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A regular meeting of the City Council of the City of Charlotte, North Carolina was held in the Council Chamber of the City Hall, on Monday, December 11, 1967 at 3:00 o'clock p.m., with Mayor Stan R. Brookshire presiding, and Councilmen Fred D. Alexander, Sandy R. Jordan, Milton Short, James B. Stegall, Jerry Tuttle and James B. Whittington present.

ABSENT: Councilman Gibson L. Smith

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INVOCATION.

The invocation was given by Reverend Leonard Topping, Associate Minister of First Presbyterian Church.

MINUTES APPROVED.

Upon motion of Councilman Tuttle, seconded by Councilman Alexander, and unanimously carried, the Minutes of the last Council Meeting on December 4 were approved as submitted.

HEARING ON PETITION OF HOWARD NANCE COMPANY FOR THE ANNEXATION OF 77.04 ACRES OF PROPERTY LOCATED IN CRAB ORCHARD TOWNSHIP, OFF REDMAN ROAD ADJACENT TO AMITY GARDENS AND IDLEWILD, CONTINUED FOR ONE WEEK.

The scheduled hearing on the subject petition was continued from the Council Meeting on November 20.

Mr. Paul Bobo, Administrative Assistant, stated at the hearing two weeks ago one of the problems was serving this area with sewer. The area is over into the McAlpine Creek drainage area which at present does not have an outfall line from the area in question to the McAlpine Creek path. There is a small plant owned by Idlewild Utilities which presently is serving another subdivision in the area. He stated they have gotten together with Howard Nance Company and the utility company and have worked out a solution to serve the area with sewer.

If the Council sees fit to annex the area in question the City will enter into an agreement with the Howard Nance Company to provide city sewer under the present policies and then will enter into an agreement with the utility company to treat the sewage. There is a problem of running a trunk line from the small plant to the subdivision in question. He stated the City staff has verbally worked this out with the subdivider who has agreed to put up the amount of money that is required to install the trunk line which will become the property of the utility company; the reimbursement of the lines will be worked through the city's regular policy. That basically the present sewer policies have been used to work out the problems. The only difference will be that the City is entering into an agreement with a private company to treat city sewage.

Councilman Tuttle asked if this is entirely satisfactory to the petitioner? Mr. Louis Bledsoe, Attorney for the petitioner, replied the report is quite accurate; it just needs to be formalized.

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Councilman Whittington moved that Council take no action on this today until it is formalized in writing, which he hopes will be done by next week. The motion was seconded by Councilman Stegall.

Mr. Bledsoe stated they appreciate very much Council's patience and understanding regarding this matter as well as the staff who has labored long and diligently to resolve a very difficult problem.

Councilman Short stated he would suggest that Mr. Whittington might want to add to his motion to recess the hearing again as Council may want to discuss this further next week.

Councilman Tuttle made a substitute motion that the hearing be recessed for one week for the purpose of allowing the contracts to be formalized. The motion was seconded by Councilman Alexander.

Mr. Josh Birmingham, Assistant City Engineer, stated they gave a memo to Mr. Bobo which outlines the Department's recommendations which are essentially the same as the verbal agreement.

Mr. Bledsoe asked if this is approved and recessed until next week that Howard Nance Company will be contacted as to what documents they will need to sign? Mayor Brookshire replied yes. He asked if the City Attorney can prepare the contracts in line with the oral agreement within the week? Mr. Kiser replied they can prepare the documents just as soon as they receive the information about the oral agreement; that he does not know the terms of the agreement but as soon as his office receives that they will go to work on it and if possible will have it ready for next Monday.

Councilman Short stated that he has every intention of voting for this and he thinks the rest of the Council has indicated that they feel this way.

Mr. Nance stated the only document his company will enter into is a normal sewer contract, and they are ready to post the amount of money required. Mayor Brookshire replied that is right and the city will also have to prepare an agreement with the Idlewild Corporation.

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

MEETING RECESSED AT 3:15 O'CLOCK AND RECONVENED AT 3:40 P.M.

Mayor Brookshire stated because the people from Westinghouse are here and are waiting to show Council a film, he is calling a recess in order that they can view the film in the conference room.

The meeting was recessed at 3:15 P.M. and reconvened at 3:40 P.M.

DECISION ON PETITION NO. 67-71 BY W. I. BOSTIC, ET AL FOR A CHANGE IN ZONING OF PROPERTY ON BOTH SIDES OF LANTANA AVENUE, FROM SHARON AMITY ROAD TO MANDARIN BOULEVARD, DEFERRED.

Councilman Short moved that decision on the subject petition be deferred until seven member of Council are present. The motion was seconded by Councilman Whittington, and carried unanimously.

