

July 10, 1972
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The City Council of the City of Charlotte, North Carolina, met in regular session on Monday, July 10, 1972, at 3:00 o'clock p.m., with Mayor John M. Belk presiding, and Councilmembers Fred D. Alexander, Ruth M. Easterling, Sandy R. Jordan, James D. McDuffie, Milton Short, James B. Whittington and Joe D. Withrow present.

ABSENT: None.

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INVOCATION.

The invocation was given by Councilwoman Ruth M. Easterling.

MINUTES APPROVED.

Motion was made by Councilman Short, seconded by Councilman Withrow, and unanimously carried, approving the minutes of the last meeting, on Monday, June 26, 1972.

CITY OF CHARLOTTE EMPLOYEE PLAQUES PRESENTED.

Mayor Belk recognized Mr. Hazel Baxter Bartlett, Laborer Foreman II, Street Division, of Public Works Department and presented him with the City of Charlotte Employee Plaque. He stated Mr. Bartlett was employed by the City on November 1, 1945 and retired June 27, 1972. The Mayor and each member of Council wished Mr. Bartlett well in his retirement.

AMERICAN MANAGEMENT ASSOCIATION CERTIFICATES PRESENTED TO CITY EMPLOYEES.

Mayor Belk presented certificates to the following City Employees who completed the Supervisory Management Course, Management Principles:

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|----------------------------|-------------------------|----------------------------|
| 1. B. C. Athey | 13. D. R. Glenn | 25. Richard A. Osborne |
| 2. L. A. Bacot | 14. G. C. Hager | 26. Jack B. Pace |
| 3. Peggy Beckwith | 15. H. R. Henderson | 27. W. T. Parker |
| 4. J. O. Bowman | 16. C. E. Hilton | 28. Dorothy H. Patterson |
| 5. Paul Burns | 17. Marian M. Kelly | 29. William M. Sigmon, Jr. |
| 6. Harvey T. Cassells, Jr. | 18. D. L. King | 30. Charles R. Sizemore |
| 7. I. E. Duncan | 19. Bertha Lewis | 31. T. A. Stafford, Jr. |
| 8. Paul Earls | 20. George A. Lussier | 32. Mason B. Watkins |
| 9. R. C. Eidson | 21. Norman McCoy | 33. Robert W. Wentz |
| 10. J. A. Europa | 22. Thomas P. McDermott | 34. Ralph R. White |
| 11. T. E. Gardner | 23. Ralph W. Moore | 35. T. Walter Williams |
| 12. Kenneth G. Gillis | 24. William Mouchet | |

LIFE SAVING AWARD PRESENTED TO SERGEANT KENNETH R. TEMPLE BY PRESIDENT OF VOLUNTEER FIREMEN'S ASSOCIATION.

Mr. Hoyle Jenkins, President of the Volunteer Firemen's Association, stated on June 2, 1972 at approximately 5:00 a.m., Sergeant Kenneth R. Temple and Lieutenant G. C. Hagler of the Charlotte Police Department were patrolling the area near the Douglas Municipal Airport when they noticed a glow in the sky. Upon further investigation at the home of Mr. and Mrs. Fred Pritchard, Sergeant Temple, who could hear what seemed to be groans with no consideration for personal safety entered the burning home and rescued Mr. Pritchard who was found to be in critical condition from burns and smoke inhalation. Sergeant Temple re-entered the house and attempted to save Mrs. Pritchard at considerable danger to his own life.

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Mr. Jenkins stated the Mecklenburg Volunteer Firemen's Association and the Mecklenburg County Fire Administrator's Office take pleasure in presenting the Life Saving Award to Kenneth R. Temple in recognition of his courageous and humane act which they feel was above and beyond the call to duty.

Mr. Jenkins then presented the Life Saving Award to Sergeant Temple.

Mayor Belk thanked Sergeant Temple for the added service he symbolized in this act and in representing the City of Charlotte and the fine Police Department. He stated he and all members of Council would like to recognize him publicly and thank him very much.

RESOLUTION CLOSING EDGEWAY AVENUE, IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA.

The public hearing was held on petition of F. W. Huntley Construction Company, Inc., Walter Grover Nash and wife, Herbert O. Nash and wife, Charles Jennings Snyder and wife, and Russell C. Williams to close an unopened street known as Edgeway Avenue, lying between the easterly margin of Bloomdale Drive and the westerly margin of Castleton Road.

Council was advised the petition has been investigated by all city departments concerned with street right of way and there are no objections to the closing.

No one spoke for or against the petition.

Councilman Jordan moved adoption of a resolution closing Edgeway Avenue, in the City of Charlotte, Mecklenburg County, North Carolina. The motion was seconded by Councilman Alexander, and carried unanimously.

The resolution is recorded in full in Resolutions Book 8, beginning at Page 278.

ORDINANCES READOPTING IN THEIR ENTIRETY, THE CHARLOTTE BUILDING CODE, THE HOUSING CODE OF THE CITY OF CHARLOTTE, THE CHARLOTTE SUBDIVISION ORDINANCE, AND THE CHARLOTTE ZONING ORDINANCE.

The public hearing was held to consider the readoption, in their entirety, of the following codes and ordinances pursuant to the provisions of Chapter 160A of the North Carolina General Statutes:

- (a) Chapter 5, the Charlotte Building Code.
- (b) Chapter 10A, the Housing Code of the City of Charlotte.
- (c) Chapter 18, the Charlotte Subdivision Ordinance.
- (d) Chapter 23, the Charlotte Zoning Ordinance.

Mr. Underhill, City Attorney, advised this item is before Council at his request to clarify what is thought to be a conflict in two provisions in the general state law affecting cities. This public hearing is to meet the requirement of the law that a hearing be established and that the four ordinances and codes before Council today be considered and hopefully readopted in their entirety as they presently exist. The hearing is for the formal purpose of meeting the statutory requirement that a hearing be held. He stated if there is no opposition he recommends strongly that Council readopt the four ordinances and codes.

No one from the audience spoke for or against the readoption of the ordinances.

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Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried the following ordinances were adopted:

- (a) Ordinance No. 504 readopting Chapter 5, entitled "Buildings" of the Code of the City of Charlotte.
- (b) Ordinance No. 505 readopting Chapter 10A, entitled "Housing" of the Code of the City of Charlotte.
- (c) Ordinance No. 506 readopting Chapter 18, entitled "Subdivisions" of the Code of the City of Charlotte.
- (d) Ordinance No. 507 readopting Chapter 23, entitled "Zoning" of the Code of the City of Charlotte.

The ordinances are recorded in full in Ordinance Book 19, beginning at Page 124.

ORDINANCES AUTHORIZING \$53,850,000 CITY OF CHARLOTTE BONDS: RESOLUTION CALLING A SPECIAL BOND ELECTION.

Councilman Whittington introduced the following twelve ordinances:

- (1) Ordinance Authorizing \$6,250,000 Airport Bonds.
- (2) Ordinance Authorizing \$8,000,000 Street Widening, Extension and Improvement Bonds.
- (3) Ordinance Authorizing \$8,630,000 Water Bonds.
- (4) Ordinance Authorizing \$3,100,000 Public Building Bonds.
- (5) Ordinance Authorizing \$1,500,000 Recreation Facilities Bonds.
- (6) Ordinance Authorizing \$4,900,000 Redevelopment Bonds.
- (7) Ordinance Authorizing \$5,300,000 Street Land Bonds.
- (8) Ordinance Authorizing \$700,000 Land Acquisition Bonds.
- (9) Ordinance Authorizing \$720,000 Bridge Bonds.
- (10) Ordinance Authorizing \$650,000 Storm Drainage System Bonds.
- (11) Ordinance Authorizing \$330,000 Municipal Equipment Bonds.
- (12) Ordinance Authorizing \$150,000 Sidewalk Bonds.

Thereupon, the City Council, by unanimous vote, designated the City Accountant as the officer to make and file with the City Clerk the statement of debt and assessed valuation of the City as required by The Municipal Finance Act, 1921, as amended, to be filed before the passage of the twelve ordinances heretofore introduced at this meeting.

