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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held on Monday, August 13, 1973, at 3:00 o'clock p.m., in the Council Chamber, City Hall, with Mayor pro tem Fred D. Alexander presiding, and Councilmembers Sandy R. Jordan, James D. McDuffie, Milton Short and Joe D. Withrow present.

ABSENT: Mayor John M. Belk, and Councilwoman Ruth M. Easterling. Councilman James B. Whittington was absent at the beginning of the meeting.

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INVOCATION.

The invocation was given by Councilman Sandy R. Jordan.

MINUTES APPROVED.

Upon motion of Councilman Short, seconded by Councilman Withrow, and unanimously carried, the minutes of the last meeting on Monday, July 30, 1973 were approved as submitted.

CITY OF CHARLOTTE EMPLOYEE PLAQUE PRESENTED TO EVELYN KIRKSEY.

Mayor pro tem Alexander recognized Mrs. Evelyn Kirksey and presented her with the City of Charlotte Employee plaque for her services to the city from October 13, 1958 until her retirement August 1, 1973. Mrs. Kirksey was a Clerk-Steno II in the Motor Transport Division of the Public Works Department.

PETITION NO. 73-29 AND PETITION NO. 73-24 FOR ZONING CHANGES POSTPONED.

Mayor pro tem Alexander stated Petition No. 73-29 by Blythe Properties, Inc., for a change in zoning from R-9 to R-6MF, and Petition No. 73-24 by Michael D. Herndon for a change in zoning from O-6 to I-1 on the Agenda today have been protested and will require six (6) affirmative votes of Council in order to approve the petition. There are not enough councilmembers present to comply with the regulations in regard to these protested petitions, and Council will not be able to take action on these petitions today.

Councilman Jordan moved that action on the two petitions be postponed. The motion was seconded by Councilman Short, and carried unanimously.

AUGUST 18 PROCLAIMED AS DILWORTH JUBILEE DAY IN THE CITY OF CHARLOTTE.

Mayor pro tem Alexander recognized Mr. Jeffrey A. Huberman, President of Dilworth Community Development Association, and Ms. D'Etta Leach, and presented a proclamation proclaiming Saturday, August 18, 1973 as Dilworth Jubilee Day in the City of Charlotte.

Ms. Leach stated Dilworth is having this celebration and they would like to invite the Mayor and each member of Council to come. They are celebrating the revival of Dilworth as a healthy community. The aim of the jubilee is to create community spirit and self-confidence in Dilworth and to give non-Dilworth residents a chance to come out and visit the community; they are celebrating it as a good place to live with the great oak trees lining the streets and sidewalks. She stated the theme is the 1890's as that is when Edward Dilworth Latta opened Dilworth as Charlotte's first suburb.

Ms. Leach and Mr. Huberman presented Mayor pro tem Alexander, each member of Council, the City Manager and City Attorney with a Key to Dilworth, and invited each to come out and help them celebrate on Saturday.

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Councilman McDuffie stated the folks in Dilworth are doing an outstanding job; but he would like for them to realize that as a neighborhood they have been blessed with roads, and streets that have already been widened in a good many cases such as Morehead Street, East Boulevard, Park Road and it has made their community a better place to live and to be able to get to and through. But when we try to do these things in other parts of the city we need help and cooperation rather than saying don't widen streets and if necessary cut down a tree here and there. He stated it is important that these residences realize they have suffered and endured in the past and allowed the streets to be widened; but it is also important that Council have their support in the future.

Mr. Huberman replied he believes Council will have their support in the future.

MAYOR PRO TEM ALEXANDER INTRODUCES HIS BROTHER, LOUIE ALEXANDER.

Mayor pro tem Alexander stated his brother from New Jersey is in the audience. He asked him to stand and be recognized. He stated this is his brother Louie.

COUNCILMAN WHITTINGTON COMES INTO MEETING.

Councilman Whittington came into the meeting during the discussion on the next item, before the vote was taken, and was present until he left the meeting as noted in the minutes.

ORDINANCE NO. 888-X AMENDING ORDINANCE NO. 828-X, THE 1973-74 BUDGET ORDINANCE, TRANSFERRING FUNDS FROM THE GENERAL FUND CONTINGENCY TO PROVIDE AN APPROPRIATION FOR THE CHARLOTTE-MECKLENBURG DIMENSIONS PROGRAM.

An ordinance transferring \$25,000 from the General Fund Contingency to provide an appropriation for the Charlotte-Mecklenburg Dimensions Program was presented for Council's consideration.

Mr. Stan R. Brookshire stated he appreciates the opportunity to appear in behalf of the Dimensions for Charlotte-Mecklenburg program. He stated the purposes of the program in a condensed form are as follows:

1. To involve citizens through an educational and participating process in shaping future dimensions and goals for Charlotte Mecklenburg.
2. To promote the public interest of Charlotte Mecklenburg by serving as a facilitating activity, communicating the wishes of the people for the future of their community to leaders of public and private organizations, thus enabling such organizations or agencies to be more responsive to the wishes of the people of Charlotte Mecklenburg.
3. To encourage and arrange for the formation of committees, task forces, and other groups of interested citizens to conduct meetings, forums, workshops, and seminars, and from time to time publish and disseminate reports for improving Charlotte Mecklenburg and the surrounding area.

Mr. Brookshire stated they have organized and secured a non-profit corporation charter. The incorporators were Mayor Belk, Chairman W. T. Harris, Dean W. Colvard, D. C. Cameron and himself. He stated they have added to those five incorporators the names of others who will represent broadly the total community as members of an executive board. Those new members are Jack Brayboy, Mrs. Kathleen Crosby, David E. Kelly, Mrs. Park King, John (Jack) A. Tate, Jr., and D. Frank Suddreth. He stated they are presently in the process of naming a committee of 100 plus or minus.

Councilman McDuffie asked if the County is participating? Mr. Brookshire replied they have talked to members of the County Commission. He stated they think they should join with the City and are hopeful they will. That he thinks they will follow the city's intent. He stated this is probably one of the

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best bargains the city or county can buy because under the proposed budget the city will furnish 1/3 of the cost of the operation, the county 1/3 and 1/3 will be raised from private sources. The administrative cost indicates the staff, which will be kept to a minimum, will cost, including office rent, \$36,700. With the educational programs, conferences, workshops, fees for consultants, publications and printing totaling the balance of it, which is about 2/3 of \$75,000. He would anticipate the volunteer services in this program will equal three, four or five times as much as the paid services.

Mr. Brookshire stated they are working on a minimum of two years time; it may run three depending entirely upon the progress made, and how far the community will want to go. It is patterned after Dallas, but will be structured to fit the needs of Charlotte-Mecklenburg. The areas of study they have in mind will not necessarily coincide with those studied in Dallas.

(COUNCILMAN WHITTINGTON CAME INTO THE MEETING AT THIS TIME, AND WAS PRESENT UNTIL HE LEFT THE MEETING AS NOTED IN THE MINUTES.)

Mr. Brookshire stated there are a dozen or more cities in the country that have started this program. Some of them have failed. But the oldest and the most successful has been Dallas, Texas. Their program has been going for several years, and one of the benefits was not specified in the original purposes at all, and that is "unity of community". Since the program originated they have launched and sold to the public between \$400 and \$500 million in bonds and not a single bond issue has failed. All are winning by a two to one or three to one margin. They have told them the reason is that the people had some voice in setting the goals and directions. When bonds were proposed to meet those needs, the people felt they had a moral obligation to go to the polls and vote for them.

Councilman Withrow stated UCS has just initiated a similar type program of volunteers of retired people to do other things, and they have just employed a full time employee. He asked if there is anyway to work with UCS? Mr. Brookshire replied very definitely as Mr. Gordon Berg will be on the Committee, and other Officers of UCS have said they want to cooperate fully. He stated they do not want to compete with any present organization of the city or county; but they do want to coordinate efforts. It is a people's program, broadly based.

Mr. Brookshire stated they have established offices in the Executive Park on South McDowell Street. He invited all to come down and meet the Director who is Marian (Moe) Ward; he is a retired Air Force Colonel; he was reared in Charlotte and came back to Charlotte to take this job. He stated they are using Dr. Bright Bodbold, who served as the Director of the Dallas Program for seven years, as a consultant.

Mayor pro tem Alexander asked if it is structured so that it could entertain proposals coming from citizens groups? Mr. Brookshire replied very definitely, and even from citizens individually; they do not want their problems particularly unless the problems indicate some worthwhile directional goal; they do not want to get involved in community arguments.

Councilman Short stated he has looked into this and is thoroughly sold on it as a great thing; that he believes it will achieve the largest citizen participation that we could achieve by any method we would set up. He believes if there is anything that heal division and to mell our citizens together to go forward it will be this approach. In Dallas, public bonds were readily voted by a large majority after a similar organization operated, and most are familiar that in Minneapolis, after a similar effort over a period of a couple of years, they achieved some wonderful results by private and public cooperation in the rebuilding of their downtown. That he does not think we have anything but good that will come from this program.

Councilman Short moved adoption of an ordinance amending the 1973-74 budget ordinance, transferring \$25,000 from the General Fund Contingency to provide an appropriation for the Charlotte-Mecklenburg Dimensions Program. The motion was seconded by Councilman Whittington, and carried unanimously.

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The ordinance is recorded in full in Ordinance Book 20, at Page 209.

Mayor pro tem Alexander thanked Mr. Brookshire for the efforts he has put forth in putting together this program; that he is sure it is headed by the right officials. When Mr. Brookshire was Mayor he convinced him that he had an ear for community and people problems, and he is sure this committee can bring much improvement to our community.

Mr. Brookshire stated he is one of the unpaid volunteers in the program. He thanked Council for its action today; and he would forecast that Council's action in this program will and can shape the destiny of our community in the future.

PETITION NO. 73-26 BY CARTER L. REDD, JR. FOR A CHANGE IN ZONING OF APPROXIMATELY 20 ACRES OF LAND LOCATED NORTHWEST OF THE END OF CUSHMAN STREET, WEST OF SUGAR CREEK ROAD AND SOUTH OF INTERSTATE HIGHWAY 85, DENIED.