DECISION ON PETITION NO. 67-78 BY WILLIAM A. MCGARITY FOR A CHANGE IN ZONING OF A TRACT OF LAND ON THE NORTHWEST SIDE OF SHARON ROAD SOUTH OF SHERBROOK DRIVE, DEFERRED.

Motion was made by Councilman Alexander to defer decision on the subject petition until seven members of Council are present. The motion was seconded by Councilman Stegall, and carried unanimously.

RELEASE OF AN EASEMENT ON COMMONWEALTH AVENUE TO D. L. PHILLIPS INVESTMENT BUILDERS, INC. AUTHORIZED.

Motion was made by Councilman Whittington, seconded by Councilman Alexander and unanimously carried authorizing the Mayor and City Clerk to execute a release of an right of way easement for sanitary sewer lines of the Briar Creek Outfall at Commonwealth Avenue to D. L. Phillips Investment Builders, Inc.

RIGHT OF WAY AGREEMENT WITH STATE HIGHWAY COMMISSION FOR INSTALLATION OF WATER MAIN IN WEST BOULEVARD, AUTHORIZED.

Upon motion of Councilman Stegall, seconded by Councilman Tuttle, and unanimously carried, the Mayor and City Clerk were authorized to execute a right of way agreement between the City and the State Highway Commission for the installation of a 12-inch diameter C. I. water main in West Boulevard, from the existing city limits at the Southern Railroad Cross Line Bridge on West Boulevard to the Municipal Airport Access Road, a distance of approximately 8700 feet.

CONSTRUCTION OF SANITARY SEWER MAIN IN INDEPENDENCE BOULEVARD, AUTHORIZED.

Councilman Jordan moved approval of the construction of 568 feet of 8-inch sanitary sewer main in Independence Boulevard, inside the city, at the request of Mr. L. J. Spiers, at an estimated cost of \$3,310.00, with all cost of construction to be borne by the applicant whose deposit in the full amount has been received and will be refunded as per terms of the agreement. The motion was seconded by Councilman Tuttle, and carried unanimously.

APPRAISAL CONTRACTS AUTHORIZED.

Motion was made by Councilman Tuttle, seconded by Councilman Whittington, and unanimously carried, approving appraisal contracts, as follows:

- (a) Contract with B. Brevard Brookshire for appraisal of one parcel of land for McDowell Street Widening.
- (b) Contract with C. W. Todd for appraisal of one parcel of land for the Northwest Expressway.

QUITCLAIM DEED CONVEYING CITY'S INTEREST IN PORTION OF SOUTH MYERS STREET BETWEEN EAST TRADE AND EAST FOURTH STREETS TO REDEVELOPMENT COMMISSION.

Councilman Alexander moved that the Mayor and City Clerk be authorized to execute a quitclaim deed from the City to the Redevelopment Commission conveying whatever interest, if any, the City has in the described portion of South Myers Street, lying between East Trade and East Fourth Streets. The motion was seconded by Councilman Tuttle and carried unanimously.

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ORDINANCES ORDERING DEMOLITION OF UNSAFE HOUSING IN THE BROOKLYN URBAN RENEWAL AREA.

Upon motion of Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, ordinances ordering the demolition of unsafe housing in the Brooklyn Urban Renewal Area were adopted, as follows:

- (a) Ordinance No. 741-X ordering the demolition and removal of a dwelling located at 720 South Independence Boulevard.
- (b) Ordinance No. 742-X ordering the demolition and removal of a dwelling located at 1021 South Independence Boulevard.
- (c) Ordinance No. 743-X ordering the demolition and removal of a dwelling located at 1022-22A Kinn Street.
- (d) Ordinance No. 744-X ordering the demolition and removal of a dwelling located at 1024-24A Kinn Street.
- (e) Ordinance No. 745-X ordering the demolition and removal of a dwelling located at 1026-26A Kinn Street.
- (f) Ordinance No. 746-X ordering the demolition and removal of a dwelling located at 713 South Plum Street.
- (g) Ordinance No. 747-X ordering the demolition and removal of a dwelling located at 715 South Plum Street.
- (h) Ordinance No. 748-X ordering the demolition and removal of a dwelling located at 717-19 South Plum Street.
- (i) Ordinance No. 749-X ordering the demolition and removal of a dwelling located at 721-23 South Plum Street.
- (j) Ordinance No. 750-X ordering the demolition and removal of a dwelling located at 727 South Plum Street.
- (k) Ordinance No. 751-X ordering the demolition and removal of a dwelling located at 522 South Crockett Street.

The ordinances are recorded in full in Ordinance Book 15, beginning at Page 153.

CLAIM OF MRS. L. J. CROUCH FOR PERSONAL INJURIES DENIED.