Thereupon, upon motion of Councilman Jordan, seconded by Councilman Withrow, the foregoing ordinance entitled: "ORDINANCE AUTHORIZING \$6,250,000 AIRPORT BONDS" was passed by the following vote:

YEAS: Councilmembers Alexander, Easterling, Jordan, McDuffie, Short, Whittington and Withrow.
NAYS: None.

Thereupon, upon motion of Councilman Alexander, seconded by Councilman Whittington, the foregoing ordinance entitled: "ORDINANCE AUTHORIZING \$8,000,000 STREET WIDENING, EXTENSION AND IMPROVEMENT BONDS" was passed by the following vote:

YEAS: Councilmembers Alexander, Easterling, Jordan, McDuffie, Short, Whittington and Withrow.
NAYS: None.

Thereupon, upon motion of Councilman Short, seconded by Councilman Jordan, the foregoing ordinance entitled: "ORDINANCE AUTHORIZING \$8,630,000 WATER BONDS" was passed by the following vote:

YEAS: Councilmembers Alexander, Easterling, Jordan, McDuffie, Short, Whittington and Withrow.
NAYS: None.

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Thereupon, upon motion of Councilman Whittington, seconded by Councilman McDuffie, the foregoing ordinance entitled: "ORDINANCE AUTHORIZING \$3,100,000 PUBLIC BUILDING BONDS" was passed by the following vote:

YEAS: Councilmembers Alexander, Easterling, Jordan, McDuffie, Short, Whittington and Withrow.
NAYS: None.

Thereupon, upon motion of Councilman Withrow, seconded by Councilman Short, the foregoing ordinance entitled: "ORDINANCE AUTHORIZING \$1,500,000 RECREATION FACILITIES BONDS" was passed by the following vote:

YEAS: Councilmembers Alexander, Easterling, Jordan, McDuffie, Short, Whittington and Withrow.
NAYS: None.

Thereupon, upon motion of Councilman McDuffie, seconded by Councilman Jordan, the foregoing ordinance entitled: "ORDINANCE AUTHORIZING \$4,900,000 REDEVELOPMENT BONDS" was passed by the following vote:

YEAS: Councilmembers Alexander, Easterling, Jordan, McDuffie, Short, Whittington and Withrow.
NAYS: None.

Thereupon, upon motion of Councilwoman Easterling, seconded by Councilman Whittington, the foregoing ordinance entitled: "ORDINANCE AUTHORIZING \$5,300,000 STREET LAND BONDS" was passed by the following vote:

YEAS: Councilmembers Alexander, Easterling, Jordan, McDuffie, Short, Whittington and Withrow.
NAYS: None.

Thereupon, upon motion of Councilman Jordan, seconded by Councilman Whittington, the foregoing ordinance entitled: "ORDINANCE AUTHORIZING \$700,000 LAND ACQUISITION BONDS" was passed by the following vote:

YEAS: Councilmembers Alexander, Easterling, Jordan, McDuffie, Short, Whittington and Withrow.
NAYS: None.

Thereupon, upon motion of Councilman Alexander, seconded by Councilman Jordan, the foregoing ordinance entitled: "ORDINANCE AUTHORIZING \$720,000 BRIDGE BONDS" was passed by the following vote:

YEAS: Councilmembers Alexander, Easterling, Jordan, McDuffie, Short, Whittington and Withrow.
NAYS: None.

Thereupon, upon motion of Councilman Short, seconded by Councilman Whittington, the foregoing ordinance entitled: "ORDINANCE AUTHORIZING \$650,000 STORM DRAINAGE SYSTEM BONDS" was passed by the following vote:

YEAS: Councilmembers Alexander, Easterling, Jordan, McDuffie, Short, Whittington and Withrow.
NAYS: None.

Thereupon, upon motion of Councilman Whittington, seconded by Councilman Short, the foregoing ordinance entitled: "ORDINANCE AUTHORIZING \$330,000 MUNICIPAL EQUIPMENT BONDS" was passed by the following vote:

YEAS: Councilmembers Alexander, Easterling, Jordan, McDuffie, Short, Whittington and Withrow.
NAYS: None.

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Thereupon, upon motion of Councilman Withrow, seconded by Councilman Alexander, the foregoing ordinance entitled: "ORDINANCE AUTHORIZING \$150,000 SIDEWALK BONDS" was passed by the following vote:

YEAS: Councilmembers Alexander, Easterling, Jordan, McDuffie, Short, Whittington and Withrow.
NAYS: None.

Thereupon, Councilman McDuffie introduced an Ordinance Authorizing \$13,620,000 Sanitary Sewer bonds.

Thereupon, Councilwoman Easterling introduced and moved the passage of the resolution designating the City Accountant as the officer to make and file with the City Clerk the sworn statement of the indebtedness and assessed valuation of the City.

Upon motion of Councilwoman Easterling, seconded by Councilman Whittington, the foregoing resolution was passed by the following vote:

YEAS: Councilmembers Alexander, Easterling, Jordan, McDuffie, Short, Whittington and Withrow.
NAYS: None.

Thereupon the City Accountant filed with the City Clerk, in the presence of the Council, the statement of indebtedness and assessed valuation as required.

Mayor Belk reported the City has been ordered by the State Board of Water and Air Resources to construct adequate and approved sewage collection, treatment and disposal facilities and the ordinance authorizing \$13,620,000 Sanitary Sewer Bonds hereinabove set forth has this day been introduced in order to comply with said order. Said order of the State Board of Water and Air Resources is in words and figures in the Resolution adopted by the North Carolina Board of Water and Air Resources ordering the City of Charlotte, North Carolina to Improve and Expand Existing Sewerage Facilities.

Thereupon, upon motion of Councilman Jordan, seconded by Councilman Short, the ordinance entitled: "ORDINANCE AUTHORIZING \$13,620,000 SANITARY SEWER BONDS" as hereinabove set forth was passed by the following vote:

YEAS: Councilmembers Alexander, Easterling, Jordan, McDuffie, Short, Whittington and Withrow.
NAYS: None.

Thereupon, Councilman Alexander introduced a Resolution Calling a Special Bond Election.

Thereupon, upon motion of Councilman Alexander, seconded by Councilman Whittington, the foregoing resolution entitled: "RESOLUTION CALLING A SPECIAL BOND ELECTION: was passed by the following vote:

YEAS: Councilmembers Alexander, Easterling, Jordan, McDuffie, Short, Whittington and Withrow.
NAYS: None.

Mr. Underhill, City Attorney, advised the City is permitted under State Law to keep the polls open until 8:30 P.M. if the Council desires, or the polls can be open from 6:30 A.M. to 7:30 P.M. as set forth in the Resolution. If Council desires to have the polls open an extra hour it can readopt the one motion calling the special bond election.

It was the consensus of the Council that the hours should stand as set forth in the resolution.

The ordinances are recorded in full in Ordinance Book 19, beginning at Page 160.

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ORDINANCE NO. 509-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE CHANGING THE ZONING OF PROPERTY LOCATED AT 1402 HERRIN AVENUE.

Motion was made by Councilman Whittington, seconded by Councilman Short, and unanimously carried, adopting the subject ordinance changing the zoning from B-1 to I-1 of a lot 85' x 167' at 1402 Herrin Avenue, as recommended by the Planning Commission.

The ordinance is recorded in full in Ordinance Book 19, at Page 161.

PETITION NO. 72-26 BY J. B. BOULWARE FOR A CHANGE IN ZONING OF PROPERTY ON THE SOUTHWEST SIDE OF MARVIN ROAD, OPPOSITE VILLA COURT, DENIED.

Councilman McDuffie moved the subject petition for a change in zoning from R-6MF to B-1 OF A LOT 50' x 125' on the southwest side of Marvin Road, opposite Villa Court, be denied as recommended by the Planning Commission. The motion was seconded by Councilman Withrow, and carried unanimously.

PETITION NO. 72-24 BY CHARLES M. CARROLL FOR A CHANGE IN ZONING FROM I-1 TO R-9MF OF 8.19 ACRES OF LAND ON THE SOUTH SIDE OF GLORY STREET, BEGINNING 155 FEET EAST OF CRAIGHEAD ROAD.