Councilman Short moved that the subject petition for a change in zoning from R-9 to I-1 be denied as recommended by the Planning Commission. The motion was seconded by Councilman Whittington, and carried unanimously.

Councilman Short stated we do not have a Planned Unit Development west of Tryon Street to his knowledge. If he has ever seen a piece of property that would make an industrial PUD, this one would. It has a tremendous park being built there to the north of the property; then it has industrial zoning on the other side of the creek. They have 35 plus acres here, and he hopes it is 36, when you consider the adjoining piece of land these people own. That he thinks this is an opportunity for a little creative type of zoning, and he hopes the property owner will keep this possibility in mind.

REQUEST FOR POSITIVE RECREATION PLANS AND PROJECTS INSIDE CHERRY COMMUNITY REFERRED TO DIMENSIONS FOR CHARLOTTE-MECKLENBURG COMMITTEE.

Mayor pro tem Alexander stated each member of Council has received a communication from the Cherry Community that came through the Mobile City Hall Unit. That he has just asked Mr. Brookshire if this is the type of think his committee will be handling, and he says this would fall within the area of this committee.

Councilman Jordan moved that the communication from the citizens of the Cherry Community for some positive recreation plans and projects inside their community be referred to Mr. Brookshire's committee. The motion was seconded by Councilman Short, and carried unanimously.

RESOLUTION PROVIDING FOR THE ISSUANCE OF \$3,100,000 PUBLIC IMPROVEMENT BOND ANTICIPATION NOTES.

Councilman McDuffie introduced the resolution entitled: "Resolution Providing for the Issuance of \$3,100,000 Public Improvement Bond Anticipation Notes". Thereupon, upon motion of Councilman McDuffie, seconded by Councilman Short, the resolution entitled: "Resolution Providing for the Issuance of \$3,100,000 Public Improvement Bond Anticipation Notes" was passed by the following vote:

YEAS: Councilmen McDuffie, Short, Jordan and Whittington.  
NOES: Councilman Withrow.

Councilman Whittington stated the record indicates that he voted the first time against the recreation bonds, and the public building bonds because he felt that the citizens of this community had turned those two items down previously in bond elections. Mr. Bobo called him this morning and told him that Mrs. Easterling and the Mayor were out of town today, and ask if he could come here long enough to vote so that these two items could be disposed of. That he wants the record to show he is voting for them out of deference to his colleagues on the Council who have already voted for them, and could not be here today.

The resolution is recorded in full in Resolutions Book 9, beginning at Page 255.

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RESOLUTIONS PROVIDING FOR THE ISSUANCE OF \$21,500,000 CITY OF CHARLOTTE BONDS.

Councilman Whittington introduced a resolution entitled: "Resolution Providing for the Issuance of \$8,845,000 Street Bonds, Series A".

Upon motion of Councilman Whittington, seconded by Councilman Jordan, the resolution entitled: "Resolution Providing for the Issuance of \$8,845,000 Street Bonds, Series A" was passed by the following vote:

YEAS: Councilmen Whittington, Jordan, McDuffie, Short and Withrow.  
NAYS: None.

Thereupon Councilman Short introduced a resolution entitled: "Resolution Providing for the Issuance of \$7,400,000 Sanitary Sewer Bonds, Series A".

Upon motion of Councilman Short, seconded by Councilman McDuffie, the resolution entitled "Resolution Providing for the Issuance of \$7,400,000 Sanitary Sewer Bonds, Series A" was passed by the following vote:

YEAS: Councilmen Short, McDuffie, Jordan, Whittington and Withrow.  
NAYS: None.

Thereupon Councilman McDuffie introduced a resolution entitled: "Resolution Providing for the Issuance of \$3,100,000 Public Improvement Bonds."

Thereupon, upon motion of Councilman McDuffie, seconded by Councilman Short, the resolution entitled: "Resolution Providing for the Issuance of \$3,100,000 Public Improvement Bonds" was passed by the following vote:

YEAS: Councilmen McDuffie, Short, Jordan, Whittington and Withrow.  
NAYS: None.

Thereupon, Councilman Jordan introduced a resolution entitled: "Resolution Providing for the Issuance of \$2,155,000 Water Bonds, Series A."

Thereupon, upon motion of Councilman Jordan, seconded by Councilman Whittington, the resolution entitled: "Resolution Providing for the Issuance of \$2,155,000 Water Bonds, Series A" was passed by the following vote:

YEAS: Councilmen Jordan, Whittington, Short, McDuffie and Withrow.  
NAYS: None.

Thereupon, Councilman Whittington introduced a resolution entitled: "Resolution Fixing the Form and Manner of Execution of \$8,845,000 Street Bonds, Series A, \$7,400,000 Sanitary Sewer Bonds, Series A, \$3,100,000 Public Improvement Bonds, and \$2,155,000 Water Bonds, Series A, to be issued under Date of June 1, 1973, Providing for the Registration Thereof, Ratifying Application to the Local Government Commission for the Advertisement and Sale of Said Bonds and Ratifying Action of Local Government Commission in asking for Sealed Bids for Said Bonds".

Upon motion of Councilman Whittington, seconded by Councilman Short, the Resolution entitled: "Resolution Fixing the Form and Manner of Execution of \$8,845,000 Street Bonds, Series A, \$7,400,000 Sanitary Sewer Bonds, Series A, \$3,100,000 Public Improvements Bonds, Series A, and \$2,155,000 Water Bonds, Series A, To be Issued under Date of June 1, 1973, Providing for the Registration Thereof, Ratifying Application to Local Government Commission for the Advertisement and Sale of said Bonds and Ratifying Action of Local Government Commission in asking for sealed bids for said Bonds", was passed by the following vote:

YEAS: Councilmen Whittington, Short, Jordan, McDuffie and Withrow.  
NAYS: None.

Thereupon, Councilman Jordan introduced a resolution entitled: Resolution Authorizing the Printing of the Legal Opinion on the \$21,500,000 Bonds to be issued under date of June 1, 1973.

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Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, the resolution entitled: "Resolution Authorizing the Printing of the Legal Opinion on the \$21,500,000 Bonds to be Issued under Date of June 1, 1973" was passed by the following vote:

YEAS: Councilmen Jordan, Whittington, McDuffie, Short and Withrow.  
NAYS: None.

The resolutions are recorded in full in Resolutions Book 9, beginning at Page 260.

ORDINANCE NO. 889 AMENDING CHAPTER 10 OF THE CODE OF THE CITY OF CHARLOTTE RELATIVE TO BULK CONTAINERS.

Motion was made by Councilman Whittington, and seconded by Councilman Withrow to adopt the subject ordinance amending Chapter 10 of the City of Charlotte relative to bulk containers.

Mr. Hopson, Public Works Director, stated this is to clarify an amendment that is in the definitions; we have been going to six and eight cubic yards for the last two or three years; this just straightens out the ordinance itself for clarification. With the new equipment, the city can now handle compressed trash in units up to six cubic yards, so they can haul more, and it will make the cost less. He stated they have replaced 4 or 5 hundred of those in the last couple of years voluntarily; and under the grandfather clause, if they insist on keeping the smaller until we will allow them to keep it. This is so that no new units will be put in under six cubic yards in the uncompressed, and four to six cubic yards compressed.

Councilman Short asked if this applies from now forward, plus anyone of an earlier date if the city can prevail upon them? Mr. Hopson replied yes, and they have had tremendous volunteer cooperation on this; generally two stores go together and save money. Most of these are rented; very few are purchased.

Councilman McDuffie stated anyone who has a smaller container can keep it. Mr. Hopson stated that is right if they have one at the present time; but they will not be permitted to purchase a new one.

The vote was taken on the motion and carried unanimously.

The ordinance is recorded in full in Ordinance Book 20, at Page 210.

RESOLUTION AUTHORIZING EXECUTION OF A GRANT OFFER FROM THE FEDERAL AVIATION ADMINISTRATION TO DEVELOP THE NEW PARALLEL RUNWAY 18R/36L.

Councilman Jordan moved adoption of the subject resolution authorizing execution of a grant offer from the Federal Aviation Administration, in the amount of \$5,195,250, to develop the new parallel runway 18R/36L. The motion was seconded by Councilman Short, and carried unanimously.

The resolution is recorded in full in Resolutions Book 9, at Page 275.

ORDINANCE NO. 890-X TRANSFERRING FUNDS FROM THE UNAPPROPRIATED BALANCE OF THE AIRPORT FUND TO PROVIDE THE CITY'S TWENTY-FIVE PERCENT MATCH FOR THE SITE PREPARATION, GRADING AND DRAINING FOR THE NEW PARALLEL RUNWAY.

Upon motion of Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, the subject ordinance was adopted transferring \$1,731,750 from the Unappropriated Balance of the Airport Fund to provide the City's twenty-five percent match for the site preparation, grading and draining for the new parallel runway.

The ordinance is recorded in full in Ordinance Book 20, at Page 211.

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RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE FOR CONDEMNATION ACTION IN THE GREENVILLE URBAN RENEWAL PROJECT NO. N. C. R-78 DEFERRED.

Motion was made by Councilman Whittington and seconded by Councilman Withrow, to adopt the subject resolution for condemnation action in the Greenville Urban Project No. N. C. R-78. The parcels to be condemned are as follows:

Parcel	Owner	Final Offer	REMARKS
26-4	Brandon United Presbyterian Church, U.S.A.	\$55,000	Unable to reach settlement
1	Seaboard Coast Line Railroad Co. (Railroad right-of-way)	\$34,500	Title problem

Councilman Short asked why they cannot reach an agreement with the Brandon Church? Mr. Sawyer, Director of Urban Redevelopment, replied they have been negotiating and have made offers to the church, and have really had no response. He stated they are negotiating with the church to sell them a new site on which to build within the new Greenville Community, and the two are tied together. They have reached a point where prudence should not delay any longer acquiring the existing church because they have to move with the other. This will put them in a position to give the church the final letter with a deadline stating their offer, beyond which they would institute condemnation action. This is necessary in order to complete the project. Councilman McDuffie asked if they know the people they are trying to contact are being contacted? Mr. Sawyer replied yes; they are in telephone contact with the Minister and the Chairman of the Board.