Councilman Whittington moved that claim of Mrs. L. J. Crouch in the amount of \$235.00 for personal injuries caused when she tripped and fell on sidewalk in front of 2243 Selwyn Avenue injuring her knees, wrists and back, be denied as recommended by the City Attorney. The motion was seconded by Councilman Short.

Councilman Tuttle stated in some instances the sidewalks are raised particularly from tree growth. He asked if the City ever goes out and looks at the manholes and sidewalks from a standpoint of safety and maintenance? Mr. Bobo, Administrative Assistant, replied the City has a program as far as the manholes are concerned, but do not as far as sidewalks are concerned.

The vote was taken on the motion and carried unanimously.

TRANSFER OF CEMETERY LOT.

Motion was made by Councilman Whittington, seconded by Councilman Short, and unanimously carried, authorizing the Mayor and City Clerk to execute a deed with Mrs. Priscilla T. Boyd for Grave No. 1 in Lot No. 176, Section 2, Evergreen Cemetery, at \$60.00.

CONTRACT AWARDED BLYTHE BROTHERS COMPANY FOR CONSTRUCTION OF 36" DIAMETER DISTRIBUTION SYSTEM WATER MAIN IN REMOUNT ROAD.

Upon motion of Councilman Jordan, seconded by Councilman Stegall, and unanimously carried, contract was awarded the low bidder, Blythe Brothers Company in the amount of \$62,077.00 on a unit price basis for construction of a 36" diameter distribution system water main in Remount Road at the crossing of the proposed U. S. 21 South Expressway at Charlotte.

The following bids were received:

Blythe Brothers Company	\$62,077.00
Noll Construction Company	79,702.50
Boyd & Goforth, Inc.	81,330.00

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

Councilman Jordan left the meeting at the time and was absent for the remainder of the session.

AGREEMENT AUTHORIZED WITH NORTH CAROLINA STATE HIGHWAY COMMISSION FOR PARTICIPATION IN TOPICS PROGRAM AND ORDINANCE NO. 752-X AMENDING ORDINANCE NO. 655-X, THE 1967-68 BUDGET ORDINANCE, AUTHORIZING TRANSFER OF A PORTION OF THE GENERAL FUND CONTINGENCY ACCOUNT TO TRAFFIC ENGINEERING TO BE USED IN PROGRAM.

Mr. Herman Hoose, Traffic Engineer, stated to bring Council up to date on the TOPICS program, early in the spring they were asked by the Bureau of Public Roads and the State Highway Commission if the City was interested in a program called TOPICS. The name TOPICS comes from traffic operations program for increasing capacity and safety on city streets. Charlotte was chosen as a Model City based upon the fact that it had an engineering staff and workable staff that could implement the plan. These are the two requirements under the program.

He stated they filed a request early in May and again in June to the Highway Department and the Bureau and they accepted the request to participate in the program.

The first phase of the program involves the study of the study area. The study area is all the thoroughfares included on the Thoroughfare Plan and other additional thoroughfare or pedestrian areas, all downtown streets, all roads with high volume traffic generators such as shopping centers, hospitals and institutions and individual intersections.

The study will be conducted mostly by his Department with some outside help in summarizing the data they have. The study was started last June by gathering some of the information for the program with their own forces and college and high school boys.

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The City's part of the program is 40% of the total cost of the survey which is \$100,000. They feel they now have approximately \$23,000 worth of work done between his department, the planning commission and the engineering department.

In order to complete the program on a 60-40 basis they will need an additional \$17,000 to conduct the necessary field work and the necessary summary of the field work they have completed.

Mr. Hoose stated the contract has been turned over to the City Attorney for review; when they are executed then the city will be in agreement with the State and can proceed with finals on the survey. The survey can be completed in eight months. This will be different from other surveys because they are interested in implementing the results of the survey. How far and how fast we go depends upon the availability of money and the way it would be allocated to the city on a percentage basis. That this is hard to say because in some cases they are taking all the streets - those not even on the state system are included in the study that are in direct relation to the traffic functions on the street, and will participate in some improvements in these areas.

In the downtown area they will study the entire part of Area I in order to improve the present signal system. They are sure they will need additions to the system as traffic has already increased in the last eight or nine months. They will add additional counting stations; they now have 16 locations and will count at 40; they will attempt to add two stations to their present computer system. Now they only count volume but they will count lane usage or occupancy and will also count speed. The counting stations will be scattered approaching the central business district on the main arterials.

He stated they will also take into consideration the needs of pedestrians on overhead bridges as requested by Council. Studies will be made in areas such as Johnson C. Smith University on Beatties Ford Road, one at Eastway Drive, in the urban renewal area, at McDowell and Independence, in the civic center area and other sections in town where they can find some of the trouble spots. It will touch on what will be needed in the grade separation program to try to set up a priority.