Councilman Short moved approval of the subject petition changing the zoning from I-1 to R-9MF as recommended by the Planning Commission. The motion was seconded by Councilman Alexander.

Councilman McDuffie stated this request is for an R-9MF zoning and he has said in the past he is not going to vote for any R-9MF. That he would like to see the zoning changed to R-12MF. He does not believe that anyone can look at the R-6's and R-9's and be proud to have anything to do with them. He stated a while ago he decided that he cannot vote for any more apartments that do not have a site plan which would show exactly where each building is going to go as required in a planned unit development. He stated most of this is needed in the higher density apartments as R-6MF, R-9MF and R-12MF. He stated you can build an apartment unit right up against the people already there without leaving any green space at all.

Councilman McDuffie made a substitute motion to change the zoning to R-12MF with the idea that the whole city is going to benefit, and usually they can get a large number of units in that kind of classification, and there is some support from the county commissioners to change to a site plan. He understands other cities use this, and we would know exactly where an apartment unit is going to go, and how much green space would be back up to the residents already there. The motion did not receive a second.

Councilman Short stated in view of the sentiments expressed by Mr. McDuffie he would like to withdraw the original motion to approve the petition. Councilman Alexander who seconded the motion, agreed to the withdrawal.

Councilman Short stated Mr. McDuffie has a point; some of the apartment projects are very crowded and he thinks it is aided a great deal by the apartment ordinance we now have, and he does not think Council could legally require conditional type zoning on every multi-family. The apartment ordinance is probably as far as Council can legally go in that respect. He stated over the question as to whether this should be R-9 or R-12, that he would not mind talking to Mr. Carroll about this.

Councilman Alexander asked if we are attempting by zoning to do away with all R-9MF? Councilman McDuffie replied his position is that it is not reasonable to have a zoning like R-6MF and R-9MF to be put on a vacant lot with no regard to what is going to be put next door, and no regard as to where the units will be distributed. Personally he thinks there are too many houses developed to put in two story buildings, and that is what most of them are. That Mr. Bryant told him the original idea was that the high density apartments were to be multiple stories, and there would be some green space left. But it has revolved down to where the green space is a

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parking lot. Councilman Alexander stated his point is why we cannot do what it was originally designed to do, rather than to put R-9MF completely out of zoning? That he is not in favor of doing away with R-9MF. That he would be more in favor and it would be more reasonable, if R-9MF is supposed to cover a certain qualification for this type housing, that we set in motion whatever was intended from the beginning. Councilman McDuffie replied that is exactly what he has been trying to get done, and it is not coming forth; in the meantime they are building as many units as they can all over the place. Councilman Alexander stated then all that is necessary is to follow the spirit of the regulation as first instituted. Councilman Short stated he does not read anything general in the motion; as far as he is concerned the motion pertains to this one instance or petition, and he just wants to call Mr. Carroll or his attorney and ask if they can get along with R-12MF. Councilman Alexander stated he would be in favor of deferring action on this item if Mr. Short wants to contact the petitioner.

Councilman Short moved that the subject petition be deferred until the next meeting. The motion was seconded by Councilman Withrow, and carried unanimously.

Councilman McDuffie stated he is not going to vote for any more apartment houses not knowing what the site plan is; that he is not going to look back and see this clutter and mess of people thrown together. Councilman Alexander stated he does not object to what Mr. McDuffie is saying, but he is not going to vote to do away with R-9MF as a possibility of housing construction; that it was established in the first place because there was a need, and there is still a need.

Councilman McDuffie stated this has been before Council before and Mr. Bryant has been working on it for some months. The City Manager was requested to check with Mr. Bryant on this report and to bring it back to Council at its next meeting.

ORDINANCE NO. 510-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE CHANGING ZONING ON EASTWAY DRIVE, DRESDEN DRIVE, COMMONWEALTH AVENUE AND INDEPENDENCE BOULEVARD.

Councilman Short stated in speaking on the subject petition at the hearing he had in mind attempting to continue the zoning line along Independence Boulevard which runs 400 feet back from the street. But the essential fact is the lot facing Independence Boulevard is already developed by the Burger King. This is a business that does not need any 400 feet of depth. It would mean, if this was zoned between Commonwealth and Independence to the same depth that prevailed elsewhere along Independence Boulevard, that any business built within the 400 foot strip behind the Burger King would have to face Commonwealth Avenue, and it would indeed be the beginning of business running down into a very nice residential area.

Councilman Short moved adoption of Ordinance No. 510-Z amending Chapter 23, Section 23-8 of the City Code by changing zoning as follows: (1) Change from R-6MF to O-6 property on both sides of Eastway Drive, north of Independence Boulevard interchange; (2) Change from O-6 to R-6MF property east of Eastway Drive and to the rear of lots along Dresden Drive; (3) Change from R-9 to O-6 property on both sides of Commonwealth Avenue, east of Rollins Avenue; and (4) Change from O-6 to R-9MF property within the interchange right of way at Eastway and Independence, all as recommended by the Planning Commission. The motion was seconded by Councilman Whittington, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 19, at Page 162.

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ORDINANCE NO. 511-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE CHANGING THE ZONING OF PROPERTY ON THE NORTHEAST SIDE OF ORCHARD CIRCLE, WEST OF SOUTH TRYON STREET ON PETITION OF H & H EQUIPMENT COMPANY.

Motion was made by Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, adopting the subject ordinance changing the zoning from R-6MF to B-2 of a parcel of land on the northeast side of Orchard Circle, 200 feet west of South Tryon Street, as recommended by the Planning Commission.

The ordinance is recorded in full in Ordinance Book 19, at Page 163.

RESOLUTION AMENDING THE PAY PLAN BY RETITLING CLASS NUMBER 114 TO CUSTOMER SERVICE SUPERVISOR AND ADDING CLASS NUMBER 380, ASSISTANT DIRECTOR OF UTILITIES: AND ORDINANCE AMENDING THE AUTHORIZED STRENGTH OF THE UTILITY DEPARTMENT BY DELETING WATER SERVICE FOREMAN AND SUBSTITUTING POSITION OF CUSTOMER SERVICE SUPERVISOR AND ESTABLISHING POSITION OF ASSISTANT DIRECTOR OF UTILITIES.

The City Manager advised that two weeks ago, Council approved the reclassification of the Utility Department setup. The Department of Utility was developed when the sewer division of the public works and the water treatment and waste water treatment of the city and county were made into one department. In the development of the new department, and the organization of it, the position of an assistant to the Director of the Department was left off the classifications.

Mr. Earle, Personnel Director, stated at present there is no assistant director of utilities established, and it is a part of the contemplated reorganization; it serves a very definite purpose in providing administrative depth that would be lacking. The position of water service foreman is a part of the water - sewer maintenance activity. At one time this position covered the repairs to meters and meter reading activities. As a part of the reorganization supplies, purchasing, vehicle maintenance and such have been added to the activities.

Councilman Whittington asked Mr. Earle who will serve in this position, and he replied there is no one at present for the Assistant to the Director; the water service foreman is J. B. Norman.

Mr. Earle stated the major thrust of the reorganization is to form a functional division. There is a maintenance and a treatment division, and this maintenance division is going into three sections - water maintenance, sewer maintenance and vehicles and purchasing.

Councilman Alexander stated here again is a clear identification of his thinking as to why Council needs to have an indepth discussion of this type of situation in the future.

Councilman Alexander moved adoption of the resolution amending the Pay Plan by retitling Class Number 114 to Customer Service Supervisor and adding Class Number 380, Assistant Director of Utilities, and adoption of Ordinance No. 512-X amending the authorized strength of the Utility Department by deleting water service foreman and substituting the position of customer service supervisor and establishing the position of Assistant Director of Utilities. The motion was seconded by Councilman Whittington.

Councilman Whittington stated he would like to have the names of the people who will fill the positions under the reorganization in the department.

The vote was taken on the motion and carried unanimously.

The resolution is recorded in full in Resolutions Book 8, at Page 281, and the ordinance is recorded in full in Ordinance Book 19, at Page 164.

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APPROVAL OF AN AIRPORT LIGHTING AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION IN CONNECTION WITH THE ADAP PROJECT 8-37-0012-03.

