

January 11, 1971
Minute Book 54 - Page 471

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Monday, January 11, 1971, at 3:00 o'clock p.m., with Mayor John M. Belk presiding, and Councilmen Fred D. Alexander, Sandy R. Jordan, Milton Short, John H. Thrower, Jerry Tuttle, James B. Whittington, and Joe D. Withrow present.

ABSENT: None.

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INVOCATION.

The invocation was given by Reverend W. E. Chambers, Minister of Parkwood Institutional C. M. E. Church.

MINUTES APPROVED.

Upon motion of Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, the Minutes of the last regular meeting, on Monday, January 4, 1971, were approved as submitted.

AGREEMENT BETWEEN SOUTHERN RAILWAY COMPANY AND THE CITY COVERING COST SHARING FOR DOWNTOWN STREET IMPROVEMENTS, TOGETHER WITH DEEDS TRANSFERRING TITLE OF THE NECESSARY PROPERTIES, AUTHORIZED.

Motion was made by Councilman Whittington, and seconded by Councilman Jordan, approving an agreement between Southern Railway Company and the City of Charlotte covering cost sharing for Downtown Street Improvements, together with two deeds transferring title of the necessary properties to accomplish the widening of the streets. The vote was taken on the motion, and carried unanimously.

COUNCILMAN WHITTINGTON LEAVES MEETING.

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

REGIONAL DIRECTOR OF BUREAU OF OUTDOOR RECREATION, DEPARTMENT OF INTERIOR, AND PROJECT LEADER OF THE SUGAR CREEK STUDY WELCOMED TO COUNCIL.

Mayor Belk recognized Mr. Roy K. Wood, Regional Director, Bureau of Outdoor Recreation, Department of Interior, and expressed Council's appreciation for his fine leadership on the Sugar Creek Project. Mayor Belk also recognized Mr. William V. Stell, Project Leader of the Sugar Creek Study, and welcomed him to Charlotte.

GOVERNMENTAL CENTER PARK NAMED FOR JAMES B. MARSHALL, FORMER CITY MANAGER.

Mr. Clarence (Ace) Walker, Chairman of the Charlotte Park and Recreation Commission, stated he is present today with a proposal that the public park to be developed in a portion of the Governmental Plaza, between First and Third Streets, west of McDowell Street, be named in memory of the late James B. Marshall in some appropriate way such as the "James B. Marshall Park".

Mr. Walker stated this proposal has been presented to the Park and Recreation Commission at its meeting in December, and received the unanimous approval and the enthusiastic approval and support of the Commission with all Commissioners present and voting.

January 11, 1971
Minute Book 54 - Page 472

Mr. Walker stated for over a period of twenty five years, Mr. Marshall was vitally involved in the struggle for the planning and the development of this City in its transition from just another town in North Carolina to a major, thriving, urban center. In the late 20s he was a member of the City's first Planning Commission. In the late days of the depression, he served as public works engineer for the City of Charlotte. In 1935 he was appointed as City Manager for the City of Charlotte and served as such until 1940 when reasons of health prevented him temporarily from proceeding further. Subsequent to that time, he served as the consultant to the Planning Commission at the time when it was moving into the whole area of planning on a county-wide basis; he was consultant to the zoning commission; later he was consultant to the Charlotte Park Association which was developed by the Lions Club for the purpose of planning, initiating and developing Freedom Park. Mr. Walker stated in all these capacities and over this period of time, Mr. James B. Marshall was instrumental in and was the initiator, or the architect, for an important part of numerous of those projects that had vision and planning sufficient to enable this town to have the transition into that of a major urban center.

Mr. Walker stated Mr. Marshall was instrumental in the writing of the first city zoning ordinance; he was chief architect and was instrumental in the city's master street plan and it was in this connection that he was the designer of and one of the prime moving forces behind what we now see as having been so vital and still so vital to this city, Independence Boulevard. Mr. Walker stated back when there was a lot of opposition to Independence Boulevard, Mr. Marshall was going around getting people to speak in favor of it. He stated Mr. Marshall was also instrumental in developing the first standard housing ordinance which is now so important to the development of this city; he was a practical man of great vision.

Mr. Walker stated in talking to Mr. Marshall's daughter, Mrs. Rex Gribble, he learned that when she was in college, he wrote her a letter in which he said to her something which later had more meaning to her than it did then. He said "You must always keep your feet on the ground, but your head in the clouds". Mr. Walker stated this very aptly characterizes Mr. James B. Marshall, and he thinks it is appropriate at this time that we consider doing something about it. Mr. Marshall was a great advocate of slum clearance and urban redevelopment.

Mr. Walker stated it is particularly appropriate at this time to name this park in memory of Mr. James B. Marshall; and it is particularly appropriate here as we see Mr. Marshall's dream come into fruition and into reality right in the place he saw it in his dream.

He stated he commends to the Mayor and Council the action which the Park and Recreation has already taken in approving and supporting the naming of this governmental plaza park in the memory of Mr. James B. Marshall.