This will bring up to date the 1960 survey made in the central business district and will update the thoroughfare plan.

After the completion of the survey, the federal government sets a five year period in which the work has to be completed; it has to be in operation within five years, and you have to run studies back to show how much improvement was made through the work done.

They will study speed zones, parking regulations, channelization, additional one way streets and lane usage. They will use consultant help when needed on signalization of streets. Mr. Hoose stated all these things will be needed regardless of whether we can get help from the state or federal government.

Mayor Brookshire asked if Mr. Hoose can estimate the cost of improvements that the study might reveal; and how much the state and federal governments might assist with on streets within the state system and on federal highways? Mr. Hoose replied when this was reviewed with the State they estimated it was approximately a million dollars over the five years. Councilman Short asked if the computerization of the signal system on

Independence Boulevard ties into this, and Mr. Hoose replied no, this was the second stage of the system that was cut loose and was not put in this year. That Third and Fourth Streets, Elizabeth Avenue and Seventh Street are the only intersections now tied into the downtown system.

Councilman Whittington stated this is an excellent presentation and it is worthwhile and factual information they need. If it will help to get moving on streets and traffic he is for it.

He stated that Mr. Hoose mentioned that outside consultants would have to be engaged to help with this program. When we talk about consultants in traffic in the future, that we should get a firm that is not working for everybody in North Carolina and for two or three agencies within our own local set up. That Mr. Hoose should consider this when he considers hiring another consultant.

Councilman Whittington stated Mr. Short mentioned Independence Boulevard; that over the weekend he had several calls from people who said they waited on Commonwealth Avenue 35 minutes to get into Independence Boulevard. He asked if there is anything the city can do about this, either on Commonwealth, Eastway or Independence now as a relief; can another lane be put in. Mr. Hoose replied he doubts anyone waited 35 minutes, but this is a bad situation which they hope to improve as soon as possible on the separation which is the only answer to that problem. If he thought he could get in there right now and put another lane to this, he would be glad to do this; this is one point that will be studied.

Councilman Tuttle asked if the City will actually spend \$40,000; that with \$17,000 for outside work and \$23,000 for related personnel in his department does this mean at budget time, Mr. Hoose will come to council and ask for more personnel? Mr. Hoose replied the \$23,000 they are spending is already budgeted money; it is part of his salary, part of Mr. Corbetts and other they will use; some of the work has been completed; they completed some \$13,000 worth of work this summer. That he has to do the summary work with his own people, and the added \$17,000. Since it will run into two budgets - \$8,500 now and \$8,500 next - that he can do this and with the help he has coming in June with his regular budget he can finish the job. Regarding consultants, he will ride herd and we will get a good study; regardless of who the consultant is he will ride herd. Councilman Tuttle stated he does not object to the \$40,000 as that is only four per cent of a total million that we might realize; but he does not like to be fooled about these things.

Councilman Stegall stated he was involved in the traffic on Commonwealth Avenue Friday night, and it took him 28 minutes to get from the top of the hill on Commonwealth Avenue to the intersection of Independence and Commonwealth. That he would like someone to go out there and look at the situation because it is very acute, and it is getting worse every day.

Councilman Whittington stated he was thinking of a temporary measure; the fruit stand which was a service station is vacant and perhaps they could get a right turn into there when you come down the hill by leasing or getting an access through there on a temporary basis.

Councilman Whittington moved approval of the subject agreement with the North Carolina State Highway Commission and the adoption of the subject ordinance transferring \$8,500 to be used for a program in applying traffic engineering principles for increasing capacity and safety on city streets. The motion was seconded by Councilman Stegall, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 15, at Page 164.

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DISCUSSION OF NEED FOR MORE CONSIDERATION OF MOVING TRAFFIC BY COMPANIES WORKING IN STREETS AND BLOCKING TRAFFIC.

Councilman Stegall stated at South Tryon Street and Woodlawn Road one day last week, a paving company was paving the whole area and the traffic was backed up on Woodlawn Road, South Tryon Street going north and south and the side roads, and there was no one in the middle of the street, police officer or anyone helping move the traffic through. At one time these people were told they had to have someone to control traffic and this is not being done; they just go into the streets and take them over and for all practical purposes traffic can go fly a kit. This time of year in particular is bad; but all year long this is happening and there has been a breakdown in communications between the street department, the police department or maybe the traffic engineering department in telling these contractors that they cannot disregard moving traffic when the construction is being done. He stated he does not see how they get by with it from the standpoint of liability insurance.