Motion was made by Councilman Jordan, seconded by Councilman Alexander, and unanimously carried, approving the subject agreement for airport lighting with the Federal Aviation Administration covering the operation of certain lighting systems at the Airport required as part of the U. S. Grant approved by the City Council on June 26, 1972, in connection with the ADAP Project 8-37-0012-03.

APPROVAL OF PROPOSAL FROM LAW TESTING COMPANY TO PERFORM NECESSARY TESTING AND INSPECTIONS AT DOUGLAS MUNICIPAL AIRPORT.

Councilman Alexander moved approval of the proposal from Law Testing Company in connection with the construction of strengthening terminal apron and construct two bypass taxiways at an estimated cost of \$20,000.00 to comply with Federal Aviation Administration requirements at Douglas Municipal Airport. The motion was seconded by Councilman Jordan, and carried unanimously.

RESOLUTION AUTHORIZING REFUND OF CERTAIN TAXES COLLECTED THROUGH CLERICAL ERROR.

Upon motion of Councilman Withrow, seconded by Councilman McDuffie, and unanimously carried, the subject resolution was adopted authorizing the refund of certain taxes in the amount of \$320.09 which were collected through clerical error against seven tax accounts.

The resolution is recorded in full in Resolutions Book 8, at Page 282.

CONTRACT WITH CATERING MANAGEMENT INC. FOR FOOD SERVICES IN CONJUNCTION WITH MODEL CITIES SUMMER FEEDING PROGRAM CANCELLED AND CONTRACT AUTHORIZED WITH JOHNSON C. SMITH UNIVERSITY FOR THE OPERATION OF THE MODEL CITIES SUMMER FEEDING PROJECT.

Mayor Belk asked why one contract is being cancelled at a lower figure and a contract with someone else at a higher figure is required? Dr. Travland, Model Cities Director, replied this was an administrative error; the prime contract should be with Johnson C. Smith University and Johnson C. Smith in turn should write a subcontract with Catering Management. Inadvertently, the subcontract was put on the Council agenda. He stated they have received written approval from both parties approving and agreeing with this action so the administrative error can be corrected.

Dr. Travland stated the contract was authorized with Catering Management at \$72,900, and the contract requested with Johnson C. Smith is \$97,000; the difference in price is administrative costs. The cost of hiring enough people, many of whom are Model Neighborhood residents, to administer at six feeding sites the summer program; these people will administer the feeding and link with it other cultural and recreational activities administered by Johnson C. Smith. He stated the contract should have been between the City of Charlotte and Johnson C. Smith. Johnson C. Smith will then administer the summer feeding program, and as part of the \$92,000 they will subcontract with Catering Management. He stated this \$92,000 is totally from the Department of Agriculture and there is no model cities money per se in there. That instead of approving the prime contract, inadvertently a contract was approved for the subcontract.

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Councilman Alexander asked if there is not a need to relook at this program under which this feeding program will take place to find out whether or not the full capacity exists for the conduct of this program. Dr. Travland replied they are in the process of relooking at all their programs, and in particular the summer programs. Councilman Alexander stated he is raising the question as to whether it is adequately staffed at the moment. Dr. Travland stated they should have an answer to that in two or three days.

Councilman Alexander asked what we would be holding up if Council held up approval of this change in this contract until such time as Dr. Travland has looked into this situation, and is satisfied that it is adequately staffed for the program to be adequately implemented? Dr. Travland replied it would be impossible for the City of Charlotte to obtain the money from the Department of Agriculture in order to pay Johnson C. Smith, and it would be impossible for Johnson C. Smith to pay Catering Management. Councilman Alexander stated then he will not ask that, but he will ask Dr. Travland to come back to Council and give a report after he has looked at this again and tell Council whether or not this program is adequately staffed to the extent where we feel the service the program calls for is being implemented.

Councilman Jordan asked if there is a reason why this has to go through Johnson C. Smith; can we not deal directly with Catering Management? Dr. Travland replied the Model Cities Department, because of HUD's statutes, cannot operate directly, programs of this nature; that we are attempting to create an umbrella agency that will pull together all cultural and recreational activities and therefore streamline the whole administrative apparatus. He stated the staffing for the program is not included under the subcontract of Catering Management; all they do is make the food available on site. The difference between the \$97,000 and the \$72,000 is for the staffing for the people who supervise the children.

Councilman Alexander stated he is concerned as to whether or not the program is adequately staffed to do the job that has been contracted.

Councilman Short stated as he sees this it is 162,000 meals, and the total amount of money is not out of order; that it is a little more than 50 cents a meal.

Councilman Alexander moved that the contract with Catering Management Inc. approved on June 5, be cancelled and a contract authorized with Johnson C. Smith University for the operation of the Model Cities Summer Feeding Program. The motion was seconded by Councilman McDuffie. After further discussion, the vote was taken on the motion and carried unanimously.

During the discussion, Dr. Travland was requested to report back to Council at the next meeting on the various phases of the program and to include the six sites in the report.

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT BETWEEN THE NORTH CAROLINA DEPARTMENT OF NATURAL AND ECONOMIC RESOURCES AND THE CITY OF CHARLOTTE MODEL CITIES DEPARTMENT, ADOPTED.

Upon motion of Councilman Whittington, seconded by Councilman Short, and unanimously carried, the subject resolution was adopted authorizing the execution of a contract between the North Carolina Department of Natural and Economic Resources and the City of Charlotte Model Cities Department in the amount of \$7,144,00.

The resolution is recorded in full in Resolutions Book 8, at Page 283.

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ORDINANCE NO. 513-X AMENDING THE 1970 MODEL CITIES BUDGET TRANSFERRING FUNDS TO ALLOW THE ACCOUNTING CLOSE OUT OF MODEL CITIES PROJECTS.

Motion was made by Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, adopting the subject ordinance amending the 1970 Model Cities Budget Ordinance transferring a total of \$86.36 and closing out fourteen 1970 Model Cities Projects.

The ordinance is recorded in full in Ordinance Book 19, beginning at Page 165.

ORDINANCE NO. 514-X AMENDING THE 1972 MODEL CITIES BUDGET ORDINANCE TRANSFERRING FUNDS FOR USE IN THE SUMMER RESIDENT CAMP PROJECT.

Councilman Whittington moved adoption of the subject ordinance amending the 1972 Model Cities Budget Ordinance transferring a sum of \$15,500 to provide appropriations for the Model Cities Summer Resident Camp Project. The motion was seconded by Councilman McDuffie, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 19, at Page 167.

CONTRACT AUTHORIZED BETWEEN MODEL CITIES DEPARTMENT AND CAMP MERRYWOOD TO PROVIDE SUMMER CAMP FOR MODEL NEIGHBORHOOD CHILDREN.

For discussion, Councilman Alexander moved that a contract be approved between the City of Charlotte Model Cities Department and Camp Merrywood, in the amount of \$15,500.00 to provide summer camp experience for 284 Model Neighborhood children, ages 8 through 16 as a part of the Model Cities Summer Resident Camp Project. The motion was seconded by Councilman McDuffie.

Councilman Alexander asked if this is for an existing summer camp now, and if children will be sent to camp this summer? Dr. Travland replied it is.

Councilman Alexander stated he is not so sure this is the camp that we should be sending children to. That he cannot understand, and he wholly opposes sending children to any day camp without proper supervision from the areas in which they come; that he would not be in favor, as much as the children need camp, that they go to any camp unless it is a camp where they can be handled and supervised properly. He stated he was called early Saturday morning about it. That these are the types of things we need to give indepth attention to, and be sure that our skirts are clean and we are right in what we are doing. You cannot take children, unsupervised, and send them anywhere and not have problems. A part of the camp program is to improve their lot in life, but it has to be done under supervision, and it has to be people they can relate to and people who understand their problems of adjustment.

Councilman Alexander asked how long a period the \$15,500 covers? Dr. Travland replied it is for three weeks of camping for 284 children; that they have been through this three weeks period.

