community involvement, and if you do not get involved, then the radicals are going to do it.

Councilman Alexander stated the recent bond experience has been good for all of us, and it has been good for the City of Charlotte. Out of the many questions asked and the experiences, each of the Councilmembers came up on are things that the Council should give some concern to; but he does not think we can overnight come up with the answers to many of the questions presented. That he thinks we need to note all the problems we faced and do our own thinking as to which is the best road to take, and attempt to resolve it. Then we should see what we can do and have a meeting of the minds on how we can approach it. That Council cannot resolve all the problems that grow out of questions that have come from the citizens of this community, or any community in the terms in which an answer can come for everybody's question. We need to give some time to a fair appraisal of what we need to do in light of our enlightening adventure of the recent bond election.

April 16, 1973
Minute Book 58 - Page 410

He stated we are beginning to move into our new citizens community development program; and he thinks this is the time when we are moving into a development of that program that we can begin to tie a lot of things together to help us. That he would say all this discussion is good, but that we not make any effort to come up with a quick resolve in a week or two, but see what we can do to really put thought to it.

ADJOURNMENT.

Upon motion of Councilman Short, seconded by Councilman Alexander, and unanimously carried, the meeting was adjourned.



Ruth Armstrong, City Clerk