Councilman Short asked if this is where the Brandon Center is located, and Mr. Sawyer replied it is. Councilman Short stated he can hardly imagine voting to condemn the Brandon Child Care Center; there must be some way other than that. Mr. Sawyer replied they are going to work with the church, and will leave the Child Care Center there until the new church is constructed; they will not discontinue the operation of the church in any way. He presented a map indicating the location of the church which he explained. He stated they are negotiating with them now, and he sees no disagreement on the site for the new church on Statesville Avenue across the street from the proposed conference center, which they have had preliminary negotiations with PAED, which is Presbyterian oriented, in a cooperative effort to build the Church and the Conference Center. He stated it is not stalled because of any disagreement on any of this; it is a lack of response. That he does not believe this would create any disagreement; it would merely give the church an out.

Councilman Short made a substitute motion to defer this matter until the next meeting and that Council be presented with a statement of the history of this situation so that we can get at just why we have to condemn this facility, which has an excellent child care center.

Councilman Jordan asked if the child care center will be taken care of also, and Mayor pro tem Alexander replied the new facility will include the day care facility.

Councilman Short stated all of this sounds nice, but we are proceeding without any input from the church. Mayor pro tem Alexander stated the official act of condemnation will not be executed without further consultation with them. Mr. Sawyer replied that is right. Before they condemn they will make a final offer; they will write a letter making a final offer urging them to accept within a certain period of time, and notifying them if they do not within that period of time, then they will be forced to file the petition for condemnation. Mayor pro tem Alexander stated this act today does not cut off further negotiations.

After further discussion, Councilman Whittington stated with Councilman Withrow's approval he will withdraw his original motion. Councilman Withrow agreed to the withdrawal and seconded Mr. Short's motion to defer action until the next Council meeting.

The vote was taken on the motion to defer and carried unanimously.

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RESOLUTION AMENDING THE RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE ESTABLISHING THE CHARLOTTE ADVISORY COMMISSION ON URBAN REDEVELOPMENT.

Councilman Whittington moved adoption of the subject resolution amending the resolution establishing the Charlotte Advisory Commission on Urban Redevelopment, which motion was seconded by Councilman Withrow, and unanimously carried.

The resolution is recorded in full in Resolutions Book 9, at Page 276.

CHANGE ORDER NO. 4 IN CONTRACT WITH COCHRAN AND ROSS COMPANY FOR SITE GRADING, BROOKLYN URBAN RENEWAL AREA, N. C. R-43.

Upon motion of Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, the subject change order was approved, in the amount of \$2,035.25, increasing the original contract amount of \$66,019.06, for site grading, Brooklyn Urban Renewal Area, N. C. R-43.

CHANGE ORDER NO. 8 IN CONTRACT WITH CROWDER CONSTRUCTION COMPANY, INC. FOR SITE IMPROVEMENTS, DOWNTOWN NEIGHBORHOOD DEVELOPMENT PROGRAM N. C. A-3.

Motion was made by Councilman Jordan, seconded by Councilman Withrow, and unanimously carried, approving the subject change Order No. 8, in contract with Crowder Construction Company, Inc., in the amount of \$29,039.75, increasing the original contract amount to \$928,741.07, for site improvements, Downtown Neighborhood Development Program N. C. A-3.

CHANGE ORDER NO. 2 IN CONTRACT WITH SANDERS BROTHERS, INC. FOR CONSTRUCTION OF STORM DRAINS, GREENVILLE URBAN RENEWAL AREA, N. C. R-78.

Councilman Whittington moved approval of Change Order No. 2 in contract with Sanders Brothers, Inc., in the amount of \$3,355.80, increasing the original contract price of \$25,458.40, for construction of storm drains, Greenville Urban Renewal Area, N. C. R-78. The motion was seconded by Council Withrow, and carried unanimously.

CONTRACT WITH HASKINS & SELLS COMPANY TO AUDIT THE ACCOUNTS OF THE CHARLOTTE FIREMEN'S RETIREMENT SYSTEM, APPROVED.

Upon motion of Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, the subject contract was approved with Haskins & Sells Company to audit the accounts of the Charlotte Firemen's Retirement System for the fiscal year ended June 30, 1973, at a standard rate, the total not to exceed \$350.00.

ORDINANCES ORDERING THE REMOVAL OF WEEDS, GRASS, RUBBISH AND TRASH PURSUANT TO SECTION 6.103 AND 6.104 OF THE CITY CHARTER, CHAPTER 10, ARTICLE I, SECTION 10-9 OF THE CITY CODE AND CHAPTER 160-200 OF THE GENERAL STATUTES OF NORTH CAROLINA.

Motion was made by Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, adopting the following ordinances ordering the removal of weeds, grass, rubbish and trash:

- (a) Ordinance No. 891-X ordering the removal of weeds and grass at 214 Meadowbrook Road.
- (b) Ordinance No. 892-X ordering the removal of weeds and grass on a vacant lot adjacent to 1617 Pegram Street.
- (c) Ordinance No. 893-X ordering the removal of weeds and grass at the rear of 1837 Umstead Street.
- (d) Ordinance No. 894-X ordering the removal of weeds and grass adjacent to 2912 Grimes Street, vacant lot.
- (e) Ordinance No. 895-X Ordering the removal of weeds and grass at the rear of 2726 Grimes Street.
- (f) Ordinance No. 896-X ordering the removal of weeds and grass at 1244 Badger Court.

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- (g) Ordinance No. 897-X ordering the removal of weeds and grass on a vacant lot adjacent to 5430 Addison Drive.
- (h) Ordinance No. 898-X ordering the removal of weeds and grass on a vacant lot adjacent to 1001 Waccamaw Street.
- (i) Ordinance No. 899-X ordering the removal of weeds and grass on a vacant lot adjacent to 1025 Waccamaw Street.
- (j) Ordinance No. 900-X ordering the removal of weeds and grass at 1821 Patton Street, vacant lot
- (k) Ordinance No. 901-X ordering the removal of weeds and grass at 1709 Beatties Ford Road.
- (l) Ordinance No. 902-X ordering the removal of weeds and grass on a vacant lot at 4400 Hovis Road
- (m) Ordinance No. 903-X ordering the removal of weeds and grass adjacent to 3040 Ridge Avenue.

The ordinances are recorded in full in Ordinance Book 20, beginning on Page 212.

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

After viewing pictures of the houses being declared "unfit", Councilman Whittington moved adoption of the following ordinances affecting housing declared "unfit" for human habitation, which motion was seconded by Councilman McDuffie, and carried unanimously:

- (a) Ordinance No. 904-X demolition and removal of dwelling at 611-11 1/2 East Fifth Street.
- (b) Ordinance No. 905-X demolition and removal of dwelling at 609-09 1/2 East Fifth Street.
- (c) Ordinance No. 906-X demolition and removal of dwelling at 620 Cherry Street.
- (d) Ordinance No. 907-X vacate and close dwelling at 2912 Clemson Avenue.

The ordinances are recorded in full in Ordinance Book 20, beginning on Page 225.

COUNCILMAN WITHROW LEAVES MEETING.

Councilman Withrow left the meeting at this time, and returned as noted in the minutes.

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

Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, the subject resolution was adopted authorizing the refund of certain taxes in the total amount of \$217.53, which were levied and collected through error against five (5) tax accounts.

The resolution is recorded in full in Resolutions Book 9, at Page 277.

ORDINANCE NO. 908-X TRANSFERRING FUNDS FROM THE SALE OF SEWER BONDS, SERIES 4188. TO PROVIDE AN APPROPRIATION TO COMPLETE THE CONSTRUCTION OF THE LOWER KINGS BRANCH OUTFALL.

Motion was made by Councilman Short, seconded by Councilman McDuffie, and unanimously carried, adopting the subject ordinance transferring \$329,000 from the Sale of Sewer Bonds, Series 4188, to provide an appropriation to complete the construction of the Lower Kings Branch Outfall.

The ordinance is recorded in full in Ordinance Book 20, on Page 229.

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LEAA APPLICATION FOR A MASS SPECTROGRAPH GAS CHROMATOGRAPH FOR THE POLICE DEPARTMENT, APPROVED.

Councilman Jordan moved approval of an LEAA Application for a Mass Spectrograph Gas Chromatograph for the Charlotte Police Department, in the amount of \$75,347, which motion was seconded by Councilman McDuffie, and unanimously carried.

COUNCILMAN WITHROW RETURNS TO MEETING.

Councilman Withrow returned to the meeting and was present for the remainder of the Session.

LEAA APPLICATION FOR FUNDING OF THE PIEDMONT CRIMINAL INTELLIGENCE COUNCIL, APPROVED.

Upon motion of Councilman Jordan, seconded by Councilman McDuffie, and unanimously carried, the subject LEAA application was approved for funding of the Piedmont Criminal Intelligence Council, in the amount of \$19,495.

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

Motion was made by Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, approving a lease with the Federal Aviation Administration for space in the FAA Building at Douglas Municipal Airport, at an annual rental of \$9,517.64.

ORDINANCE NO. 909-X TRANSFERRING FUNDS FROM THE UNAPPROPRIATED UTILITY BALANCE TO PROVIDE A CONTINUED APPROPRIATION FOR THREE UTILITY FUND CAPITAL IMPROVEMENT PROJECTS.

Councilman Whittington moved adoption of the subject ordinance transferring \$54,000 from the Unappropriated Utility Fund Balance to provide a continued appropriation for the following three Utility Fund Capital Improvement Projects, which motion was seconded by Councilman Withrow, and carried unanimously:

(a) Continuing Expenditures for purchase of sewer mains	\$16,500
(b) Purchase of Private Sewer Mains	13,500
(c) Continuing expenditures for the purchase of water mains	24,000
	<u>\$54,000</u>

The ordinance is recorded in full in Ordinance Book 20, beginning on Page 230.