Councilman Alexander stated all he can say is to not send any more down there, and to not send any to a camp anywhere without the necessary supervision. He stated he raises these questions because we have a certain responsibility to these children. As he understands it this program is under our supervision here at city hall when it comes to the budgetary items. He asked where the hold up is? Dr. Travland stated he was appointed as Executive Director of the Model Cities Department one week ago; that his commitment is to make sure that this kind of thing - kind of lag in council approval and lag in HUD approval - and these kinds of administrative mixups will not happen in the future. One of the recommendations of their fiscal consultant is that they have a fiscal person inhouse - mainly over at model cities - that will monitor this kind of thing; it has not been done in the past.

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Councilman Alexander asked how long the city has been looking over the shoulders of the model cities activities from the fiscal side? Mr. Burkhalter, City Manager, replied about a year. Councilman Alexander stated someone should be able to tell Council how these things happen. Mr. Carstarphen, Assistant City Manager, stated this is an example of what Dr. Travland described as lag time; frankly it is very poor administration. In this instance on the basis of staff decisions within the model cities department, some tentative commitments were made, and some arrangements were made for summer camp - a project which is endorsed in terms of its content and its objectives; but the delay in receiving authorization to contract from Council is what we object to. This is an example of it. That Dr. Travland has indicated he will make a strong effort to see that this does not happen again. No funds have been dispersed, but we owe these people this money. The contract should have been approved by Council before the children went to camp. In this instance the planning for the camp, the preparation for it and the commitment to the contractor was poorly handled within the model cities department, and the delay occurred so that Council is approving a contract when the program is already underway, and completed. No monies have been dispersed to the contractor because the financial control of this whole program rests with the City of Charlotte, and we cannot disperse funds without an appropriation by the Council and a contract.

Councilman Alexander stated in other words in the future Council will see these things come in regular order; that we are winding up all this "behind" doing? Dr. Travland replied there are about four more contracts outstanding in this same situation, and they are in the neighborhood of \$80 to \$90 thousand. Councilman Alexander stated on model cities level they say they cannot get started because they cannot get approval from city hall; whether that is true or not, this is the first time it has ever come up to this extent, and this is why he raised the question of how we get into this fix if we are looking over the shoulders of these operations.

The City Manager stated a lot of this is caused because people do not understand that you cannot walk in today and say they want council's approval tomorrow; that we do not operate this way. Things have to go through a certain procedure and when they learn this, they learn to do their work in advance the way it is supposed to be done.

After further discussion, the vote was taken on the motion, and carried unanimously.

ORDINANCE NO. 515-X AMENDING SCHEDULE 10, REFERRED TO IN CHAPTER 20, RELATING TO SPEED LIMITS ON SUGAR CREEK ROAD NORTHWARD TO ITS INTERSECTION WITH I-85.

Motion was made by Councilman Whittington, and seconded by Councilman Withrow to adopt the subject ordinance changing the speed limit on Sugar Creek Road from 35 MPH to 45 MPH. The vote was taken on the motion and carried unanimously.

The ordinance is recorded in full in Ordinance Book 19, at Page 168.

Councilman McDuffie stated a lady called him and made a point of the fact that when you raise the speed limit from 35 to 45 miles per hour, it is taking them out of the residential category. The speed limit in the city is 35 MPH in a residential area unless otherwise posted, and they have some argument about wanting to change their zoning in areas where the speed limit has been changed to 45 MPH.

Councilman Withrow stated the difference in 10 MPH in traffic he believes will move three times as much traffic as they do at 35 MPH.

Councilman Withrow stated he would like the North Carolina legislators to consider moving the maximum speed limit up to 70 MPH, the same as other states, coming in and out of North Carolina. That he is talking about on I-77 and I-85. The North Carolina speed is 65 MPH and when you move into South Carolina it is 70 MPH.

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Councilman Whittington asked if the traffic signal at the entrance to Hidden Valley will remain on Sugar Creek Road? Mr. Corbett, Assistant Traffic Engineer, replied the traffic signal has been temporarily taken down because of construction, and Mr. Hoose has not given him any instructions yet to put it back up. Councilman Whittington asked that he give Council an answer on this; if this speed limit is to stay the traffic signal must be considered. Mr. Corbett replied he will have an answer for Council at its next meeting. Councilman Whittington stated these people fought for a long time to get a signal and they got it, and now it is down and the road is open and will be open into Derita when the new bridge is put in, and now Council is fixing to increase the speed, which will make it more difficult to get out. That Council should know about the traffic signal before increasing the speed limit. Mr. Corbett replied Traffic Engineering would be glad to wait on the speed limit increase until he can give Council an answer. Councilman McDuffie stated he would just as well have the speed limit increased and have the signal put up.

Mr. Burkhalter, City Manager, stated Council has passed a motion to increase the speed limit; that he will instruct the Traffic Engineer not to post the speed limit until he comes back to Council at its next meeting.

The City Attorney advised the speed limit does not become effective until it is posted.

RESOLUTION AUTHORIZING A MUNICIPAL AGREEMENT WITH THE NORTH CAROLINA STATE HIGHWAY COMMISSION FOR THE CITY'S PARTICIPATION IN THE INSTALLATION OF THE COMPUTERIZED TRAFFIC SIGNAL SYSTEM FOR THE CENTRAL BUSINESS DISTRICT.

Councilman Whittington moved adoption of the subject resolution authorizing a municipal agreement with the North Carolina State Highway Commission for the city's participation in the installation of the computerized traffic signal system for the Central Business District. The system is estimated to cost \$1.5 million and work will be performed by contract; the city's share of the project will be 22.5%, with the remainder to be divided between the North Carolina State Highway Commission and the Federal Highway Administration. The motion was seconded by Councilman Jordan, and carried unanimously.

The resolution is recorded in full in Resolutions Book 8, beginning at Page 284.

CHANGE ORDERS IN CONTRACTS FOR THE CONSTRUCTION OF THE CIVIC CENTER, AUTHORIZED.

Eight change orders in contracts for the construction of the Civic Center were presented.

Councilman Alexander asked if these funds are set up within the original funds? Mr. Burkhalter, City Manager, replied we do not have the funds to put everything in this building we would like to put in it. These are the ones we feel are the most essential, and they are the ones which will save a considerable amount of money if we provide for it now. When all of this is done, we will have it principally equipped with the exception of a major kitchen, with the facilities and connections for the major kitchen in the building. Mr. Hopson, Public Works Director, stated that will be included in a following change order which will be before Council in August. The change orders today are mainly for the concession stands and the foundation work which has already been completed, and the movable partitions. He stated this is all being done within the funds set up, and there are considerable funds remaining in the contingency yet.

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Upon motion of Councilman Jordan, seconded by Councilman Alexander, and unanimously carried, the following change orders, totalling \$165,068.62 were authorized:

- (a) Change Order No. G-2, increasing the contract price by \$130,261.00, and Change Order No. G-3, increasing the contract price by \$26,598.55, in contract with McDevitt and Street Company.
- (b) Change Order No. M-1, increasing the contract price by \$3,698.98, and Change Order No. M-2, increasing the contract price by \$69.49 in contract with Hicks and Ingle Corporation.
- (c) Change Order No. P-1, increasing the contract price by \$240.51 and Change Order No. P-2, increasing the contract price by \$669.09, in contract with Poole and Kent Corporation.
- (d) Change Order No. E-1, increasing the contract price by \$3,419.00, and Change Order No. E-2, increasing the contract price by \$114.00 in contract with Watson Electric Company.

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

Council was advised the property owner had indicated the order for the demolition and removal of the building at 3011 Commonwealth Avenue would be contested. No one spoke for or against the order.

Pictures of the building were passed around for viewing by the Council.

Councilman Whittington moved adoption of Ordinance No. 516-X ordering the demolition and removal of the building at 3011 Commonwealth Avenue. The motion was seconded by Councilman Alexander, and carried unanimously.

Council was advised the property owner had indicated the order to vacate and close the dwelling at 2017-19 Kinney Street would not be contested. No one spoke for or against the order.

Upon motion of Councilman Whittington, seconded by Councilman Alexander, and unanimously carried, Ordinance No. 517-X, ordering the dwelling at 2017-19 Kinney Street to be vacated and closed was adopted.