That on Fourth Street the other morning about 8:45 someone was working on the south side of the street in the middle of the block, and traffic was cut down to one lane and was backed up on Fourth Street all the way to the Police Department, and there was no one directing traffic. He stated at one time they did not allow the construction companies to go into the streets until 9:30 in the morning, and they were required to hire off-duty policeman. That there is a serious breakdown in the problem of construction on streets. If they can block the entire street off and re-route traffic that is fine.

Mr. Herman J. Hoose, Traffic Engineer, stated six or seven weeks ago they had a meeting with all the utility companies, including the city, in reference to this problem. They were told they were not to start until 9:30 and insisted they use officers or in some way divert the traffic. That this is just a case of them not paying any attention to what was agreed to 100 per cent. In connection with Woodlawn Road he attended the pre-construction conference and they wanted police to assist them.

Councilman Stegall stated he had noticed the same problem on Monroe Road where it was widened, out by the cemetery; there was no one there to control traffic and the traffic was backed up from East Mecklenburg School all the way to Sharon Amity Road.

Councilman Whittington stated the work could be done a lot quicker and people would not be as inconvenienced if the traffic was detoured. Mr. Hoose replied wherever possible they detour the traffic.

RECOMMENDATION OF REDEVELOPMENT COMMISSION ON TRANSFER OF PROPERTY AND SALE OF PROPERTY IN PROJECT AREA NO. N. C. R-37 IN CONNECTION WITH JAIL SITE.

Mr. Vernon Sawyer, Director of the Redevelopment Commission, advised the Redevelopment Commission is selling the site to the County for the jail, and before they could sell the whole site, there had to be two transactions to take place - one was the quitclaim deed which was approved by council earlier in the meeting on the portion of Myers Street; the other is the trade of a piece of land the Redevelopment Commission owns with the owners of the Attorneys Building in order to consolidate the site, and make the transfer. The Redevelopment Commission met in special session last Thursday afternoon and approved both of these transactions and are now recommending them to Council for approval.

He stated the piece of land the Redevelopment Commission is trading (Parcel 31-2) is adjacent to the Attorneys' Building, between the Attorneys' Building and the Law Building and this is being traded for Parcel 31-1 which is owned by the Law Building. That this is a rear portion of the Attorneys' Building lot which extended into the jail site. The owner of this building has agreed to exchange that for a piece of land fronting on Trade Street which extends back parallel to his property line and gives him, in effect, the same number of parking spaces he is losing. The difference in the area is compensated for ^{by} the fact that he will have easement rights through an alley all the way through the block from Trade Street to Fourth Street and an alley into Myers Street also.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE APPROVING EXCHANGE OF LAND BETWEEN OWNERS OF ATTORNEYS BUILDING AND REDEVELOPMENT COMMISSION OF THE CITY OF CHARLOTTE IN PROJECT NO. N. C. R-37.

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

The resolution is recorded in full in Resolutions Book 6, at Page 31.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE APPROVING SALE OF LAND TO THE COUNTY OF MECKLENBURG IN REDEVELOPMENT PROJECT NO. N. C. R-37.

Upon motion of Councilman Whittington, seconded by Councilman Short, and unanimously carried, the subject resolution was adopted approving sale of Parcel No. 31-3 to the County of Mecklenburg to be developed with a jail building in accordance with the Redevelopment Plan.

The resolution is recorded in full in Resolutions Book 6, at Page 32.

REPORT ON ANNUAL AUDIT BY JACK FENNELL, DIRECTOR OF FINANCE.

Mr. Jack Fennell, Director of Finance, stated there has been no appreciable change in the pattern of the revenue over the past few years. The percentages of income of various classes of revenues are approximately the same. We did increase about 1/2 per cent on the property tax. Other than that and the intangible property tax, the revenue patterns are practically the same. He stated we ended up with a surplus after providing for next year's budget of about \$389000. That \$75,000 of this was appropriated for the Mint Museum; that this is not too large a surplus for working funds purposes because it is over three months in each budget year before we start getting any appreciable revenue.

Councilman Whittington asked if the surplus means this is money left over which has not been spent? That at one time he tried to get Council to take money such as this and put it in escrow and on a particular project. That when you have money like this Council should be informed of it and, if possible and legal under the law, Council should transfer that money, before it is spent for something else, to a project where we could see some tangible results which we could not ordinarily do because we are waiting on the federal government or the state or somebody to give us the money to do the project. That Eastway Drive is a perfect example; we are stopped right in the middle of a bunch of shade trees waiting on the state to build the bridge and the city does not have any money appropriated to buy the right-of-way across that clover. He asked if we can get this money at the end of the fiscal year and put it somewhere without legislation? Mr. Fennell replied yes, this would be as council wishes; it can be handled as a reserve for any purpose.