AGREEMENTS FOR EASEMENT IN THE CONSTRUCTION OF THE NEW DUKE POWER BUILDING, AUTHORIZED.

Motion was made by Councilman Whittington, and seconded by Councilman Jordan to approve two (2) agreements for easements in the construction of the new Duke Power Building, as follows:

- (a) Encroachment agreement permitting the footing of the building to encroach a maximum of two feet into the public right of way of Stonewall Street, below the surface of the ground.
- (b) Agreement permitting Duke Power Company to construct a pedestrian walkway over West First Street and a pedestrian tunnel under West First Street, connecting the new building with their office building.

In exchange for the two agreements, the Duke Power Company agrees to use its best efforts to cross West Second Street with an overhead walkway at some future date when their property abutting Second Street is developed; this will be a public walkway connecting into the Downtown Walkway System proposed by the Ponte, Travers and Wolfe Plan.



WHEREAS, the City of Charlotte herein called the "Applicant" has thoroughly  
(Governing Body of Unit of Government)  
considered the problem addressed in the subgrant application entitled Piedmont Criminal Intelligence Council  
and has reviewed the project described in the application; and

WHEREAS, under the terms of Public Law 90-351 as amended, the United States of America has authorized the Law  
Enforcement Assistance Administration, through the North Carolina Division of Law and Order to make federal grants to assist  
local governments in the improvement of the criminal justice system,

NOW THEREFORE BE IT RESOLVED BY THE City of Charlotte  
(Governing Body of Unit of Government)

IN OPEN MEETING ASSEMBLED IN THE CITY OF Charlotte, NORTH CAROLINA,  
THIS        DAY OF       , 197 3, AS FOLLOWS:

1. That the project referenced above is in the best interest of the Applicant and the general public.
2. That Charlotte Police Depart. be authorized to file, in behalf of the Applicant, an application in the form  
(Name and Title of Representative)  
prescribed by the Division of Law and Order for a subgrant in the amount of \$18,276 to be made to the  
(federal dollar request)  
Applicant to assist in defraying the cost of the project described in the application. This individual shall act as the  
authorized representative of the Applicant in connection with all aspects of the application process.
3. That if the subgrant is made, the Applicant shall provide or make arrangements to provide, a local cash matching contri-  
bution in the amount of \$900.00 and a local in-kind matching contribution valued under LEAA  
(local cash match)  
guidelines at \$3,600.00 (or proportionately reduced local matching contributions if the subgrant amount  
(local in-kind match)  
is reduced) as required by the Act to defray the cost of the project.
4. That the Project Director designated in the application form shall furnish or make arrangements for other appropriate  
persons to furnish such information, data, documents and reports pertaining to the project, if approved, as may be required  
by the Division of Law and Order.
5. That certified copies of this resolution be included as part of the application referenced above.
6. That this resolution shall take effect immediately upon its adoption.

DONE AND ORDERED in open meeting.

by \_\_\_\_\_  
Chairman/Mayor

Commissioner/Councilman Jordan offered the foregoing resolution and moved its adoption,  
which was seconded by Commissioner/Councilman McDuffie and was duly adopted.

Date:  
ATTEST  
by Sheik Armstrong  
Clerk

Seal

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Councilman Short stated he would like to congratulate whoever worked this out with Duke Power Company.

The vote was taken on the motion and carried unanimously.

Mr. Bobo, Assistant City Manager, stated there is a written agreement which will be a part of this. Councilman McDuffie stated Duke has offered to put into their plans the possibility of a public walkway; that he hopes that would be open, rather than deadend. They will have to design the building to accommodate this and that is what the agreement is suppose to cover. Minneapolis had some of those places that were fenced off at five o'clock; and that is what we are trying to prevent.

Mr. Burkhalter, City Manager, stated Mr. Ponte came down to review this situation. He told them what they planned in this area would not be satisfactory but the future one across West Second Street would be helpful, and could be a part of the city's plan. He stated Duke Power has agreed, if that time arrives, and it is possible to do this, they will exert every effort to do it according to our recommendations.

Councilman McDuffie stated he hopes the papers to be drawn up will have some teeth in it so we will have an opportunity to stick to the plan; and not because we did not do all we could have done at the time we will end up with something less than a full walkway system.

Mayor pro tem Alexander stated suppose at a future date they say they are not able to go through with a walkway; is this an agreement that binds? Mr. Burkhalter replied he does not think so. Councilman McDuffie asked if the city can put into the agreement the right to assess them for what we grant? Mr. Underhill, City Attorney, replied in a walkway system such as this it will require development on both sides of the street so there will be something to connect it with. The agreement contemplates in Duke Power's future development, if they develop this property, and if the property on the other side is developed, then they will use their best efforts to get together with the developer on the other side to make this connection of a pedestrian walkway with some arrangements for sharing the cost of construction, and sharing the cost of maintenance. If both parties are not in agreement with the sharing agreement then both parties can ask the city to appoint a person to arbitrate what the amounts of the construction and maintenance shall be, and the walkway would be opened for the use of the general public during such reasonable hours it is necessary to serve the entire system. A lot of this hinges upon the future development by Duke of its property, and the property on the other side, and for those parties to get together and develop this air right.

Councilman McDuffie stated he thinks we need to assume that all of Downtown will develop in the next 30 to 40 years, and the property beyond Duke or anyone else needs to be connected to the walkway system. Our agreement should take into consideration this development. Mr. Underhill stated at this time the agreement we have with them is the best that can be entered into, looking at the future not knowing what is going to happen.

Mr. Burkhalter stated the only thing to worry about is that the city is on its toes when these items come up. There is hardly any major construction or improvement downtown that does not require some kind of concession on the part of the city. There has to be a spirit of cooperation.

Councilman Short stated he does want to commend someone for thinking of this trade-off arrangement. That he assumes there is someone who has the responsibility to watch for these opportunities. Mr. Burkhalter replied there is more than one assigned to this at present.

REQUEST TO RESCIND A SEWER CONTRACT WITH WESTMINISTER COMPANY, APPROVED.

Motion was made by Councilman Whittington, seconded by Councilman Short, and unanimously carried, approving a request that Council rescind a sewer contract with the Westminister Company, dated June 18, 1973, for 8-inch trunks and mains to serve Stonehaven Subdivision, Section 18.

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CONTRACTS FOR CONSTRUCTION OF SANITARY SEWER LINES AND WATER MAINS, APPROVED.

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

- (a) Contract with The Lincoln Company, Inc. for the construction of approximately 485 linear feet of 8" sewer mains, in Interstate Industrial Park, Phase II, inside the city, at an estimated cost of \$4,100.00. The applicant has deposited 100% of the estimated cost. City forces are to construct and there will be no cost to the City.
- (b) Contract with Camp Green Church of God for the construction of approximately 100 linear feet of 8-inch sewer main in Ranch Road, inside the city, at an estimated cost of \$800.00. The applicant has deposited 100% of the estimated cost. City forces are to construct and refund is as per agreement.
- (c) Contract with William Trotter Development Company for the construction of approximately 175 feet of 6" C. I. water main in the Northwood Park Subdivision, Phase C, outside the city, at an estimated cost of \$770.00. Funds will be advanced by applicant under the terms of existing city policies as related to such water main construction.
- (d) Contract with The Ervin Company for construction of approximately 500 feet of 6" C. I. water main and one (1) fire hydrant, to serve Olde Providence East Subdivision, Addition 1, outside the city, at an estimated cost of \$2,600.00. Funds will be advanced by applicant under the terms of existing city policies as related to such water main construction.
- (e) Contract with Chips Realty Company for the construction of approximately 410 feet of 8" C. I. water main to serve a portion of the Airport Industrial Center, outside the city, at an estimated cost of \$2,255.00. 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 Simpson-Barnett Company for construction of approximately 2,555 feet of 8" and 6" C. I. water main and two (2) fire hydrants to serve Section 6 of the Birnam Woods Subdivision, outside the city, at an estimated cost of \$13,800.00. Funds will be advanced by applicant under the terms of existing city policies as related to such water main construction.
- (g) Contract with Texland Development for the construction of approximately 600 feet of 8" C. I. water main to serve The Texland Development properties outside the city, at an estimated cost of \$3,300.00. Funds will be advanced by applicant under terms of existing city policies as related to such water main construction.
- (h) Contract with Kenway Corporation for the construction of approximately 6,100 feet of 8" C. I. water main to serve the Five Knolls Subdivision, Phase I, outside the city, at an estimated cost of \$40,000.00. Funds will be advanced by applicant under the terms of existing city policies as related to such water main construction.
- (i) Contract with Kenway Corporation for the construction of approximately 5,700 feet of 8", 6" and 2" water main and five (5) fire hydrants to serve the Five Knolls Subdivision, Phase II, outside the city, at an estimated cost of \$38,000.00. Funds will be advanced by the applicant under terms of existing city policies as related to such water main construction.

RESOLUTIONS AMENDING OFFICIAL ANNEXATION REPORTS FOR THE THREE AREAS APPENDING LIST OF STREETS IN THE AREA TO BE ANNEXED WHICH ARE NOT MAINTAINED BY DEPARTMENT OF TRANSPORTATION AND WILL BE ACCEPTED BY THE CITY FOR MAINTENANCE.

Councilman McDuffie moved adoption of a resolution amending the Official Annexation Report for the Hickory Grove Area heretofore approved on November 6, 1972, to append thereto a list of streets in the area to be annexed which are

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not maintained by the Department of Transportation and will be accepted by the city for maintenance. The motion was seconded by Councilman Whittington, and carried unanimously.

The resolution is recorded in full in Resolutions Book 9, at Page 279.

Motion was made by Councilman Whittington, seconded by Councilman Jordan, and unanimously carried adopting a resolution Amending the Official Annexation Report for the Statesville Road-Derita Road Area heretofore approved on November 6, 1972, to append thereto a list of streets in the area to be annexed which are not maintained by the Department of Transportation and will be accepted by the City for maintenance.