Deputy Fire Chief Buck Brown stated he had the opportunity of knowing Mr. Marshall from the time he came to the city with the WPA; that he knew him as a friend and a person who was as close to him as a Dad would be. That he heard him speak many times on the third floor of City Hall where he visualized many things for the City of Charlotte. Mr. Marshall was one of the finest men he has ever known, and any honor that is given J. B. Marshall will be a minute thing to the contribution that he made to the City of Charlotte.

Councilman Short stated he had the pleasure of the same type of conversation with Mr. Marshall in 1939, when he was trying to write a term paper, and Mr. Marshall did, indeed, have his head in the clouds.

Councilman Short stated there are a number of people present today who have come because of this event, and he introduced the following: Mr. James B. Marshall, Jr. and his son, Richard Marshall; Mr. & Mrs. Rex Gribble, Mrs. Gribble is the daughter of Mr. Marshall; Miss Mary Gribble, a granddaughter; Mrs. Bobbie Gribble and Mr. Skipper Gribble; also some friends of the family, Mrs. John Elliott, Mrs. Wendall Wood, and Mrs. Don Davidson.

January 11, 1971
Minute Book 54 - Page 473

Councilman Short stated the area that is proposed as Marshall Park is shown on a map which was prepared by Norman Pease; it is about a 1/2 block area around a little lake that is being built. He stated this is not the entire governmental plaza, and naming this park will not interfere in any way with naming the governmental center.

Councilman Short filed the boundary map with the City Clerk, showing the metes and bounds of the park, and moved that the area around the lake as shown on the map be officially named "James B. Marshall Park". The motion was seconded by Councilman Jordan, who stated he worked with and knew Mr. Marshall real well, and considers it a privilege to second the motion. The vote was taken on the motion and carried unanimously.

Mr. James B. Marshall, Jr. stated he is speaking for his mother and all the members of his family and expressed their deep appreciation for this tribute paid his father. He stated he would like to express special thanks to Councilman Short, Chairman Walker and the Park and Recreation Board and members of the Governmental Plaza Planning Commission, to Deputy Chief Brown and to all other groups and individuals who expressed interest in so naming this park. He stated his father was quite devoted to the City of Charlotte and its people and they feel this is a fine tribute of which they are quite proud.

Councilman Tuttle stated he would hope that we would not detract from this name by even considering any further the naming of the Governmental Center; that is what it is, the Governmental Center; that is the name and people should recognize it as the Governmental Center. He stated he is suggesting that Council not detract from the naming of the Park by naming the entire Governmental Center, and that it remain as the Governmental Center.

Mayor Belk stated Council is very honored to name this park for Mr. Marshall, and thanked the family for being present today.

CITIZEN REQUESTS AID IN HAVING GARBAGE AND TRASH PICKED UP, AND QUESTIONS WHY POLICE OFFICERS WHO HAVE ALLEGEDLY BEEN CAUGHT SHOPLIFTING, OR STEALING ARE NOT PROSECUTED AND TRIED.

Mr. Sol Badame, 1501 Landis Avenue, stated he has had trouble with garbage and trash pick ups for the past two years. That he would like to know what can be done to get a trash pick up at his house. That he has called for six months and cannot get a response; that he finally called Mr. Short and he got a trash man out there the next day. Mr. Badame stated the week before Christmas he called as he had two truck loads of trash in front of his house and was told they would pick it up by Christmas, and they still have not picked it up. That he would like to know what ot do to get it picked up.

Mr. Badame stated his other complaint deals with the Police Department. That we have a fine police department and he has a lot of friends in the department and to disprove that he is a "cop hater" he has six letters which prove he is not a "cop hater". He read one letter from former Police Chief Frank N. Littlejohn and stated he also has letters from the county police, one from the Sheriff's department, one from the State Patrol, from Judge Arbuckle and one from Federal Judge Jim McMillan.

Mr. Badame stated he has a complaint concerning a police officer. He stated several weeks ago a highly respected police officer told him that a policeman was caught shoplifting in one of our drug stores. Mr. Badame stated he went to investigate it at the drug store and the manager said he was caught shoplifting. Mr. Badame stated he would like to know why he was not indicted or tried, or why nothing was done about it? He stated if he, or someone else, was caught for shoplifting, or breaking the law, they would have to pay for it. That the police officer was dismissed from the force and there was no publicity about it; he was just dismissed and it was forgotten.

January 11, 1971
Minute Book 54 - Page 474

Mr. Badame stated he would like to know what they are going to do about Sergeant Winkler; he was caught stealing money. He asked why he was turned loose and why he was not punished.

Mayor Belk requested the Acting City Manager to check into this and report back to Council.

Councilman Alexander requested the City Manager to have the trash picked up. Mr. Badame stated the trash is now in his yard as it was a hazard in the street; the street is only 18 feet wide.