Council was advised the property owner had indicated the order to vacate and close the dwelling at 2013-15 Kinney Street would not be contested. No one spoke for or against the order.

Motion was made by Councilman Whittington, seconded by Councilman McDuffie, and unanimously carried, to adopt Ordinance No. 518-X, ordering the dwelling at 2013-15 Kinney Street to be vacated and closed.

The ordinances are recorded in full in Ordinance Book 19, beginning at Page 168.

SETTLEMENT IN THE CASE OF CITY VS. CLINTON WESTBROOK, ET AL FOR EASTWAY DRIVE WIDENING PROJECT, APPROVED.

Councilman McDuffie moved approval of a settlement in the amount of \$14,500.00 in the case of the City vs. Clinton Westbrook et al, for the Eastway Drive Widening Project, as recommended by the City Attorney. The motion was seconded by Councilman Whittington, and carried unanimously.

Councilman McDuffie stated the Legal Department did an outstanding job on this settlement.

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APPROVAL OF SETTLEMENT WITH SOUTHERN CREATORS, INC. FOR LEASEHOLD INTEREST IN PROPERTY LOCATED AT 424 WEST THIRD STREET, FOR THE THIRD STREET CONNECTOR PROJECT.

After explanation by the City Attorney, Councilman Whittington moved approval of a settlement in the amount of \$7,000.00 with Southern Creators, Inc. for leasehold interest in property located at 424 West Third Street, for the Third Street Connector Project, as recommended by the City Attorney. The motion was seconded by Councilman McDuffie, and carried unanimously.

SUBROGATED CLAIM OF SECURITY INSURANCE GROUP ON BEHALF OF THEIR INSURED, GLOBE SECURITY SYSTEMS, DENIED.

Upon motion of Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, the subject subrogated claim was denied on behalf of Globe Security Systems for automobile damage and personal injury as recommended by the City Attorney.

ORDINANCE NO. 519-X INCREASING AUTHORIZED STRENGTH OF THE PERSONNEL DEPARTMENT BY ADDING ONE POSITION OF PERSONNEL ASSISTANT, CLASS RANGE NO. 430 AND AMENDING THE BUDGET OF THE PERSONNEL DEPARTMENT BY ADDING THE SUM OF \$9,400 TO FUND THE POSITION.

Councilman Whittington stated he asked that this ordinance be held up two weeks ago because he was concerned about the backlog involved in this department.

He stated Mr. Earle, Personnel Director, should go ahead and get a replacement for the person who is now out sick even though it is temporary. Also, Mr. Earle's assistants should be involved in the interviewing of applicants from now until he can get this staff personnel replaced, or added to the strength. In other words, everyone down there should be in on the ballgame and get these applications processed because as he understands it these people are needed and we cannot get them because of the delays in the personnel office.

Mr. Earle stated Mr. Whittington is really addressing himself to the reasons for this request. Councilman Whittington replied he is aware that is part of the reason but he is also aware there has been a real delay because one person has been out sick and no one knows when that person will be able to come back to work. That position should be protected, but in the meantime those people now in this office should be involved in work other than what they are doing to get this backlog cleared out. Mr. Earle replied he does have his staff involved in the interviewing. Councilman Whittington asked if Mr. White and Mr. Webster are involved in interviewing laborers? Mr. Earle replied Mr. White has been involved in the interviewing all along. Councilman Whittington asked when Mrs. Aycock is supposed to return to work, and Mr. Earle replied it is indetermined; it will be perhaps three or four weeks. Councilman Whittington asked if he cannot request someone from another department, through Mr. Burkhalter, to come in and help with this and Mr. Earle replied possibly if they could find the person with the proper qualifications to do this kind of work. Councilman Whittington asked if the added position to the Department has to be a black, and Mr. Earle replied not necessarily. Councilman Whittington stated he is concerned about this and that is the reason he wanted to bring this out. Mr. Earle stated there is a strong indication they will need this person even when Mrs. Aycock returns to full time employment. He stated they are falling further behind almost daily and the applicants are picking up. He stated they are in a position now where they are not advertising simply because they cannot handle the volume. Mr. Earle stated the staff is involved in the interviewing, and all those available are doing this interviewing at this point in time. He stated as a further step, one person has been on leave of absence for school, and this person has been asked to return to the office early, not because of the temporary absence of Mrs. Aycock, but because there will be a continuing need to meet the demand for the city work

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force, and an additional person will be needed as requested to keep up with the workload. He stated they are not doing now some of the things they are obligated to do under the Equal Employment Act. But they feel with the return of Mrs. Aycock and the person from school, they will be able to do a real good job.

Councilman Alexander moved adoption of the ordinance increasing the authorized strength of the Personnel Department by adding one position of personnel assistant. The motion was seconded by Councilwoman Easterling, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 19, at Page 172.

RIGHT OF WAY AGREEMENTS, APPROVED.

Councilman Short moved approval of the following right of way agreements, which was seconded by Councilwoman Easterling, and carried unanimously:

- (a) Right of way agreement between the City and the State Highway Commission for the installation of an eight inch water main to serve property in Landmark Drive, between Sardis Lane and the Providence Square Shopping Center.
- (b) Right of way agreement between the City and the State Highway Commission for encroachments on the right of way of Interstate 77, as follows:
 - (1) 8" sewer near Station 285+40
 - (2) 10" sewer near Station 322+49
 - (3) 16" sewer near Station 356+16
 - (4) 12" sewer near Station 381+62
- (c) Encroachment agreement with State Highway Commission permitting the City to construct an 8-inch sanitary sewer line within the right of way of Arrowood Road SR 1138 to serve Foxboro I, Addition II.

CONTRACTS FOR THE INSTALLATION OF WATER MAINS AND SEWER MAINS AND TRUNKS, APPROVED.

Upon motion of Councilman Jordan, seconded by Councilman Alexander, and unanimously carried, the following contracts were approved for the installation of water mains and sanitary sewer mains and trunks:

- (a) Contract with Seaboard Coast Line Railroad Company for construction of 9,672 feet of sanitary sewer main and trunk in Black Satchel Drive, outside the city, at an estimated cost of \$175,500.00. The applicant will finance the construction of the 8-inch mains and will not be reimbursed; the 10-inch and 12-inch trunk sewers will be financed by the applicant who will be reimbursed 100% of the amount at the rate of 35% of the monthly sewer service charges collected, and privilege connection fees until he has been fully reimbursed, or until the end of 20 years whichever comes first, all in accordance with the terms of the agreement.
- (b) Contract with Cenco Incorporated for the construction of 640 feet of 8-inch sanitary sewer trunk in Exchange Street, outside the city, at an estimated cost of \$28,900.00, with the applicant to advance the full cost of the project and to be reimbursed the total net cost of the project at the rate of 35% of the sewer service charges collected and tapping privilege fees until he has been fully reimbursed, or until the end of twenty years, whichever comes first, all in accordance with the terms of the agreement.

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- (c) Contract with the William Trotter Development Company for the construction of 200 feet of 8-inch C. I. water main to serve the Eastbrook Woods Subdivision, Section V, inside the city, at an estimated cost of \$1,100.00, with funds to be advanced by the applicant and to be refunded, all under the terms of existing city policies.
- (d) Contract with The Ervin Company for the construction of 650 feet of 8-inch water main and one fire hydrant in Landmark Drive, outside the city, at an estimated cost of \$4,000.00, with funds to be advanced by the applicant and to be refunded, all under the terms of existing city policies.

PROPERTY TRANSACTIONS, AUTHORIZED.