The resolution is recorded in full in Resolutions Book 9 at Page 278.

Upon motion of Councilman Short, seconded by Councilman Whittington, and unanimously carried, a Resolution was adopted amending the Official Annexation Report for the Albemarle Road-York Road Area heretofore approved on November 6, 1972, to append thereto a list of streets in the area to be annexed which are not maintained by the Department of Transportation and will be accepted by the City for maintenance.

The resolution is recorded in full in Resolutions Book 9, at Page 280.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY LOCATED ON PLAZA ROAD EXTENSION NEAR PLOTT ROAD IN MECKLENBURG COUNTY FOR THE PLAZA ROAD PARK.

Motion was made by Councilman Short, seconded by Councilman Whittington, and unanimously carried, adopting the subject resolution authorizing condemnation proceedings for the acquisition of property belonging to Mrs. Louise T. Furr (widow) and Mrs. Louise M. Furr (widow), located on Plaza Road Extension near Plott Road in Mecklenburg County for the Plaza Road Park.

The resolution is recorded in full in Resolutions Book 9, at Page 281.  
PROPERTY TRANSACTIONS AUTHORIZED.

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

- (a) Option with Marsh Realty Company for 15.88' x 178.15' x 110.52' x 89.57' x 19.51' x 45.95' x 335.95' x 92.68' x 285.09' x 92.28' x 129.18' x 51.45' x 5.03' (plus a 5,800 sq. ft. construction easement) of property at 2101 West Boulevard, at \$20,300.00 for Clanton Road Extension.
- (b) Acquisition of 25' x 1,811.22' of easement at 6300 Trysting Road, off Hickory Grove Road, from Vance Orr Freeman and wife, Nancy E., at \$2,312.00, for McAlpine Creek Outfall Extension Project.
- (c) Acquisition of 20' x 174' of easement at 8301 Lawyers Road, from Key Homes of Charlotte, Inc., at \$1.00, for sanitary sewer to serve Marlwood Forest.
- (d) Acquisition of 20' x 291.10' of easement at 8301 Lawyers Road, from Key Homes of Charlotte, Inc., at \$1.00, for sanitary sewer to serve Marlwood Forest.
- (e) Acquisition of 15' x 111.71' of easement at 7405 Linda Lake Drive, from Lula K. Aycock (widow), at \$170.00, for Hickory Grove Area Trunks.
- (f) Acquisition of 25' x 210.92' of easement at 8200 Albemarle Road, from Nancy A. Starrette and husband, W. H., at \$1.00, for McAlpine Creek Outfall Extension.
- (g) Acquisition of 25' x 919.19' of easement at 8201 Albemarle Road, from S.B.S. Builders, Inc., at \$1.00, for McAlpine Creek Outfall Extension.

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- (h) Acquisition of 20' x 164.10' of easement at 1900 Sharon Road, West, from The Phillips Land Corporation, at \$1.00, for trunks to serve Sharon South.
- (i) Acquisition of 17.572 acres of property on Piney Top Road, from James J. Bigger and wife, Elizabeth Freeman Bigger, at \$79,000.00, for Master Plan - Land Acquisition at Douglas Municipal Airport.
- (j) Acquisition of 9.319 acres of property on Piney Top Road, from Laura Jane McGinn, at \$37,275.00, for Master Plan - Land Acquisition at Douglas Municipal Airport.

**STREETS TAKEN FOR CONTINUOUS MAINTENANCE.**

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

LOCATION	CLASS	WIDTH	LENGTH
Interstate Industrial Park Interstate Street, from I-85 Service Road to 2300' south	Industrial	35'	2300'
Bagby Lane, from Interstate Street to 300' west	Industrial	35'	300'
Executive Street, from Interstate Street to 300' east	Industrial	35'	300'

**SPECIAL OFFICER PERMITS, APPROVED.**

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

- (a) Issuance of permit to Thomas Lester Carrick, Jr. for use on the premises of Charlotte Branch Federal Reserve Bank of Richmond.
- (b) Issuance of permit to Aubrey Rucker for use on the premises of One Jefferson First Union Plaza and 308 South Tryon Street.
- (c) Renewal of permit to Bettie D. Burnett for use on the premises of Belk Brothers Company.
- (d) Renewal of permit to William Oran McDowell, Jr. for use on the premises of SouthPark Shopping Center.

**C. D. THOMAS PLACED IN NOMINATION FOR REAPPOINTMENT TO THE CIVIL SERVICE BOARD.**

Councilman Withrow placed in nomination the name of Mr. C. D. Thomas to succeed himself on the Civil Service Board for a three year term, and asked that the nomination lie on the table for two weeks.

Councilman Withrow stated he knows this is contrary to the procedures; but due to the position the city is in today on negotiations and in employment, he would like to see that some experience is left on the Board.

**CONTRACT AWARDED THE LOW BIDDER, BADGER METER, INC. FOR 5/8" COLD WATER METERS.**

Motion was made by Councilman Jordan, seconded by Councilman Short, and unanimously carried, awarding contract to the low bidder, Badger Meter, Inc., in the amount of \$40,050.00, on a unit price basis, for 5/8" Cold Water Meters.

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The following bids were received:

Badger Meter, Inc.	\$40,050.00
Rockwell International	40,200.00
Hersey Products, Inc.	43,050.00
Neptune Meter Company	48,600.00

CONTRACT AWARDED THE LOW BIDDER, BADGER METER, INC. FOR 1" COLD WATER METERS.

Councilman Short moved award of contract to the low bidder, Badger Meter, Inc. in the amount of \$2,715.00, on a unit price basis, for 1" Cold Water Meters, which motion was seconded by Councilman Whittington, and carried unanimously:

The following bids were received:

Badger Meter, Inc.	\$ 2,715.00
Rockwell International	2,795.00
Hersey Products, Inc.	3,195.00
Neptune Meter Company	4,860.00

CONTRACT AWARDED ROCKWELL INTERNATIONAL FOR 1 1/2" COLD WATER METERS.

Upon motion of Councilman Whittington, seconded by Councilman Short and unanimously carried, contract was awarded the low bidder, Rockwell International, in the amount of \$5,755.00, on a unit price basis, for 1 1/2" Cold Water Meters.

The following bids were received:

Rockwell International	\$ 5,755.00
Hersey Products, Inc.	6,627.50
Neptune Meter Company	6,682.50
Badger Meter, Inc.	6,709.00

CONTRACT AWARDED HERSEY PRODUCTS, INC. FOR 2" COLD WATER METERS.

Motion was made by Councilman Jordan, seconded by Councilman Short, and unanimously carried, awarding contract to the low bidder, Hersey Products, Inc., in the amount of \$12,000.00, on a unit price basis, for 2" Cold Water Meters.

The following bids were received:

Hersey Products, Inc.	\$12,000.00
Rockwell International	12,750.00
Badger Meter, Inc.	13,691.25
Neptune Meter Company	15,066.00

CONTRACT AWARDED ROCKWELL INTERNATIONAL FOR 3" COLD WATER METERS.

Councilman Short moved award of contract to the low bidder, Rockwell International, in the amount of \$10,080.00, on a unit price basis, for 3" Cold Water Meters, which motion was seconded by Councilman Whittington, and carried unanimously.

The following bids were received:

Rockwell International	\$10,080.00
Hersey Products, Inc.	11,320.00
Badger Meter, Inc.	12,442.80
Neptune Meter Company	15,381.00

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CONTRACT AWARDED HERSEY PRODUCTS FOR 6" COLD WATER METERS.

Upon motion of Councilman Whittington, seconded by Councilman Short, and unanimously carried, the subject contract was awarded the only bid meeting specifications, Hersey Products, in the amount of \$22,380.00, on a unit price basis, for 6" Cold Water Meters.

The following bids were received:

Hersey Products, Inc.	\$22,380.00
Neptune Meter Company (Did not meet specifications)	21,333.00

CONTRACT AWARDED HERSEY PRODUCTS, INC. FOR 8" COLD WATER METERS.

Motion was made by Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, awarding contract to the only bidder meeting specifications Hersey Products, Inc., in the amount of \$5,428.00, on a unit price basis, for 8" Cold Water Meters.

The following bids were received:

Hersey Products, Inc.	\$ 5,428.00
Neptune Meter Co. (Did not meet specifications)	4,597.56

CONTRACT AWARDED PARNELL MARTIN SUPPLY COMPANY FOR PURCHASE OF NICKEL COPPER ALLOY STEEL PIPE.

Upon motion of Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, the subject contract was awarded the low bidder, Parnell Martin Supply Company, in the amount of \$36,012.40, on a unit price basis, for purchase of the yearly requirement of Nickel Copper Alloy Steel Pipe.

The following bids were received:

Parnell-Martin Supply Co.	\$36,012.40
ITT Grinnell Corp.	36,045.92
Crane Supply Company	37,480.74

CONTRACT AWARDED PRISMO UNIVERSAL FOR PAVEMENT MARKINGS.

Motion was made by Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, awarding contract to the low bidder, Prismo Universal, in the amount of \$36,936.00, on a unit price basis, for Pavement Markings.

The following bids were received:

Prismo Universal	\$36,936.00
Southeastern Safety Supplies	40,620.00

CONTRACT AWARDED BLYTHE BROTHERS COMPANY FOR ASPHALT RESURFACING ON VARIOUS STREETS WITHIN THE CITY.

Councilman Short moved award of contract to the low bidder, Blythe Brothers Company, in the amount of \$428,500.26, on a unit price basis, for Asphalt Resurfacing on various streets within the City, which motion was seconded by Councilman Jordan, and carried unanimously.

The following bids were received:

Blythe Brothers Co.	\$428,500.26
Rea Construction Co.	430,897.36
Dickerson, Incorporated	439,697.00

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CONTRACT AWARDED METROLINA BUILDERS, INC. FOR THE CONSTRUCTION OF A METAL BUILDING FOR ELMWOOD CEMETERY FOR USE AS AN EMPLOYEE READY ROOM.