REQUEST THAT AMENDMENT TO PRIVILEGE LICENSE ORDINANCE BE INCLUDED IN THE CITY'S LEGISLATIVE PACKAGE.

Mr. Tom Sykes stated the Legislature will open very shortly, and he has seen nothing relative to the privilege license amendments which he requested Council to take action on. That he understood there would be a Committee to look into this. That it is a little ridiculous for others in business to pay a privilege license and people like National Banks and Doctors and Lawyers go free without a privilege license. That these professions have been guarded too close too long. With some of the fees doctors and lawyers collect these days, he thinks they can afford a privilege license. That he has a file which he prepared approximately a year ago indicating that this city can receive between three and five million additional dollars through privilege licenses. That we are now receiving somewhere in the neighborhood of approximately 1/2 million dollars.

He stated the Legislative Committee should be looking into this; making those necessary changes to bring into line people who take dollars from our taxpayers and make some effort to reduce the tax burden for the average wage earner.

Mr. Underhill, City Attorney, stated this is a problem that the League of Municipalities has wrestled with; that he has been told there has been a bill introduced in the last five sessions of the General Assembly to have the privilege tax license Section 105 expanded to remove some of the exemptions and it has never gotten out of Committee. There have been two efforts made by the League of Municipalities in 1965 and 1967 to get the ad valorem Tax Study Commission to report out when the General Assembly is not in session and to make a report concerning this. That has been done once. A report was given to the 1969 General Assembly and a bill was not even introduced that year. He stated for the first time in ten years, the League has not included this as part of their legislative program. The League plans to go back to the Tax Study Commission this year and attempt to get the Tax Study Commission to lend its weight to studying the situation, making some recommended changes and deletions and removal of exemptions in hopes that the 1973 General Assembly will see fit to take on this problem. He stated a change in the license fee section has been in the city's legislative package since 1965. Efforts have been made but they do not have any results to show for those efforts.

Mr. Sykes stated he does not think efforts have been made in the right direction; that he reads continuously in our news media that cities and governments need more money; that he is tired of seeing cities and governments get money from people who can least afford to pay it - that is the low wage income earner and the middle class income earner; these people have been taxed to death. That it is time the Legislature is put on record as being for or against this matter. In the last week he has seen where cities are hollering for more money. It is a little ridiculous for us to sit here and say we have attempted to do this for five, six or eight or ten years and nothing has come from it. He stated pressure should be put on this Legislature for this change to be made and that it be made on an immediate basis.

January 11, 1971
Minute Book 54 - Page 475

Councilman Short stated Mr. Sykes has repeatedly asked Council to try to do something about this, and he appreciates it. He stated he thinks Council has, however, in such ways as it could. He stated if Mr. Sykes would get into this it would be well and it would be in the public's interest. Councilman Short stated if this is brought up among the legislative people, you immediately activate almost every lobby in the state; it is a political thicket that is hard to describe. Every area of business, retail, industrial and wholesale, has some sort of state association that has an attorney who in effect is a lobbyist for them.

Mr. Sykes stated he is prepared to go to Raleigh if Council feels that would be of any value in a fight of this type; however, he has not been elected to do so. Councilman Tuttle stated he has been on Council three terms and every time Council has taken this up and every time everybody throws their hands up and it is like hitting a brick wall.

Mr. Sykes stated it is time that our Legislature took it upon themselves to represent the people as a lobby. Councilman Short stated this is the type of question that is not between A & B, such as liquor by the drink, or no liquor by the drink, but is a question where there is a thousand proposals and you have just about that many different reflections of views in the legislature.

Councilman Alexander asked Mr. Sykes what he suggests that Council do other than just talk about it here? Mr. Sykes replied he suggests that Council go on record recommending to our Legislative Delegation that something be done about the privilege exemptions.

Mr. Underhill replied it is in the city's legislative package. Mayor Belk requested Mr. Underhill to send Mr. Sykes a copy of the suggested legislation.

RECOGNITION OF GIRL SCOUT TROOP 255.

Mayor Belk stated we are always proud of our future citizens, and stated Girl Scout Troop 255 is present today and asked them to stand and be recognized.

CONTRACT WITH HENSLEY-SCHMIDT FOR STUDY OF CENTRAL BUSINESS DISTRICT SIGNAL SYSTEM UNDER TOPICS PROGRAM AUTHORIZED.

Motion was made by Councilman Thrower, and seconded by Councilman Short, to approve a contract with Hensley-Schmidt for a study of the Central Business District Signal System under the TOPICS Program, at a cost of approximately \$49,485.00, with the city to pay 21-1/2 percent of the cost, or approximately \$10,640.00, with the remainder to be reimbursed by the State Highway Commission and the Federal Highway Administration. The vote was taken on the motion and carried unanimously.

FINAL AGREEMENTS WITH STATE HIGHWAY COMMISSION RELATING TO DISRUPTION OF WATER DISTRIBUTION FACILITIES IN CONNECTION WITH THE CONSTRUCTION OF THE NORTHWEST EXPRESSWAY AT BEATTIES FORD ROAD AND THE SEABOARD RAILROAD, AUTHORIZED.