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

- (a) Acquisition of 15' x 1,263.40' of easement, at 3120 Piper Lane, from Aubrey J. Elam, Jackie C. Elam, Darrell R. Setliff, Betty J. Setliff, a General Partnership, DBA, Chips Realty Company, at \$1.00, for sanitary sewer to serve Airport Industrial Park.
- (b) Acquisition of 15' x 588.94' of easement at 3000 Horseshoe Lane, from Roy Wilson Davis and wife, Helen Mixon, at \$1,000.00, for sanitary sewer to serve Airport Industrial Park.
- (c) Acquisition of 11.54' x 17.13' x 11.54' at 1300 The Plaza, from Jean C. Hatcher (widow), Robert A. Hovis and Emily C. Hovis, at \$100.00, for proposed right of way for Central Avenue and The Plaza.
- (d) Acquisition of 503.36' x 81.07' x 473.30' x 82.26' of property, at 2161 West Boulevard, from Summers Development Company, at \$2,542.00, for Clanton Road extension.
- (e) Acquisition of 5.03' x 261.98' x 262.64' of property at 2163 West Boulevard, from Summers Development Company, at \$1,000.00 for Clanton Road extension.
- (f) Acquisition of 188.29' x 103.98' x 68.90' x 100.03' x 98.87' x 110.46' of property at 1314 Clanton Road, from John Crosland Company, at \$500.00, for Clanton Road extension.
- (g) Acquisition of 1,061.80 square feet of property at 3600 Sargeant Drive, from Floyd June Dixon and wife, Margaret D., at \$1,680.00, for Clanton Road extension.
- (h) Acquisition of 60.16' x 169.47' x 75.00' x 166.10' at 2200 Norwich Place, from Administration of Veterans Affairs, at \$13,500 for Clanton Road extension.
- (i) Acquisition of 71.79' x 159.93' x 74.02' x 166.10' at 2208 Norwich Place, from Eva Grace Atkinson (single), at \$22,500.00, for Clanton Road extension.
- (j) Acquisition of 71.96' x 194.03' x 45.0' x 80.57' x 111.85' at 2211 Norwich Place, from Issac J. Wallace, Jr. and wife, LaFredda N., at \$19,500.00, for Clanton Road extension.
- (k) Acquisition of 15' x 652.68' of easement at 6010 Old Dowd Road, from Rea Construction Company, at \$653.00, for trunk to serve Wilkinson Boulevard Mobile Homes sanitary sewer construction.

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- (l) Acquisition of 15' x 17.99' and 20' x 733.63' of easement at 6112 Old Dowd Road, from Rea Construction Company, at \$752.00 for trunk to serve Wilkinson Boulevard Mobile Homes sanitary sewer construction.
- (m) Acquisition of 20' x 554.75' of easement at 6010 Old Dowd Road, from Rea Construction Company, at \$555.00, for trunk to serve Wilkinson Boulevard Mobile Homes sanitary sewer construction.

SPECIAL OFFICER PERMITS APPROVED.

Councilman Jordan moved approval of the issuance of the following Special Officer Permits for a period of one year each. The applicants have been approved by the Police Department. The motion was seconded by Councilman Short, and carried unanimously.

- (a) Renewal of permit to John H. Gaston for use on the premises of Morris Speizman Company, Inc.
- (b) Renewal of permit to Mark P. Pryor for use on the premises of Park and Recreation Commission, 310 Kings Drive North.

CONTRACT AWARDED AIR MASTERS, INC. FOR HEATING AND AIR CONDITIONING, SECOND FLOOR, FORMER JAIL BUILDING.

Motion was made by Councilman Jordan, seconded by Councilman Short, and unanimously carried, awarding contract to the low bidder, Air Masters, Inc., in the amount of \$7,383.00 on a unit price basis for heating and air conditioning, second floor former jail building.

The following bids were received:

Air Masters, Inc.	\$7,383.00
Climate Conditioning of Charlotte, Inc.	8,348.00
Ross-Witmer, Inc.	9,940.00

CONTRACT AWARDED CUMMINS CAROLINA, INC. FOR ONE DIESEL ENGINE FOR FIRE DEPARTMENT.

Upon motion of Councilman Jordan, seconded by Councilman Short, and unanimously carried, contract was awarded the low bidder, Cummins Carolina, Inc., in the amount of \$5,200.00 on a unit price basis for one diesel engine for the fire department.

The following bids were received:

Cummins Carolina, Inc.	\$5,200.00
Covington Diesel, Inc.	5,680.00

CONTRACT AWARDED NATIONAL ELECTRONIC CARD CO. FOR DATA PROCESSING CARDS.

Councilman Alexander moved award of contract to the low bidder, National Electronic Card Company, in the amount of \$6,964.30 on a unit price basis for data processing cards. The motion was seconded by Councilman Jordan, and carried unanimously.

The following bids were received:

National Electronic Card Co.	\$6,964.30
Globe Ticket Company	7,043.70
International Business Machines	7,419.40

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CONTRACT AWARDED CRANE SUPPLY COMPANY FOR NICKEL COPPER ALLOY STEEL PIPE.

Motion was made by Councilman Jordan to award contract to the low bidder, Crane Supply Company, in the amount of \$30,246.85, on a unit price basis for yearly requirement of nickel copper alloy steel pipe. The motion was seconded by Councilman Alexander, and carried unanimously.

The following bids were received:

Crane Supply Co.	\$30,246.85
Parnell-Martin Supply Co.	30,424.40

CONTRACT AWARDED INTERNATIONAL HARVESTER COMPANY FOR TWO 22,500 GVW TRUCK CAB CHASSIS.

Councilman Whittington moved award of contract to the low bidder, International Harvester Company, in the amount of \$11,299.94 on a unit price basis, for two 22,500 GVW truck cab and chassis. The motion was seconded by Councilman Short, and carried unanimously.

The following bids were received:

International Harvester Co.	\$11,299.94
Flexible Pipe Tool Div., Rockwell Mfg. Company	12,278.00
Dy-Namic Hydra Cleaners, T. V. Pipe Inspection Co.	15,196.80

Councilman McDuffie stated he would like to talk about the emergency lights on vehicles; if they are like they are on the garbage trucks they should be put in a different place rather than along the back and low, and people behind them cannot see them. That Mr. Hopson needs to talk about that the next time they order any new vehicles and see if they cannot do somewhat like Duke Power and others do. He stated when these bids are out, he would like for this to be considered.

CONTRACT AWARDED FLEXIBLE PIPE TOOL DIVISION OF ROCKWELL MFG. COMPANY FOR TWO HYDRAULIC SEWER CLEANERS.

Motion was made by Councilman Alexander, seconded by Councilman Whittington, and unanimously carried, awarding contract on the alternate bid meeting specifications to Flexible Pipe Tool Division of Rockwell Mfg. Company in the amount of \$21,240.00 on a unit price basis for two hydraulic sewer cleaners.

The following bids were received:

T. V. Pipe & Inspection Co.	\$15,773.64
Flexible Pipe & Tool Div. of Rockwell	16,140.00
Consolidated Pumping & Pipe	16,500.00

Alternate Bids:

Flexible Pipe Tool Division of Rockwell	21,240.00
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CONTRACT AWARDED PIONEER FENCE COMPANY FOR SECURITY FENCING AT DOUGLAS MUNICIPAL AIRPORT.

Councilman Whittington asked what part of the airport will be fenced? Mr. Birmingham, Airport Manager, replied this is about 7 or 8 different locations on vulnerable parts of the airport boundaries which must be fenced. The bulk of it is around the terminal building, and there is some around the fixed base operators and some around NC 160 at the southend of the North-South runway. This is the first step in fencing the total airport; we will be required, probably within the next two or three years to fence the total boundaries. This is 9400 feet of fence, seven feet with three strands of bobwire, and six inches on center, with nine gates.

Motion was made by Councilman Jordan, seconded by Councilman Withrow, and unanimously carried, awarding contract to the low bidder, Pioneer Fence Company, in the amount of \$28,364.00 on a unit price basis for security fencing at Douglas Municipal Airport.

The following bids were received:

Pioneer Fence Company	\$28,364.00
United States Steel Corp.	32,497.00
Wilson Fence Company	34,338.00
Allison Fence Company	39,595.00

Councilman McDuffie stated the fence for the golf course is only about 8000 feet and this is a good price for this fence.

Mayor Belk stated Councilman Short is Chairman of the Council of Governments, and he has stated that beginning in 1973, we will have to meet certain regulations in the airport, and he wonders what they are? Mr. Birmingham stated he has been involved a little with the sub-committee on airports; that he does not believe this involves anything that we would not want to get under; this is a good organization and what it does is correlates all the airports in the region and Douglas Municipal Airport happens to be the only commercial carrier; it will not present any great amount of problems for us.