Upon motion of Councilman Whittington, seconded by Councilman Short, and unanimously carried, the contract was awarded the low bidder, Metrolina Builders, Inc., in the amount of \$6,299.00, for the construction of a Metal Building for Elmwood Cemetery for use as an employee ready room.

The following bids were received:

Metrolina Builders, Inc.	\$ 6,299.00
Frank H. Conner Const. Co.	6,994.00
Laxton Construction Co.	8,500.00
Rodgers Construction Co.	10,107.00

CONTRACT AWARDED GLOBE TICKET COMPANY FOR DATA PROCESSING CARDS.

Motion was made by Councilman McDuffie, seconded by Councilman Short, and unanimsouly carried, awarding contract to the low bidder, Globe Ticket Company, in the amount of \$7,494.00, on a unit price basis, for estimated yearly requirement for data processing cards.

The following bids were received:

Globe Ticket Company	\$ 7,494.00
I.B.M. Corporation	7,582.54
National Electronic Card Co.	7,664.00

BIDS REJECTED AND PROJECT TO BE REDESIGNED AND REDRAWN FOR SANITARY SEWER CONSTRUCTION ALONG BERRYHILL ROAD TRUNK.

Councilman Short moved that all bids be rejected and the project redesigned and redrawn for sanitary sewer construction along Berryhill Road Trunk, which motion was seconded by Councilman Whittington, and carried unanimously.

CONTRACT AWARDED NELLO L. TEER COMPANY FOR MASTER PLAN DEVELOPMENT, SITE PREPARATION, GRADING & DRAINAGE OF RUNWAY 18R/36L.

Upon motion of Councilman Withrow, seconded by Councilman Whittington, and unanimously carried, contract was awarded the low bidder, Nello L. Teer Company, in the amount of \$5,612,082.45, for Master Plan Development, Site Preparation, Grading & Drainage of Runway 18R/36L, subject to Federal Aviation Administration concurrence in the award to the low bidder, satisfying the Equal Employment Opportunity compliance determined by the FAA, and subject to the the FAA Grant Offer and acceptance by the City.

The following bids were received:

Nello L. Teer Company	\$5,612,082.45
Barnhill Contracting Co., Inc.	5,669,930.65
C. G. Tate Construction Co.	5,694,316.45
Blythe Brothers Company	6,772,989.00
Dickerson, Inc.	6,990,869.80

IDEA OF AMENDMENT TO TAXICAB ORDINANCE ELIMINATING REQUIREMENT OF A NORTH CAROLINA CHAUFFEUR'S LICENSE APPROVED INFORMALLY BY COUNCIL.

Mr. Winfred William Webb, Route 1, Fort Mill, South Carolina, stated a recent enactment in the legislature prohibits anyone from having two driver's license from different states. That he has been employed by Yellow Cab Company for fifteen years. A year and a half ago he and his wife took up residence in Fort Mill, South Carolina. The Charlotte City Ordinance requires that an applicant for a permit to drive a taxicab must have a valid North Carolina Chauffeur's license. When he applied for the renewal of his North Carolina Chauffeur's license, they asked him to turn in his South Carolina driver's license but his car and license plate are from South Carolina.

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Mr. Webb stated he has been in conversation with Mr. Melvin in the Attorney General's Office; he, in turn, has been in conversation with Mr. Boyd in the City Attorney's office verifying if the Council should see fit to amend that part of the city ordinance pertaining to taxicabs, that Mr. Dellinger, Taxicab Inspector, would honor his South Carolina Public Service permit. He stated he has been without a job since last Monday. That his request is that Council reword that portion of the ordinance and not limit it to a North Carolina Chauffeur's license.

Mr. Underhill, City Attorney, stated his office has looked into this, and what Mr. Webb says is correct. Our code requires an applicant to operate a taxicab that has a North Carolina license. In his situation this is impossible for him to have both a South Carolina and North Carolina license as he resides in South Carolina, and the North Carolina state law will not permit him to hold two state licenses simultaneously. He stated they have talked to the Attorney General's Office and they feel the city's requirement that a taxicab driver have a North Carolina license is restrictive, and it should be changed so that as long as the applicant has a valid driver's license from some state that would be satisfactory for its purposes. He stated they have checked with the Highway Patrol and they see no harm in making the type of change requested, and the Department of Motor Vehicles, through the Attorney General's Office, recommend such a change be considered by the Council.

Mr. Underhill stated the Statutes require the surrender of any out of state license as a pre-requisite to obtaining a North Carolina driver's license; in order for Mr. Webb to obtain a North Carolina chauffeur's license, he would have to surrender his South Carolina license. The man lives in South Carolina, and spends part of his driving time in South Carolina; but he works in North Carolina, and is required by our code to have a North Carolina license. The change he is suggesting is that the city code be changed so that an applicant, as long as he has a valid driver's, chauffeur's license from a State would be deemed to comply with our requirements. Mr. Underhill stated he does not have an amendment prepared for Council to consider today. The taxicab inspector is preparing such an amendment and will come with his recommendation at the Council meeting on the 27th. He stated the Taxicab Inspector would like to have some assurance that Council will view this request favorably, and will take the necessary formal action on the 27th, so Mr. Webb can go back and get re-certified and get back on the streets.

After further discussion, Councilman Short moved that Council informally approve the idea as explained by Mr. Underhill. The motion was seconded by Councilman McDuffie.

Councilman McDuffie stated the reason people live in another county is the cost of living might be lower, and we need those people to help pay for the things that go on in Charlotte; and although he has a right, there is a moral right for us to defend and encourage people to live here, and not contribute to pollution by driving a long ways to work. His very livelihood is based on public dollars to pave the streets and the improvements that he makes his living from.

The vote was taken on the motion and carried unanimously.

STATEMENT BY COUNCILMAN JORDAN THAT HE WILL NOT BE A CANDIDATE FOR THE OFFICE OF COUNCILMAN IN THE COMING ELECTION.

Councilman Jordan made the following statement:

"Mr. Mayor:

As that time of the year is approaching when we must make a decision as to our intentions whether to offer for re-election to the Council, I would like to make this statement:

Although I have spent about half of my working life down here, beginning in 1947 when the population was only about 125,000. It has been a most rewarding experience, and I am glad to have been part of the daily life of our city government and its problems, and in the job of trying to make everything better

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for all our citizens. At times, this being very hard and difficult to do. Yet this position offers a challenge to those that are interested in good government and wanting to contribute something to our city.

This was my goal, and I hope that I did contribute something to its growth and welfare during my tenure in office. I have worked with many fine mayors, and councilmen during my stay here, and have nothing but praise for them and their service. I have seen many changes, and a lot go by. Someday, maybe I will write a book on 'My City Hall Experience'.

We have had many problems, and trying times, but I think we have done real well considering all things. Surely, you know that the wheels of government move slowly, and more slowly than we would like. However, I think we started and accomplished many things, and have so many more in the working stage.

Our urban renewal, expressways, city streets, airport improvements, parks, bridges, and downtown programs are moving along. I hope to see many of these worthwhile and important projects completed, plus the beginning of many new ones.

It is my desire and hope that the Council, working as a team under your leadership, will move ahead at an accelerated pace to do the job that you are entrusted to do, and to the best of your abilities for all our citizens. The position of a councilman is a hard and trying one, and continues to get harder and more time consuming.

So Mr. Mayor, I would like to take this opportunity to thank you for your years of devotion, and good leadership to the Council, and to all its citizens in your position as Mayor of this great city. I would also like to thank my colleagues for their help and cooperation to me, and for the tremendous amount of time and effort that each devotes to his position as councilman, and councilwoman.

I would certainly like to thank our City Manager, Department Heads, and Employees for the excellent job they are doing. I believe Mr. Mayor that we have the best employees in the world, and most loyal, and devoted to their jobs and our city. To me it is just like one big family.

In closing, I would like also to pay tribute and thanks to all the news media for their coverage of City Hall, their friendship and help to all of us, and their understanding of our problems and our job, even though we did not always agree on everything. May you continue to help and work with us during the balance of this term, and for the future councilmen, whoever they may be.

I shall not be a candidate for this office in the coming election."

Mayor pro tem Alexander stated he appreciates the respect Mr. Jordan has accorded him at the time he has served as Mayor pro tem. As a councilmember he has enjoyed serving with him. They have not agreed on everything all the time, but they have not fallen out, and do not hold any friendship any less for their disagreement. He wished Mr. Jordan well in whatever he plans to do. From a point of volunteer, he is sure the city can find need of his service through the knowledge and experience he has had over the years.

Councilman Jordan stated he still has about five more months to serve as a councilman; that he just wanted to get his statement in the record before the filing date that he would not be a candidate. He stated he appreciates very much Mr. Alexander's kind remarks.

Councilman Whittington stated he regrets to see what Mr. Jordan is doing. That they were in World War II together and they came back here and were active in the American Legion, and politics. He stated over the years Sandy Jordan has made a real contribution to this city, not only as a councilman, but as a man, a leader in his church, the Shrine, the Oasis Temple, and in music and in many many endeavors. Charlotte is a better City today because of him.

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DISCUSSION OF RESOLUTIONS FROM CHAMBER OF COMMERCE RELATING TO IMPROVING HIGHWAY 51 AND BUSES AND MASS TRANSIT.

Councilman McDuffie asked if Council would not like to have some discussion about the two resolutions the Chamber of Commerce sent to Council last week by special messenger. One was about Highway 51 being pushed as a four-lane bypass, which seems to be a desirable, immediate kind of improvement over doing something to Independence Boulevard or an eastern expressway. The other was about a transportation department, mass transit and the bus system.

He stated he does not think Council profits much by leaving them on the table. He wonders if Council could have a conference session, and invite the Chamber to come and give their pitch, and we take this information.

On Highway 51, it seems since the County has permission now by legislation to get involved with the rights-of-ways purchases, Council should talk with them, and with the Chamber of Commerce, and debate the issue and see how much pushing we can do to get the Highway Department to get on with that. Most of the debate we get into is the objections of the neighborhood people who say the neighborhoods are torn up after development. Highway 51 is not developed, and if we sit here another year or so, there will be bridges, golf course and riding stables all over the place.