Motion was made by Councilman Withrow, and seconded by Councilman Tuttle, authorizing final agreements with the State Highway Commission relating to the disruption of water distribution facilities in connection with the construction of the Northwest Expressway at Beatties Ford Road and Seaboard Railroad, as follows:

- (a) Transfer of deeds by the City to the State Highway Commission for certain properties located on the north side of the Seaboard Coastline Railroad and the Northwest Expressway, consisting of approximately 2.20 acres.
- (b) Transfer of deeds and titles to the City by the State Highway Commission of certain properties located on the south side of the Seaboard Coastline Railroad and the Northwest Expressway, consisting of approximately 2.55 acres.

January 11, 1971
Minute Book 54 - Page 476

- (c) Approval of the acceptance from the State of a negotiated damage settlement covering approximately forty-eight percent (48%) of the total expenditures of relocating and constructing certain water distribution warehouses, railroad sidings and other structures located in the Vest Station area which had to be removed and relocated. The amount of the negotiated settlement is \$191,600.00.

Councilman Tuttle asked that Paragraph (c) on the negotiated settlement be explained? Mr. Franklin, Superintendent of Water Department, replied this is a negotiated, very complicated cash settlement arrived at after appraisals by various people. The City lost some things and gained some things. The City had to move into new areas and build new buildings. This settlement was made after two appraisals. One by the Highway Commission and their staff and one by their consultants. This is 48% of the out-of-pocket, net expense that the City Water Department will bear in moving out of the way for this expressway. The State is giving the City an exchange of property plus \$191,600.00 cash settlement to try to help the City with some of its cost of moving the buildings.

Councilman Short asked if the building of the tunnel under the highway is included? Mr. Franklin replied the Highway Department built that out of their part. Councilman Short asked why this was necessary to be built? Mr. Franklin replied it is a security measure; they have an interior stock yard with warehouses which is fenced and they patrol it and they have the railroad and the highway dividing their property, and they had no way of getting directly from one scene of operation to the other. That they have hundreds of thousands of dollars worth of material stored in the area. That the State agreed to build this access roadway. Councilman Short asked if there is any local money in the walk through? Mr. Franklin replied not in the vehicular tunnel.

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

RESOLUTION RESCINDING COUNCIL AUTHORIZATION TO INSTITUTE CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO WILLIAM LAURIE LITTLE, 1723 BROWN AVENUE, FOR THE TAGGART CREEK OUTFALL PROJECT.

Councilman Thrower moved adoption of the subject resolution rescinding council action of March 2, 1970. The motion was seconded by Councilman Jordan, and carried unanimously.

The resolution is recorded in full in Resolutions Book 7, at Page 224.

EXTENSION OF SANITARY SEWER LINE IN PIERSON DRIVE, AUTHORIZED.

Upon motion of Councilman Alexander, seconded by Councilman Tuttle, and unanimously carried, the request of John Harris Texaco Service Station was approved for the extension of 185 lineal feet of 8-inch sanitary sewer in Pierson Drive, inside the city, at an estimated cost of \$1,895.00, 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.

APPRAISAL CONTRACT WITH SAM ATKINSON, JR. AUTHORIZED.

Councilman Jordan moved approval of a contract with Sam Atkinson, Jr. for the appraisal of one parcel of land on Sharon Lane, at a fee of \$175.00, for the Sharon Lane Widening. The motion was seconded by Councilman Thrower, and carried unanimously.

January 11, 1971
Minute Book 54 - Page 477

PROPERTY TRANSACTIONS AUTHORIZED.

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

- (a) Acquisition of 10' x 110' of easement on undeveloped subdivision land on U. S. 21, approximately 1100 feet south of U. S. 21 and Old Pineville Road intersection, from Tomrick Corporation, at \$1.00, for sanitary sewer to serve Pine Valley.
- (b) Acquisition of 10' x 120' of easement on undeveloped subdivision land on U. S. 21, approximately 1100 feet south of U. S. 21 and Old Pineville Road Intersection, from Tomrick Corporation, at \$1.00, for sanitary sewer to serve Pine Valley.
- (c) Acquisition of 10' x 66.03' of easement on undeveloped subdivision land on U. S. 21, approximately 1100 feet south of U. S. 21 and Old Pineville Road Intersection, from Tomrick Corporation, at \$1.00, for sanitary sewer to serve Pine Valley.
- (d) Acquisition of 247.39' x 75' x 224.66' x 76' at 3738 Eastway Drive, from William Martin Butler and wife, Louise S., at \$16,500.00, for the Eastway Drive Project.
- (e) Acquisition of 31.17' x 75.17' x 36.38' x 75' at 3737 Eastway Drive, from B. V. Belk, Sr. (widower), and B. V. Belk, Jr. and wife, Harriet C., at \$2,450.00, for the Eastway Drive Project.
- (f) Acquisition of 20' x 79.32' x 20.33' x 79.82' at 3709 Eastway Drive, from Bascom Vernon Belk, Sr., (widower), at \$2,975.00, for the Eastway Drive Project.
- (g) Acquisition of 20' x 75' x 20' x 75' at 3703 Eastway Drive, from B. V. Belk, Sr., (widower), and B. V. Belk, Jr. and wife, Harriet C., at \$2,050.00, for the Eastway Drive Project.
- (h) Acquisition of construction easement 20' x 1200' at 5100 Park Road, from Coronado Development Company and Cimarron Apartments, Inc., at \$1,000.00, for the Sugar Creek-Briar Creek Flood Control.