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Councilman Whittington requested that Mr. Fennell and Mr. Bobo tell Council at budget time what can be used right then and not take it over into next year; let next year take care of itself; that he is talking about what can be done right then with money left over.

Mr. Fennell stated these funds will not be used in any way until Council so directs. Councilman Tuttle stated they are requesting that Council be made known of this money prior to budget time before it goes into the budget.

Mr. Fennell stated one thing that occurred this last year, the city received some late listings on the property tax that was unusual - it was about twice as much as normal and it created a somewhat larger surplus than anticipated and also had a larger percentage than normal on intangible taxes of about \$125,000. This was an unanticipated budget; they attempted to budget all that could be projected safely.

Councilman Whittington asked if Council can take any of this money now and put it on Eastway Drive, and would it be bad financing? Mr. Fennell replied they could; one of the things that occurred so far is that the intangible property tax is about \$40,000 less than budgeted; that he would want to reserve the money to cover this in case the other revenue does not off set that. Other than that, it could be used.

Councilman Short asked why the City is getting less ABC money? Mayor Brookshire replied the last legislature authorized the Board to hold back as much as \$200,000.

Councilman Whittington asked what the estimate is on the remainder of the right-of-way down Independence on Eastway Drive? Mr. John Birmingham, Assistant City Engineer, replied it is estimated at one half million dollars.

Councilman Short stated this report has a great deal of very interesting information other than financial information, and he would like to commend Mr. Fennell. That on page 10 it shows the city spent only half as much money on capital improvements last year as in 1965-66; and that shows the need for the additional source of revenue that we have now arrived at. He stated he noticed that the Powell funds are allocated in some part on a population basis, meaning when people come over here and buy gas and ride on our streets, in effect, they are paying for their streets.

Mr. Fennell replied this is true and it would be much better for Charlotte if it were based on a point of return or collection rather than the per capita basis. Councilman Short stated it shows again one of the bright features of our sales tax we now have.

Mr. Fennell stated we have deferred the issuance of bonds that was authorized; we will have to sell seven or eight million dollars in the next calendar year; but we will still be in a more favorable position than we were in 1960; we have had a rather favorable ratio of debt to assessed valuation; that this must be viewed in relationship to the ability to pay for bonds. At present we have a legal debt margin of around \$25,000,000, and the city could legally issue this amount of funds, but at the same time it would come in on the tax rate if it was done. That at present we have \$12,100,000 authorized which are unsold.

Mr. Fennell stated the city is still maintaining a favorable ratio as far as the way the debt services are being met; and is still only paying around 26 per cent of our debt service from property tax. The City retired \$3,091,000 last year and this is about average.

PROPERTY TRANSACTIONS AUTHORIZED.

Upon motion of Councilman Tuttle, seconded by Councilman Short, and unanimously carried, property transactions were authorized, as follows:

- (a) Acquisition of 17,464 square feet of property 200 feet east of Seventh and McDowell Streets intersections, from Yandell Realty & Investment Company, at \$26,000 for the Northwest Expressway.
- (b) Acquisition of 5,663 sq. ft. of vacant land one block south of Central Avenue, from Marsh Realty Company, at \$4,950.00, for the Eastway Drive project.
- (c) Acquisition of 1,940.79 sq. ft. of property on Central Avenue, at Glenn Street, from Dr. A. H. Cash, at \$4,350.00, for the Eastway Drive Project.
- (d) Acquisition of 147 sq. ft. of property at 529 Charles Avenue, from Jesse L. Pope and wife, Willie A. Pope, at \$3,000.00, for the East Thirtieth Street Project.
- (e) Acquisition of the entire lot at 511 Charles Avenue, from George V. Barger, Sr. and wife, Ruth P. Barger, at \$7,500.00 for the East Thirtieth Street Project.
- (f) Acquisition of 3,779 sq. ft. of property at 316 West Trade, corner of Pine Street, which was previously approved for condemnation and which the owners have agreed to settle without litigation, from Henderson Belk Investment Company, Inc., et al, at \$75,000.00 for the Pine Street Connector.
- (g) Acquisition of 2,415.81 sq. ft. of property on Remount Road next to Southwest corner of South Boulevard, from Robert T. McManeus, at \$7,000.00, for the South Boulevard Intersections.

REPORT FROM SECRETARY OF HOUSING AND URBAN DEVELOPMENT ON GREENVILLE URBAN RENEWAL AREA.

Mayor Brookshire stated he received the following letter this morning from Secretary of Housing and Urban Development, Robert C. Weaver:

"This replies to your letter about Charlotte's proposed Greenville urban renewal area (R-78) as it relates to the Model Neighborhood.

We are, of course, aware of the need for coordination of planning in these cases. I am, however, not in a position to give you an immediate answer as to precisely when we will be able to take action on the renewal project application. Meanwhile, you may be sure that we will make our decision as early as possible."