Councilman Jordan stated he agrees and thinks Council should meet with the Chamber officials; they have given Council this for information; Council should look it over, study it and then meet with them.

Councilman Withrow stated he agrees with Mr. McDuffie; that he believes before this property is developed some of the people would give the right-of-way to get it done. This Council should go on record and give the County Commissioners its opinion that this should be done, and ask them to go forward in haste to get the Highway Commission to do this type of thing where they might get land free of charge for this widening.

Councilman Short stated there is an obvious need for this and one that has been mentioned a number of times. Council might consider a resolution today, or it might ask Councilman Withrow to arrange a meeting with the County Commissioners.

Mr. Bobo, Assistant City Manager, stated he is familiar with Highway 51, and it certainly needs improving. But it is no substitute for a long range plan of the City of Charlotte in terms of an expressway bypassing the downtown area. First, you cannot make it a limited access, and it would have to be limited access. Highway 51 would not meet the highway expressway standards, and it could not be upgraded because of the various titles and interest to the land. Councilman McDuffie replied they are suggesting that it be widened to 24 feet. Mr. Bobo stated there is nothing wrong with the suggestions that it be improved, but he is saying that it should not be made a substitute for expressways.

Councilman Withrow stated the expressway they are talking about is a hundred million dollars or more, and this is not going to be done tomorrow by the State Highway Commission or anyone else, even if we started tomorrow it is 10 or 12 years away. What he is talking about is something that can be done in the next two years.

Councilman McDuffie stated what the Chamber is asking and what Council is trying to agree with is the possibility of diverting the truck traffic on 74 to Highway 51 over to 77, and get around Charlotte without having to come right through the middle of it.

Councilman Whittington stated he does not think a motion is necessary; but he thinks it is absolutely imperative to instruct staff to do the technical work and have a meeting with the County Commissioners right away on Highway 51. That he thinks we are just dreaming when we talk about a hundred million dollars for a road around Charlotte until the State and Federal governments do something about it. Just three months ago, he made what he thought was the greatest speech he has ever made, and he does not think he even wrinkled the Director of Transportation's hair. It is just out of the realm of possibilities at this time; Highway 51, which is not developed and connects 74 East of Charlotte and 77 South of Charlotte, is a natural for that end of the county if we take advantage of it now. The City cannot do it; it has to be the county and the state together.

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Councilman McDuffie stated another thing is that Governor Holshouser went to Raleigh to talk about how poor North Carolina is doing in getting back federal highway dollars we send up there, and we are near the bottom. The Governor's pitch was that we should be getting more highway dollars. Councilman McDuffie stated Council should send its people to Raleigh to say the same thing. How much money we send to Raleigh and how much we get back.

Mayor pro tem Alexander referred the matter under discussion to the administrative staff and asked them to come back with a report and recommendations on what has been talked about.

Mr. Burkhalter stated the Council is on record saying the greatest priorities in this city are so and so. We go to the State and start talking to them and then all of a sudden the Chamber comes out and says the number one priority in the county is so and so. Councilman Short stated they are not saying it is number one; they are just saying it is something that should be looked into.

Mayor pro tem Alexander stated he has referred the discussion to the Administrative Staff, and they will put it into whatever context they think best.

Councilman McDuffie stated he is offering to support the Chamber and to encourage the County to do something with the new legislation that allows them, in effect, to use money for rights-of-way, and to get on with it.

Councilman McDuffie stated the second thing in the Chamber's resolution is about buses, mass transit, and the transportation committee. He thinks Council should request the City Manager to arrange either a conference session or a breakfast meeting with these committees, the Chamber of Commerce, and their Board of Directors, and have Mr. Whittington to give the pitch about the City waiting until the second phase of the mass transit study comes through before we do some of the things we are talking about. They should be advised that Council is doing something and what they suggest is part of the possibilities that might happen.

Mayor pro tem Alexander stated he is in favor of an immediate talk with the heads of the bus company on some improvement in the immediate service capacity of the bus operation. That we can do that without talking about long range situations. There are some 'now' things they can do from their own administrative level to improve services, and he does not think we need to wait on anything for that.

Councilman McDuffie stated he read in the paper that you can get federal money for cities to buy buses and lease them to the bus company without taking over the system; this is something we have not talked about. We can aid them. Mayor pro tem Alexander stated there are several approaches to the whole transportation problem that need to be discussed; that he says the approaches are broad; but we have not yet really determined our problem; all of these things have to be put in the proper context so we can come up with some resolve.

Councilman McDuffie stated he is suggesting that Council ask the City Manager to set up a meeting with the Chamber of Commerce Board, and the task force committees and explain the city's position, and set a timetable, if that is possible. At the moment our position is to wait for the study.

Councilman Short suggested that a letter be written and thank them for their letter and tell them this will be considered in September when the Transit Committee comes back to Council for its second report. Councilman McDuffie replied he does not think that is sufficient and does not get the discussion out before the public.

Mr. Bukhalter, City Manager, stated Council has employed the finest people it could to give advise and consultation on bus service. In addition, staff people have been assigned to work with this. Mr. Hoose will be in Akron this week; he will be in South Bend this week, and someone else will be in Winston-Salem. We are going all over the county. Wherever anyone says there is one system that works, we are sending someone there to try to get some accurate information. In addition, a Committee has been appointed to review the study that was made, and that Committee has made a report to Council. He

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stated he saw no report from the Chamber of Commerce; he just saw a recommendation which said they thought Council should do a couple of things. It is all right for them to say this; but that is all Council really received. He suggested that Council put this recommendation along with the other recommendations. If Council comes to these same conclusions after studying the report, then it is something in favor of helping them do what they want to do. If it is not, then he thinks they should give some explanation as to why they do not do what was suggested. He asked what is to be gained by meeting with them unless there is a report to be made to them.

Councilman McDuffie stated he thinks they should have the reports that Council has; they should have copies of the mass transit study to digest. If they have this information, then he wants them to come up here and tell him they can make these recommendations after they have the facts. We assume if they knew the facts they would not be sending a resolution asking us to do these things; that he really believes we owe them a meeting where we can make a presentation to them, with Mr. Hoose and staff, giving them our stand, and what we are waiting for, and we are doing what we are suppose to do. He does not believe that is proper in a letter as they think what they suggested is reasonable.

Councilman McDuffie stated we do not owe this to them; we can just ignore this and take it as information and say down the road we will consider what they have said. But they had a mighty powerful group of people there supposedly to study facts and issues, and went to the trouble of sending the information by messenger to say they wanted these things done. He stated he wants to give them the facts.

Councilman Short stated we have a tremendous on-going effort here, and he thinks it would be a mistake to set up a parallel effort because the Chamber decides it wanted to give us a prode on this matter. That he thinks a letter alerting them to the things we are doing would be sufficient. Councilman McDuffie stated he disagrees, and thinks they should be involved and have the facts. Councilman Short stated the letter pointing out what is being done, and the consideration given to this is sufficient, particularly in view of the fact there are those who cannot get exactly a gripe on the idea of a Department of Transportation for the city, which is basically what they are suggesting. We are doing a lot of things in transportation, but it may not be structured exactly in that form.

Councilman McDuffie asked the City Manager if he is considering a Transportation Department, and the Manager replied he is not. Councilman McDuffie asked if he is not putting it together? Mr. Burkhalter replied coordination of activities is underway. Councilman McDuffie asked if he has a new person in mind to head this? Mr. Burkhalter replied it could be an old person or a new person. That he is not prepared to come to Council with some striking change in governmental structure to change all the departments in the city overnight. But Council has already approved a coordinator to bring all of this together. As this fans out it may determine that certain things must be done. But it is not that simple in dealing with people and problems as such. Ninety percent of our problems are not with buses; they are with other forms of transportation.

**CITY MANAGER REQUESTED TO INVESTIGATE COMPLAINTS FROM NEIGHBORHOODS ABOUT DOGS RUNNING LOOSE.**

Councilman Withrow stated the enforcement of the lease law has relaxed a little; that dogs are running loose. He stated he has a number of locations where they are complaining about the dogs and he will turn them over to the City Manager. He requested the City Manager to have this checked into.

Mayor pro tem Alexander stated this is kind of area-wide; they have relaxed all around.

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REQUEST THAT POLICE DEPARTMENT ENFORCE THE ANTI-NOISE ORDINANCE RELATING TO MOTORCYCLES.

Councilman Withrow stated he understands most of the motorcycles coming into Charlotte are baffled, and people are taking the baffles out. He asked if the Police Department can enforce the noise control portion of the code. When they take the baffles out, they make the noise when they take off. Councilman McDuffie stated he would like to know how much it will cost for the machines on the decibel system; that he thinks we are large enough to consider this now.

Councilman Short stated the Manager has said before he is working on this; he asked him to keep in mind the possibility COG has been talking about putting together several of the larger towns to buy this equipment.

MOTION APPROVING REPORT AND PERMIT ON MUNICIPAL GARDENS TO LAY ON THE TABLE UNTIL THE NEXT COUNCIL MEETING.

Councilman Whittington stated some months ago he proposed to the City Council the use of municipal property for public gardens. Mr. Wylie Williams prepared a report, and about a month ago he asked him to send a study by the city manager's office on municipal garden sites which explored the cost factors, legal considerations and control measures necessary to implement such a program, and produced several recommendations which he concurred in, and which he asked Council's reaction.

Councilman Whittington stated he has discussed this individually with every member of the Council, and with Mr. Underhill, City Attorney, who says as long as we use the permit form which was attached to Mr. William's report the city would have no problem with liability. This means, if there is a vacant piece of property owned by the city in a neighborhood and several neighbors wanted to use it as a garden they would go to the city and receive this permit which would specify this lot. Then they would be allowed to use it as a garden; they would be responsible for clearing the land, for tilling it and for planting it, and for cleaning it when the garden reached its course and was no longer fruitful in that particular year. He stated he thinks this will be very helpful in the future.