ORDINANCES ORDERING THE DEMOLITION AND REMOVAL OF DWELLINGS PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE, AND ARTICLE 15, CHAPTER 160 OF THE GENERAL STATUTES OF NORTH CAROLINA.

Motion was made by Councilman Thrower, and seconded by Councilman Jordan, to adopt the subject ordinances as follows:

- (a) Ordinance No. 976-X ordering the demolition and removal of dwelling at 422 North McDowell Street.
- (b) Ordinance No. 977-X ordering the demolition and removal of dwelling at 1509 Cummings Avenue.
- (c) Ordinance No. 978-X ordering the demolition and removal of dwelling at 320 Campus Street.
- (d) Ordinance No. 979-X ordering the demolition and removal of dwelling at 5818 Joyce Drive.
- (e) Ordinance No. 980-X ordering the demolition and removal of dwelling at 324 Campus Street.

No one appeared to contest the demolitions.

The vote was taken on the motion and carried unanimously.

The ordinances are recorded in full in Ordinance Book 18, beginning at Page 38.

January 11, 1971
Minute Book 54 - Page 478

ORDINANCE NO. 981-X ORDERING THE REMOVAL OF WEEDS, GRASS, TRASH AND RUBBISH ON PREMISES ADJACENT TO 1516 MANSON STREET, PURSUANT TO SECTIONS 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.

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

The ordinance is recorded in full in Ordinance Book 18, at Page 43.

ORDINANCES ORDERING THE REMOVAL OF ABANDONED MOTOR VEHICLES PURSUANT TO ARTICLE 13-1.2 OF THE CODE OF CHARLOTTE, AND CHAPTER 160-200(43) OF THE GENERAL STATUTES OF NORTH CAROLINA.

Upon motion of Councilman Withrow, seconded by Councilman Tuttle and unanimously carried, the subject ordinances were adopted as follows:

- (a) Ordinance No. 982-X ordering the removal of abandoned motor vehicle at 1621 Umstead Street.
- (b) Ordinance No. 983-X ordering the removal of abandoned motor vehicle at 1921 North Harrill Street.
- (c) Ordinance No. 984-X ordering the removal of abandoned motor vehicle at 1440 Downs Avenue.
- (d) Ordinance No. 985-X ordering the removal of abandoned motor vehicle at 2610 Elmin Street.
- (e) Ordinance No. 986-X ordering the removal of abandoned motor vehicle at 314 Katanoh Avenue.
- (f) Ordinance No. 987-X ordering the removal of abandoned motor vehicle at 1312 North Pegram Street.

The ordinances are recorded in full in Ordinance Book 18, beginning at Page 44.

SPECIAL OFFICER PERMITS, AUTHORIZED.

Motion was made by Councilman Tuttle, seconded by Councilman Jordan, and unanimously carried, authorizing the issuance of special officer permits for one year, as follows:

- (a) Renewal of permit for one year to Alvin Davis Sides, Sr. for use on the premises of Northwood Park and Eastbrook Woods Subdivision.
- (b) Issuance of permit for one year to James Bondurant Chandler for use on the premises of Sears, Roebuck and Company, 4400 Sharon Road.

TRANSFER OF CEMETERY DEEDS.

Upon motion of Councilman Tuttle, seconded by Councilman Jordan, and unanimously carried, the Mayor and City Clerk were authorized to execute deeds for the transfer of cemetery lots, as follows:

- (a) Deed with Robert Talton Moss for Graves No. 1 and 2, in Lot No. 755, Section 6, Evergreen Cemetery, at \$160.00.
- (b) Deed with Robert Talton Moss for Grove No. 1, in Lot No. 754, Section 6, Evergreen Cemetery, at \$80.00.

CLAIM OF MRS. LEWIS W. SHARPE FOR LOSS OF ARTICLES OF CLOTHING, DENIED.

Councilman Thrower moved that claim of Mrs. Lewis W. Sharpe, 3216 Credenza Road, in the amount of \$980.00 for loss of certain articles of clothing allegedly taken by employees of the Sanitation Department be denied as recommended by the City Attorney. The motion was seconded by Councilman Tuttle, and carried unanimously.