Mayor Brookshire stated he does not think there is any question about getting the approval, the only question is when; hopefully, it will come at an early date.

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BUILDING INSPECTION DEPARTMENT REQUESTED TO INVESTIGATE TWO ABANDONED BUILDINGS AT SELWYN AVENUE AND COLONY ROAD.

Councilman Stegall requested Mr. Bobo, Administrative Assistant, to have someone from the Building Inspection Department to go out to Selwyn Avenue and Colony Road where there are two buildings which have been abandoned for some time - one is an old service station building with all the glass taken out, doors taken off and it is more or less a shell; the next one was a restaurant and the doors have been taken off.

He stated this is one of the most outstanding neighborhoods in Charlotte; there is a school in the back that costs millions of dollars, and here is a ghost town on the approach to the school. That it is a safety hazard and a health hazard. That he would like to see the place cleaned up.

POLICE CHIEF TO BE REQUESTED TO HAVE OFFICERS TO BE MORE DILIGENT IN APPREHENSION OF PEOPLE WHO LITTER THE STREETS.

Councilman Stegall requested the Council to send a request to Chief Ingersoll that his men be more diligent in their apprehension of people who litter our streets. That the Independence Boulevard situation is provoked probably by a nearby restaurant that does not permit patrons to bring beer on their premises; and the people are drinking the beer and throwing the cans out on the median strip. That he would like for the Chief of Police to put out a letter to all officers saying that this is a violation and quote the statute, the penalties et cetera and make some physical arrest.

Mayor Brookshire stated he thinks all of Council endorses the suggestion and requested Mr. Bobo, Administrative Assistant, to pass it along to the Chief.

REQUEST THAT DOWNTOWN LOADING ZONES BE INVESTIGATED TO SEE IF THEY SHOULD BE MADE LONGER.

Councilman Stegall stated the loading zones downtown seem to be too short. The Companies who make deliveries there have larger and longer trucks and they protrude over into bus stops and across crosswalks.

He requested that someone look at this to see if the loading zones are long enough to accommodate the trucks.

REPORT REQUESTED ON OPENING ST. MARK, ST. LUKE AND ST. PAUL STREETS OFF BEATTIES FORD ROAD.

Councilman Alexander stated that St. Luke, St. Paul and St. Mark Streets, off Beatties Ford Road, dead end. He requested the Administrative Assistant to give him a memo stating whether or not the city can do anything about opening these streets up.

APPRECIATION EXPRESSED FOR EFFICIENT OPERATION OF PICKING UP LEAVES.

Councilman Short stated from the observations on his street, the city had a very efficient leaf picking up operation this fall; also he has not received a single phone call and in years gone by he has received a number of calls on the subject. That it looks to him as if the city must have additional equipment and also has done an outstanding job this year. That he would like to thank the administration, in particular Mr. Buck Davis, for what has been done on the matter.

MAYOR REQUESTED TO APPOINT COMMITTEE OF THREE LOCAL LAWYERS TO LOOK INTO STOP AND FRISK LAW WITH RECOMMENDATIONS TO COUNCIL.

Councilman Short stated in the conference session today it was pointed out the necessity for curbing gun activities. That Charlotte has about five times more murders than the national average; there were 833 aggravated assaults last year. That he personally does not want to just sit on his hands, and he does not think the Council should, and let temper tantrums in Charlotte turn into tragedies from the use of cheap guns.

Councilman Short moved that Council request the Mayor to appoint, after conferring with the President of the Bar Association, a Committee of three local lawyers to look further into a possible stop and frisk law and to report back to Council; that it be suggested to the Committee that they examine the results of such laws in other cities and in other states; that they examine all the cases on the subject, including the three cases that are being heard in the United States Supreme Court; that it also be suggested to the committee that they present to Council a draft they would make of an enabling act, as well as a local ordinance, that could be passed. The motion was seconded by Councilman Tuttle, and carried unanimously.

Councilman Whittington stated also Council asked the City Attorney to investigate the ordinance recently passed in Atlanta pertaining to the carrying of illegal weapons; and that the judges and solicitors with the City Manager and the Police Chief get together and bring Council back recommendations on what it can do to prevent the illegal sell of weapons, by next Monday.

Mr. Kiser, City Attorney, stated he talked with Mr. Bowden, City Attorney in Atlanta, this afternoon and he is sending all the information they have and all the laws they have adopted including two suits that have arisen under the ordinance.

Mayor Brookshire asked that a recap be made of Judge Grist's statement about record keeping that could possibly account for the city's high percentage of crime as compared with other cities.