Councilman Whittington moved that Council approve the report as sent to Council by Mr. Williams, along with the permit which was a part of the recommendation. The motion was seconded by Councilman Short.

The motion will lay on the table until the next council meeting in accordance with Council's procedures.

ORDINANCE AMENDING CHAPTER 11 OF THE CITY CODE ADDING CERTAIN LANGUAGE TO CLASSIFICATION ENTITLED "CABARETS AND NIGHTCLUBS" TO BE PLACED ON AGENDA FOR NEXT COUNCIL MEETING.

Councilman Whittington stated he requested the City Attorney to prepare an amendment to our ordinance as it relates to cabarets and night clubs. He stated it has been pointed out to him by "Shakey's", a pizza parlor which is primarily family entertainment, that they feel a hardship has been imposed upon them by the \$300.00 business license. There is no dancing allowed and this is a family type restaurant. He requested that the ordinance be placed on the agenda for the next Council Meeting for Council's consideration.

Mr. Underhill stated the problem is with the way the definition is drawn for nightclubs and cabarets. Any place with live entertainment is subject to a cabaret tax; there are no restrictions. Shakeys, on some occasions, has a banjo player and a piano player. That is entertainment in the definition of nightclub or cabaret, and yet the definition is so broad that it encompasses his operation.

Mr. Underhill stated he has prepared an amendment at Mr. Whittington's request that would limit the definition to the extent that it would require a \$100.00 fee for places that offer live entertainment provided dancing is not permitted. That would seem to cover the places that are not normally considered as nightclubs or cabarets in the normal sense of those words. It would still require them to pay a license but at a reduced fee.

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Councilman McDuffie stated he understands about the pizza parlors, but he would not like to see some of the cabarets not have to pay a license fee. Any establishment that has live entertainment but does not permit dancing will pay the reduced \$100 fee.

REQUEST THAT POLICE DEPARTMENT NOTIFY TRUCKING COMPANIES THAT TRACTOR-TRAILERS ARE NOT ALLOWED TO USE RESIDENTIAL STREETS.

Councilman Whittington stated many, many times he has said that the City is allowing tractor trailer trucks to use our streets where trucks are not permitted, promiscuously 24 hours a day.

He moved that the City Manager be instructed to request the Police Department to notify the trucking companies in Charlotte that they will not be allowed to use residential streets for tractor-trailers anytime in a seven day period, 24 hours a day. The motion was seconded by Councilman McDuffie.

Councilman Whittington stated he is talking about Ashley Road; that he has received calls on this and Mr. Withrow has received calls on this. But he was on Welling Avenue this morning and there was a tractor-trailer going through on a 24 foot residential street, in a residential neighborhood, getting from Wilkinson Boulevard to Ashley Road. They are doing this on all these streets, and the police are not doing anything about it, and Council is not doing anything about it. When Council sits up here and asks people to allow the city to build the thoroughfares and they are going to be 45 MPH and are not going to have trucks on them, we are not doing a thing but lying to the general citizenry. There is no reason why a trucking company going to Park Road Shopping Center, coming from a warehouse, cannot use a two and half ton truck and not use a tractor-trailer. There is no reason why this cannot be done during specific times of the day.

Mr. Bobo, Assistant City Manager, stated the problem is local deliveries, and they must have some way to make these deliveries. Councilman Whittington replied they do not have to go out in a tractor-trailer; that he does not care what it takes, he thinks it should be done. Councilman McDuffie stated if they are making a local delivery they should have a bill of lading and the police officer could excuse that; but he does not believe they stop enough of them to find out.

Councilman Withrow stated it depends on what you call local delivery. If they are going from I-85, down Ashley Road to Wilkinson Boulevard, is that local delivery. How do you define local delivery is the problem.

Councilman Whittington stated he is talking about Ashley Road, Eastway Drive, and all these residential streets where the trucks are running up and down, and no one is doing anything about them.

Councilman Short asked if it is practical to ask the police to decide which is making a local delivery and which one is taking a short cut to get over to the expressway.

Mr. Underhill, City Attorney, stated the city code presently requires tractor-trailer units to use the truck routes. On the occasions when they have to get off the truck route to make a delivery, they must have in their possession, if they are stopped, a bill of lading and delivery slip, or evidence to show the destination or origin. If the driver cannot produce this, then he is in violation of the ordinance. There are provisions in the code for this.

Councilman Whittington stated he does not know the solution; he knows it is a problem, and we are not doing anything about it. He asked the City Manager to make sure the police department is made aware of this request.

COUNCILMAN WHITTINGTON LEAVES MEETING.

Councilman Whittington left the meeting at this time, and was absent for the remainder of the session.

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COMMENTS BY COUNCILMAN SHORT THAT HE REGRETS COUNCILMAN JORDAN WILL NOT RUN FOR RE-ELECTION.

Councilman Short stated he does regret that Mr. Jordan is not going to run for re-election; that it has been a privilege to work with him as he has a great deal of judgement and has been a stabilizer and a leader on this Council.

CITY ATTORNEY REQUESTED TO MEET WITH MR. RAWLINS, ENGINEER, ABOUT ELIMINATION OF ODOR AT SUGAR CREEK WASTEWATER TREATMENT PLANT.

Councilman Short made a motion to lay on the table that Mr. Rawlins and Mr. Undershill be instructed to confer as to whether we can eliminate the cause of the odor that was referred to by Mr. Rawlins in the Conference Session as opposed to merely trying to override it by dropping some chemicals in on it.

Mr. Burkhalter, City Manager, stated this is a very delicate area; it is not as simple as Mr. Rawlins may have lead Council to believe.

Mayor pro tem Alexander requested him to come back to Council with the best information he can on it.

Councilman Short stated the fact it cannot be proved does not mean we should not try to find out the facts.

REQUEST THAT LEGISLATIVE PACKAGE INCLUDE LEGISLATION TO ENABLE COMMUNITIES OR CITIES TO TAX AUTOMOBILES BY WEIGHT.

Councilman Short stated it is his understanding that the local tax collector, automobile division, has a lot of trouble collecting from all the automobiles that are stationed or located here, and are eligible for the property tax in Mecklenburg County. Mr. Garrison, who is in charge of this, estimates that a half million dollars a year is lost because he cannot find all of the automobiles. Efforts have been made to get the state to collect the automobile tax when they sale the license, and in this event we would be able to collect every single one; but the state does not want to get into this because of the six or seven hundred cities we have, and the 100 counties. They have various tax rates, and the state feels it is impossible to operate in such a mixture of tax rates.

He stated he is referring to the suggestion he made earlier that Council include in its Legislative package a suggestion that the Legislation consider enabling communities or cities to tax automobiles by weight. He stated he has talked to Mr. Garrison about this, and it seems to offer the possibility that in such an event tax could be uniform as to those counties that would have this, in which case the state would be much more willing to talk about the possibility of collecting the tax, and we could save this 1/2 million dollars a year we are now losing.

Later in the meeting, Mayor pro tem Alexander stated he has in his hand a slip issued in the State of South Carolina that does just what Mr. Short is talking about. No one can buy a license for a motor vehicle if they owe any personal property taxes. They have regulations that take care of this problem and it looks as though this could be done in North Carolina. Councilman Short stated this is done in at least a couple of other States. One is Alabama and there is some other central state where this is done. Over matters of administration like this, he is told we are losing 1/2 million dollars a year in this county.

REQUEST THAT CONFERENCE SESSION SCHEDULED FOR SEPTEMBER 10 ON COMPREHENSIVE PLANNING REPORT BE HELD AT WTVI AT 8:00 P.M.

Councilman Short stated on September 10 a Conference Session is scheduled on the Comprehensive Planning Report by the Planning Commission. He stated this could be scheduled at WTVI at 8:00 o'clock P.M., instead of 2:00 o'clock in the afternoon. If there ever was a subject the community, as a whole, would be interested in, this is one. He stated he is not asking that the entire Council Meeting be moved to WTVI; but just the Conference Session.

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SUGGESTION THAT COUNCIL INVITE HARLAN BOYLES, EXECUTIVE DIRECTOR OF LOCAL GOVERNMENT COMMISSION, TO SPEAK ON THE LEASE-BACK ARRANGEMENT FOR FINANCING LOCAL CAPITAL IMPROVEMENT PROJECTS.

Councilman Short stated Council has talked about the lease-back arrangement of financing local government capital improvements, and we are underway with one at the Hoskins Plant for the Utility Building. He suggested that Council get some education on the lease-back arrangement from Mr. Harlan Boyles, Executive Director of the Local Government Commission. He stated he has talked to him about this, and he would be glad to visit with Council. There are some pitfalls in this that Council should know about.

RESOLUTION OF APPRECIATION AUTHORIZED PREPARED AND SENT TO SIDEWALK COMMITTEE.

Councilman Short suggested that Council adopt a resolution thanking the Sidewalk Committee, chaired by Mr. Ben Horack, which worked diligently, beginning in 1968, and finally came up with the report prepared by Wilbur Smith and Associates. As a result of this, in two bond issues, we have about 1/2 million dollars, and we are talking about revenue sharing, so that there will be considerable money available for building sidewalks. Everything began with this Committee, and Council never thanked them.

Councilman Short asked that the rules be suspended, and moved that Council adopt a resolution thanking this Committee for the work they did, and that the City Manager be requested to prepare the resolution and send it to Mr. Horack. The motion was seconded by Councilman Jordan, and carried unanimously.

EXECUTIVE SESSION OF CITY COUNCIL SET TO CONFER WITH CITY ATTORNEY CONCERNING LITIGATION.

Councilman Short moved that the City Council hold an Executive Session immediately upon the conclusion of this meeting in the second floor Conference Room for the purpose of conferring with the City Attorney concerning litigation entitled Nichols vs. City of Charlotte, et al.

ADJOURNMENT.

There being no other business before the City Council, the meeting was adjourned

  
Ruth Armstrong, City Clerk