January 11, 1971
Minute Book 54 - Page 479

CONTRACT AWARDED THOMAS STRUCTURE COMPANY FOR CONSTRUCTION OF SANITARY SEWER FOR PHASE I BRIAR CREEK OUTFALL.

Councilman Withrow moved award of contract to the low bidder, Thomas Structure Company, in the amount of \$361,339.00, on a unit price basis, for construction of sanitary sewer for Phase I of Briar Creek Outfall. The motion was seconded by Councilman Short, and carried unanimously.

The following bids were received:

Thomas Structure Co.	\$361,339.00
Blythe Brothers Co.	367,000.00
Crowder Construction Co.	390,645.84
L. O. Chapman Co., Inc.	396,504.30
Propst Construction Co., Inc.	397,945.73
Brown Construction Co.	402,541.00
Rand Construction Co., Inc.	431,708.00
Sanders Brothers, Inc.	449,728.00
Dickerson, Incorporated	474,857.00

AL PASSAVANT APPOINTED TO THE BOARD OF DIRECTORS OF THE CHARLOTTE AREA FUND.

Councilman Withrow placed in nomination the name of Mr. Al Passavant and moved his appointment to the Board of Directors of the Charlotte Area Fund for a term of one year. The motion was seconded by Councilman Tuttle, and carried unanimously.

COUNCILMAN JORDAN LEAVES MEETING.

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

KURT W. SCHMAL APPOINTED TO THE BOARD OF DIRECTORS OF THE CHARLOTTE AREA FUND.

Councilman Tuttle moved the appointment of Mr. Kurt W. Schmal, Manager of Phoenix Mutual Life Insurance Company, to the Board of Directors of the Charlotte Area Fund for a term of one year. He stated Mr. Schmal is very interested in this work and he has promised he would attend the meetings and would participate. The motion was seconded by Councilman Withrow, and carried unanimously.

REQUEST THAT ADDITIONAL RECOMMENDATIONS ON AMBULANCE SERVICE BE BROUGHT TO COUNCIL NEXT WEEK.

Councilman Thrower stated several weeks ago Council increased the rates for ambulance service. At that time the Administration said other recommendations would be brought back for Council action. He asked when these recommendations would be brought back to Council? Mr. Bobo, Acting City Manager, stated he has met with Mr. Brandes of Charlotte Ambulance Service, and has discussed this with the Mayor. That the Mayor has asked a number of citizens to serve on the permanent Ambulance Advisory Board, and as soon as he hears from this Board, he will report to Council.

Mayor Belk asked that these recommendations be brought to Council next Monday.

January 11, 1971
Minute Book 54 - Page 480

POLICE RADAR CAR REQUESTED PLACED ON SELWYN AVENUE AND TRAFFIC ENGINEER REQUESTED TO MAKE RECOMMENDATIONS TO ALLEVIATE THE TRAFFIC HAZARDS.

Councilman Thrower stated there have been three bad wrecks on Selwyn Avenue on the straight way where it T intersects with Park Road and a couple of blocks up. He stated a man called him last week and a car had wrecked in his front yard and had come so close to his house that it threw rocks and broke his windows.

Councilman Thrower asked that a Police Car with radar be placed out there, and to tell the public that it is there, and in the meantime ask the Traffic Engineer to come back to Council with a recommendation, and if flashing speed signals are required, then let's put them up.

Councilman Short stated he lives just off Selwyn Avenue and travels it every day, and he thinks Mr. Thrower's comments are appropriate. There are a lot of traffic situations and this is one of them; it is a raceway and is straight for a long ways and then a sudden considerable type curve.

REPORT REQUESTED ON STREET MARKERS IN STARMOUNT-MONTCLAIRE SECTIONS.

Councilman Thrower asked about the street markers in the Starmount-Montclair Sections. That a lady passed away out there last week; she had a heart attack and the ambulance could not find the house as he could not find what street he was on. Councilman Thrower stated about this time last year he was told that we were going to take these things slowly. Well, we have been slow - so slow that we do not have any markers. He asked for a report from the Traffic Engineering Department on this.

STATEMENT REGARDING RESPONSIBILITIES TO CHARLOTTE AREA FUND.

Councilman Alexander stated every year when it comes time to name representatives from Council to the Charlotte Area Fund Board, he seems to be the only person who assumes this responsibility and everyone else delegates theirs to someone else. That each year he says this is the responsibility the Councilmen should assume themselves. This is one of the best ways to know what is going on about the Charlotte Area Fund and to understand some of its problems first hand. That he thinks they should assume this responsibility. That this year he says the same thing, that it is the responsibility of each Councilmen to assume some of his responsibility here and to serve some time on the Charlotte Area Fund Board.

INSPECTION DEPARTMENT REQUESTED TO REPORT ON REQUEST TO INCREASE THE NUMBER OF MEMBERS ON THE BUILDING STANDARDS BOARD FROM SEVEN TO NINE.