Mr. Bobo stated all cities are on the same system; it is a system of reporting set up by the FBI. That perhaps Judge Grist was suggesting that Charlotte use a different method for reporting, and not the uniform system.

Councilman Whittington stated these other cities are amending their records and their reports do not look as bad after the trial. That Judge Grist cited the county police just this month where they changed their record. He stated as long as he can recall this has been a wrong doing in our record keeping; this is something that Chief James put in when he came to Charlotte.

Mr. Bobo stated he believes the press is picking up these reported incidents and using them out of context. That we are using the same system that other cities use and this was a system that was established by the FBI.

Mayor Brookshire stated they were told by Judge Grist that some of the cities amend their statistics on the bases of conviction. He stated Charlotte is trying to reduce the incidents of crime and is trying to get at the causes of crime, and we do not want our city put in any worse light than it actually is.

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HEARING ON PRELIMINARY PLANS FOR CONVENTION BOULEVARD SET FOR JANUARY 22.

Councilman Tuttle stated much has been said about certain streets, their traffic patterns and other plans relating to the downtown to the extent that the City has been accused of not informing the Central Charlotte Assn. on its plans. That we are now in the midst of preliminary plans for Convention Boulevard (A Street), and so that there be no misunderstanding on this interpretation of the cities plans, he moved that January 22, 1968 be set for a public hearing on the preliminary plans and the intent on convention boulevard, and those persons directly involved - the property owners along A Steeet, the right of way, state highway officials, the Central Charlotte Association, the Master Plan Committee, Southern Railroad and the other railroads involved, the Chamber of Commerce and the Task Force - be invited by direct notice to attend with the thought that the city will get all attitudes on the table before going too far and that any objections or attitudes may be known beyond any question. The motion was seconded by Councilman Whittington, and carried unanimously.

CONTRACT AWARDED A. P. WHITE AND ASSOCIATES, INC. FOR GENERAL CONSTRUCTION OF KINGS BRANCH SEWAGE PUMPING STATION.

Councilman Stegall moved award of contract to the low bidder, A. P. White and Associates, Inc. for the general construction of Kings Branch Sewage Pumping Station, in the amount of \$56,910.00. The motion was seconded by Councilman Short, and carried unanimously.

The following bids were received:

A. P. White & Associates, Inc.	\$ 56,910.00
C. W. Gallant, Inc.	59,877.00
Crowder Construction Co.	67,400.00
Brown Construction Co.	69,700.00
Rand Construction Co.	85,138.75

CONTRACT AWARDED NOLL CONSTRUCTION COMPANY FOR KINGS BRANCH SEWAGE PUMPING STATION PRESSURE LINE AND GRAVITY LINES.

Upon motion of Councilman Whittington, seconded by Councilman Alexander and unanimously carried, contract was awarded Noll Construction Company, the low bidder, in the amount of \$87,379.00, for the Kings Branch Sewage Pumping Station pressure line and gravity lines.

The following bids were received:

Noll Construction Co.	\$ 87,379.00
Sanders Brothers, Inc.	89,543.90
Boyd & Goforth, Inc.	91,828.75
Blythe Brothers Company	93,178.60
C. D. Spangler Construction Co.	95,882.00
Rand Construction Company	96,251.00

CONTRACT AWARDED SYDNOR HYDRODYNAMICS, INC. FOR SEWAGE PUMPS WITH MOTORS FOR KINGS BRANCH SEWAGE PUMPING STATION.

Motion was made by Councilman Alexander awarding contract to the low bidder, Sydnor Hydrodynamics, Inc., in the amount of \$3,960.00, for sewage pumps with motors for Kings Branch Sewage Pumping Station. The motion was seconded by Councilman Whittington, and carried unanimously.

The following bids were received:

Sydnor Hydrodynamics, Inc.	\$ 3,960.00
Purser, London and Edwards, Inc.	4,020.00

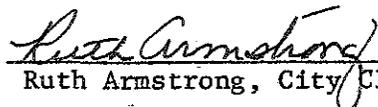
ORDINANCE NO. 753-X AMENDING ORDINANCE NO. 655-X, THE 1967-68 BUDGET ORDINANCE, AUTHORIZING THE TRANSFER OF A PORTION OF THE UNENCUMBERED BALANCE OF THE AIRPORT FUND.

Councilman Whittington moved adoption of the subject ordinance authorizing the transfer of \$2,500 to 1967-68 Budget for airport-other structures to be used for the purchase and installation of a traffic control gate for the Employees' parking lot at Douglas Municipal Airport. The motion was seconded by Councilman Tuttle, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 15, at Page 165.

ADJOURNMENT.

Upon motion of Councilman Tuttle, seconded by Councilman Stegall, and unanimously carried, the meeting was adjourned.


Ruth Armstrong, City Clerk