Councilman Short stated the basic ideas are to see that other small airports in this region do not interfere with Douglas, and that there be smaller airports in likely places to feed into Douglas. Mr. Birmingham stated one of the recommendations is that we do need another general aviation airport between here and Kannapolis.

Councilman Whittington asked if anything is being considered by COG to get an auxiliary airport either up towards Statesville or Monroe. This has been mentioned by every airport study we have had. Councilman Short replied he does not have the answer to this; that Mr. Birmingham would know better about this. Mr. Birmingham stated one of the regulations being formulated is for an another G. A. airport between here and Kannapolis. He stated at present Douglas is limited on people taking flying lessons; most of these people want to come in and make touch and go landings, and we do not have the time to allow this between the commercial flights. They are being encouraged by the necessity of not being able to get into Douglas to go somewhere else. At present we have about 92,000 G. A. operations a year, and according to the forecast this will increase to about 125,000 in the next three or four years, and then level back off to 100,000 in 1980, if and when the G. A. airports are put into operation.

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CONTRACT AWARDED MOTOROLA COMMUNICATIONS AND ELECTRONICS, INC. FOR RADIO EQUIPMENT FOR UTILITY DEPARTMENT.

Upon motion of Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, contract was awarded the only bidder meeting specifications, Motorola Communications and Electronics, Inc., in the amount of \$26,795.00 on a unit price basis, for radio equipment for the Utility Department.

Bid received not meeting specifications:

General Electric Company	\$19,908.00
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CONTRACT AWARDED MOTOROLA COMMUNICATIONS AND ELECTRONICS, INC. FOR RADIO EQUIPMENT FOR ALL DEPARTMENTS.

Councilman Whittington moved award of contract to the only bidder meeting specifications, Motorola Communications and Electronics, Inc. in the amount of \$49,338.00 on a unit price basis, for radio equipment for all departments. The motion was seconded by Councilman Short, and carried unanimously.

Bid received not meeting specifications:

General Electric Company	\$29,540.00
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PROPERTY OWNER ADVISED THAT PETITION FOR STREET IMPROVEMENT TO GILBERT STREET WILL BE PLACED ON COUNCIL AGENDA FOR ITS NEXT MEETING.

Mrs. Arthur L. Tutt stated she was contacted and told that a petition for the paving of Gilbert Street would be on the agenda for Council's consideration today. She was advised that the petition is being processed and will be on the agenda for the next Council Meeting. The Mayor requested the Clerk to advise Mrs. Tutt when the petition is placed on the agenda.

Mrs. Tutt read the petition which stated the property owners on the unpaved portion of Gilbert Street, below Newland Road to the deadend, request the approval of the original 40 feet dedicated right of way instead of the 60 foot right of way required for city streets. She stated the petition was filed with the City Clerk on February 8, 1972. That the request is made because one property owner, Mrs. Frances Simpson Miller, was a patient for sometime in the Charlotte Community Hospital and was recently transferred to her home and is not able to write a letter to the City Council stating she will give five feet on her side of the street, so they cannot get 100% participation from the property owners in the area. Mrs. Tutt stated she has been told that each property owner would have to write a letter to the City Council saying they would give five feet on their side of the street. Also, four names are still listed on the tax records as property owners who are now deceased. She stated as this is a deadend street there would not be too much traffic. At present there are five houses located on the street. She stated the signatures on the petition represent 51% of the property owners.

Councilman Alexander stated the residents want some understanding as to whether or not the 51% of the property owners is enough for this request, or if it would take more signatures. Mr. Underhill, City Attorney, replied his office is looking into this and is preparing the necessary papers for council action.

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COMPLAINT OF SUPPLIERS ABOUT BEING LEFT OUT ON ITEMS PURCHASED BY THE CITY FOR \$3,000 OR LESS.

Councilman Alexander stated suppliers have contacted him and some claim the city's regulations that permits the City Manager to pass on items up to \$3,000 without submitting them to Council presents a problem. He stated some of them feel they are being shut out from supplying the city. That an instance would be on an item for \$6,000, someone will break it down into three items of \$2,000 each. He stated he is passing this information on as it comes to him.

CITY MANAGER REQUESTED TO CHECK INTO REASON FOR MAKING VAN BUREN STREET DEADEND STREET.

Councilman Alexander stated Van Buren Street was closed off when the highway was built. The people who lived down there stated they were of the impression that it was not to be a deadend; they have been told by the Highway people that the people who put up the fence put the fence too far out into the right of way and for some reason the State did not finish the road at that point.

Councilman Alexander requested the City Manager to look into this, and to give him a report.

BUDGET SESSION SET FOR TUESDAY, AT 7:00 A.M., IN COUNCIL CHAMBER.

After discussion, Council decided to meet in the Council Chamber at 7:00 A.M. Tuesday Morning, July 11, for a budget session.

COUNCILWOMAN ADVISES SHE PLANS TO PRESENT ORDINANCE PROHIBITING SALE OF CERTAIN FOWL AND RABBITS AS PETS, TOYS AND PREMIUMS.

Councilwoman Easterling stated at the next regular meeting of the Council she plans to introduce an ordinance amending Chapter 3 of the Code of the City of Charlotte relative to the control of the sale of baby chickens, ducklings, and other fowl under three weeks of age; or rabbits under two months of age, as pets, toys, premiums or novelties.

Councilwoman Easterling stated she thinks this should be done now so that people who are engaged in the sale of these items will know in plenty of time if they do buy them, they will have them left on their hands.

COUNCIL ADVISED TALENT BANK OF HIGHLY QUALIFIED WOMEN TO SERVE THE COMMUNITY HAS BEEN FORMED.

Councilwoman Easterling stated she would like for Council to think with her about the utilization of Charlotte's woman power in all of the reaches of the city, in all of its decisions, planning, and workings of the city. A number of women's organizations in Charlotte have been cooperating in the formation of a talent bank of highly qualified women, willing to serve, in this community in various areas of expertise. She stated 51% of the population is female and 53% of the registered voters are female. She stated her file of talented women is growing every day. That she has in mind a nominee for each of the vacancies listed in today's agenda. On the Airport Advisory Committee, the term is limited to a reappointment of one term. If this is still in effect, she has a well qualified woman whom she would like to contact about the appointment if it can be held until the next meeting. She stated the same is true on the Zoning Board of Adjustment. Recently a highly qualified woman was appointed - Margaret Watkins Claiborne - to this Board and there is no reason that another woman cannot be appointed. She asked if there is any reason there cannot be five women on a ten member Board. She stated this city is full of highly qualified women, willing and anxious to serve in the community.

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NOMINATIONS AND DISCUSSIONS OF APPOINTMENTS TO BOARDS AND COMMISSIONS.

Councilwoman Easterling placed in nomination the name of Mrs. Kim H. Jolly, wife of Mr. Ray Jolly, to the Charlotte-Mecklenburg Planning Commission. She stated Mrs. Jolly has a B.A. Degree from Manhassetville College; a Master's Degree from Duke University; she has taught high school history; she is now a part time adult education teacher at Central-Piedmont Community College; she has done a lot of community work; she is highly qualified in volunteer service and she is willing to serve in this capacity if appointed.

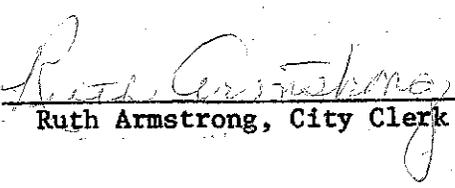
Councilman Short placed in nomination for reappointment to the Planning Commission, the name of Mr. Jack Turner. He stated Mr. Turner has served ten or twelve years, and this kind of expertise is particularly needed on the Commission at this time.

Councilman Alexander stated he has a number of people to nominate. One is for the Planning Commission, but he cannot do it today. He stated he will have some names to offer at the next meeting.

Councilman Jordan stated he would like to move the reappointment of Mr. Walter Mallonee to the Airport Advisory Committee. The City Attorney advised Mr. Mallonee cannot be reappointed unless the rules for appointment are waived.

ADJOURNMENT.

Upon motion of Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, the meeting was adjourned.



Ruth Armstrong, City Clerk