Councilman Alexander stated we have a Building Standards Board created under the provisions of the Building Code and the Building Standards Board at the time it was established in 1959 set out certain responsibilities. Some of the responsibilities are to hear and take action on appeals from the decisions of the Superintendent of the Building Inspection Department; to hear and take action on requests for modification or interpretation of the building code; and to recommend amendments and changes in the code to the City Council.

Councilman Alexander stated since 1959 many things have transpired in conjunction with the Building Inspection Department that requires a new look at the provisions of the Building Standards Board as they were established in 1959. We have just recently adopted a new Housing Code. This Code makes itself more applicable to consideration and concerns of people who live in houses and who owns them. This Code also calls for a review board of sorts. He stated since we have improved our Code, and now we have a broader responsibility in dealing with people who rent and who own, that we need to increase the Building Standards Board from 7 to 9 members so there will be an opportunity for these additional two members to not come from any particular trade.

January 11, 1971
Minute Book 54 - Page 481

He stated because the City has come up with a new Housing Code the responsibility of the Building Standards Board is broadened moreso than when it was established in 1959. That he feels this Board should be increased by two members.

Councilman Alexander moved that the members of the Building Standards Board be increased from seven to nine to get on this Board two persons who are perhaps not skilled technicians or members of the trade professionally. The motion did not receive a second.

Councilman Short stated the Building Standards Board is related to the construction of new buildings and houses; whereas the Housing Code is related to the demolition of old houses that are no longer fit for human habitation.

Mr. Bobo, Acting City Manager, suggested that the Building Inspection Department bring a report to Council as to how the new Housing Code will affect the Building Standards Board. Councilman Withrow stated he would like to suggest the same thing.

Councilman Alexander stated he has no objections to this suggestion; he would like for his motion to stand to be determined after receiving the report.

Councilman Withrow moved that the Inspection Department bring a report back to Council. The motion was seconded by Councilman Thrower.

Councilman Alexander stated the Code further states that each member shall be licensed or registered in his own particular field for which he qualifies for the Board; however, the Homebuilder member may be excluded from this requirement and shall represent the public only. Councilman Alexander stated this day and time he says the Homebuilder member cannot represent the public only.

The vote was taken on the motion by Councilman Withrow and carried unanimously.

REPORT ON VACANT HOUSES ON RENNER STREET.

Councilman Alexander stated on Renner Street, between Beatties Ford Road and Fairmont Street, almost all of the houses are empty, and they are being vandalized. He asked what the situation is in that block?

Later in the meeting, Mr. Bobo, Acting City Manager, advised Council that these houses are in the process of being demolished; that the permits to demolish had been issued.

REPORT REQUESTED ON NUMBER OF NEGROES EMPLOYED BY THE CITY AND THE POSITIONS HELD OTHER THAN LABORERS.

Councilman Alexander requested the City Manager to bring him a report on the number of Negroes employed in the various city departments. That he would like for the information to include the jobs held by each and the length of time on that job. He stated he does not want any of the laborers included in this report. If the employment is in the capacity of any of the poverty programs he would like for that relationship to be stated.

Councilman Thrower asked if the city has that kind of information; that he thought that was discrimination. This would create a file which would violate every principle and every rule this Council has tried to overcome since 1963; that he thinks this would be a terrible mistake. Councilman Alexander replied he may be making a terrible mistake but how big a mistake will it be if our federal funds are shut off because there are not enough Negroes hired?

Mayor Belk requested the Acting City Manager to try to get the information for Mr. Alexander.

January 11, 1971
Minute Book 54 - Page 482

REPORT REQUESTED FROM FIRE DEPARTMENT ON CERTAIN PORTIONS OF THE MCCANN REPORT.

Councilman Alexander stated Council spent considerable time in getting the McCann Report implemented. The Report calls for the rotation of assignments in the Fire Department. It also recommends that the Planning Unit of the Combat Division be given the responsibility of developing an effective long-term rotation plan to provide all men with various experiences in all kinds of situations.

Councilman Alexander stated recently Council has received calls about the proposed rotation system that has been developed. If the McCann Report is to relieve some of the stress and strain in the Fire Department, then it is strange to him that at this particular time Council gets all this flax coming from what is supposed to be a recommended responsibility.

Councilman Alexander requested the City Manager to give Council a report on the following:

- (1) A report on who comprises the Planning Unit in the Combat Division.
- (2) To what extent this part of the implementation of the McCann Report has been compiled with as far as the responsibility of calling in and having discussions with the chain of command as recommended a few months ago, and the type of consideration that is given from discussions with combat chiefs or Deputy Chiefs on this type of changes.

Councilman Alexander stated somewhere in between is where we can get enough information to see that the type of responsibilities that create as much concern that seems to exist now can be lessened.

Mr. Bobo, Acting City Manager, stated he has asked Chief Black for a report and as soon as it is received, he will send it to Council.

Councilman Alexander stated this whole thing involves some other items in the McCann Report that it is apparent have not taken place as Council recommended. That he understands there is never any meetings with combat chiefs; that it has been over two years since the last meeting. Also, there are situations where some of the men have been rotated six or seven times, and some have never been rotated.

CITY ATTORNEY REQUESTED TO INVESTIGATE CHANGES IN THE CITY CHARTER TO PERMIT THE MAYOR TO VOTE WHEN THE 3/4 RULE ON PROTEST PETITIONS IS INVOKED.

Councilman Short suggested that Council consider changing the charter to give the Mayor a vote on all protested zoning cases where the 3/4 Rule applies. That we would continue to follow the policy of voting on these cases whenever seven votes are available. This would not change the number of votes required/3/4 of eight is six, the same number as required now. This would enable Council to dispose of these cases when someone has to be absent without creating such a chancey situation as we now have. You have six votes and it has to be unanimous and hundreds, thousands and tens of thousands of dollars are riding in the balance. That this would be a little fairer proposition for those who have petitioned and are up against a three quarter vote protest. Councilman Short stated Council will be operating under the present charter, in any event, for 19 months more and is bound to run into a number of such cases.

January 11, 1971
Minute Book 54 - Page 483

Councilman Tuttle asked what Council would do if there is a situation involving the 3/4 Rule and there were two positive situations of conflict of interest, and you could not obtain a 3/4 vote? That he does not think there is any question but that the code should be changed in that respect. He stated there are two councilmen who now own property jointly. Suppose there is a contested situation adjoining their property where it would really mean dollars to them and they would both have to plead a conflict of interest, how could Council vote?

Councilman Thrower asked if you do have a conflict and you are excused from voting, would it not then be 3/4 of those able to vote? Mr. Underhill, City Attorney, advised the state law reads that a zoning amendment cannot become effective except by a favorable vote of 3/4 of all the members of the legislative body in such municipality. That it is 3/4 of the seven members.

Councilman Short stated a point in favor of his suggestion is that a mayor is not needed as a tie breaker in this kind of situation. You need the six votes regardless of any tie situation.

Councilman Short stated he believes the city's charter on this matter would prevail over the provisions of the general laws.

Councilman Tuttle requested the City Attorney to look into both of the requests.

AIRPORT MANAGER REQUESTED TO GIVE COUNCIL A REPORT ON TRAMP AIRLIFT INTERNATIONAL PROPOSAL.

Councilman Tuttle requested the Airport Manager to give Council a report on the proposal of Tramp Airlift International.

CITY MANAGER REQUESTED TO WRITE LETTER TO CHAIRMAN OF PARKS & RECREATION AND CHAIRMAN OF PLANNING COMMISSION CONGRATULATING THEM FOR EXCELLENT REPORT ON PARKS.

Mayor Belk requested the Acting City Manager to write a letter from Council and Mayor to Mr. Ace Walker and Mr. Bill McIntyre congratulating them on the excellent presentation which they gave on parks and recreation. That it was one of the clearest presentation on parks that he has seen.

COUNCILMAN SHORT APPOINTED TO APARTMENT COMMITTEE.

Mayor Belk appointed Councilman Milton Short to the Apartment Committee to represent the City on the Committee.

COUNCIL AUTHORIZES APPOINTMENT OF COMMITTEE TO COORDINATE THE DRUG ABUSE PROGRAMS AND APPOINTMENT OF DIRECTOR.

Mayor Belk stated Mr. Bruce Schlosberg, in the Intergovernmental Programs Division, has been acting Director of the program on Drug Abuse.

He recommended that Council authorize the appointment of a committee and authorize funds of approximately \$15,000 to be used to put the program that Mr. John Ingersoll started around Thanksgiving into effect right away.

Mayor Belk stated he would like for Council Members to bring in names of people to serve on this committee. In the beginning the committee will start with probably seven members but will increase as the program grows. That he does not think a limit should be set at this time but leave it with an open end for the benefits of the things to be accomplished. He stated

January 11, 1971
Minute Book 54 - Page 484

he has talked with Mr. Ralph Alexander on this and he agrees that everything will come under this committee; it will not do anything to slow down any projects that have been started; it will coordinate the efforts under the jurisdiction of the City Manager. That a lot of people are doing a lot of work on this and it is not known. This is to help the program by coordinating it under the City. That drug abuse is growing faster than the facilities we now have.

Mayor Belk stated he is only asking for the authority from Council to come back and put this into operation and to have a permanent Director.

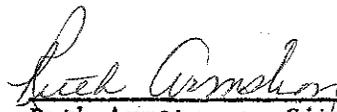
Councilman Thrower moved approval of the request. The motion was seconded by Councilman Tuttle.

Councilman Tuttle suggested that the staff bring back recommendations on the money needed before appropriating it.

The vote was taken on the motion and carried unanimously.

MEETING ADJOURNED.

There being no other business before Council, the Mayor declared the meeting adjourned.



Ruth Armstrong, City Clerk