

March 26, 1973
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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held on Monday, March 26, 1973, at 3:00 o'clock p.m., in the Council Chamber, City Hall, with Mayor John M. Belk presiding, and Councilmembers Fred D. Alexander, Ruth M. Easterling, Sandy R. Jordan, James D. McDuffie, Milton Short, James B. Whittington and Joe D. Withrow present.

ABSENT: None.

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INVOCATION.

The invocation was given by Councilman Fred D. Alexander.

APPROVAL OF MINUTES.

Upon motion of Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, the minutes were approved for the meeting on March 19, 1973.

ALAN DAWTRY, TOWN-CLERK AND CHIEF EXECUTIVE OF THE CITY OF WESTMINSTER, ENGLAND MADE KNIGHT OF THE QUEEN CITY BY MAYOR BELK.

Mr. Burkhalter, City Manager, presented Mr. Alan Dawtry, Town Clerk and Chief Executive of the City of Westminster, England. He stated Mr. Dawtry is one of our mother country's distinguished public servants; he is the holder of the Commander of the British Empire Territorial Distinction and is a Counselor at Law. He stated Mr. Dawtry is the holder of seventeen individual awards by foreign countries. He is the outstanding local government executive in Great Britain, and one of the outstanding in the world.

Mayor Belk welcomed Mr. Dawtry to the City and presented him with the award of a Knight of the Queen City.

Mr. Dawtry responded by saying this is a very great honor; that he regards his visit to Charlotte as a very important occasion in his life, and that he has fallen in love with the City of Charlotte.

MAYOR PRESENTED AN OLIVE WOOD BOX FROM THE MAYOR OF BETHLEHEM.

Mrs. Roberta Sosnik stated she had the opportunity of visiting Israel recently, and was invited to have lunch with the Mayor of Bethlehem. That on behalf of Mayor Belk and the City Council she presented the Mayor with a key to the City of Charlotte, the City of Churches. She stated the Mayor, who is a Christian Arab, was amazed to know that Charlotte has over 400 churches and three temples.

Mrs. Sosnik presented Mayor Belk with an olive wood box, with a scene of Bethlehem, from the Mayor of Bethlehem. She stated the Mayor was most appreciative of the gesture of friendship.

ORDINANCE NO. 750-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE OF THE CITY OF CHARLOTTE AMENDING THE ZONING MAP BY CHANGING THE ZONING OF PROPERTY ON THE EAST SIDE OF SHARON AMITY ROAD SOUTH OF AND ADJOINING THE UNITARIAN CHURCH OF CHARLOTTE, ON PETITION OF KATHERINE K. SMETANA.

Motion was made by Councilman Whittington, seconded by Councilman Short, and unanimously carried, adopting the subject ordinance changing the zoning from R-12MF to O-6 of a lot 51' x 200' on the east side of Sharon Amity Road south of and adjoining the Unitarian Church of Charlotte, as recommended by the Planning Commission.

The ordinance is recorded in full in Ordinance Book 20, at Page 32.

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ORDINANCE NO. 751-Z AMENDING CHAPTER 23, SECTION 23-39 OF THE CITY CODE OF THE CITY OF CHARLOTTE TO ALLOW CONDITIONAL OFF STREET PARKING ON PROPERTY AT 2100 VAIL AVENUE, ON PETITION OF CHARLOTTE PIPE AND FOUNDRY COMPANY.

Councilman Jordan moved adoption of subject ordinance for conditional off street parking approval for a lot 65' x 155' at 2100 Vail Avenue, which is now zoned R-6MF, as recommended by the Planning Commission. The motion was seconded by Councilman Alexander, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 20, at Page 33.

ORDINANCE NO. 752-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE OF THE CITY OF CHARLOTTE AMENDING THE ZONING MAP BY CHANGING THE ZONING OF PROPERTY ON BOTH SIDES OF DARBY AVENUE BETWEEN HONEYWOOD AVENUE AND INTERSTATE 85, ON PETITION OF JUNIUS B. HIPPI, ET AL.

Upon motion of Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, the subject ordinance was adopted changing the zoning from R-6MF to B-2 on property on both sides of Darby Avenue between Honeywood Avenue and Interstate 85, on petition of Junius B. Hipp, et al, as recommended by the Planning Commission.

The ordinance is recorded in full in Ordinance Book 20, at Page 34.

ORDINANCE NO. 753-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE OF THE CITY OF CHARLOTTE AMENDING THE ZONING MAP BY CHANGING THE ZONING OF PROPERTY AT THE SOUTHEAST CORNER OF BASCOM STREET AND WEDDINGTON AVENUE, ON PETITION OF QUEEN CITY LUMBER AND SUPPLY COMPANY.

Motion was made by Councilman Jordan, seconded by Councilman Withrow, and unanimously carried, adopting subject ordinance changing the zoning from R-6MF to I-1 of 2.152 acres of land at the southeast corner of Bascom Street and Weddington Avenue, as recommended by the Planning Commission.

The ordinance is recorded in full in Ordinance Book 20, at Page 35.

ORDINANCE NO. 754-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE OF THE CITY OF CHARLOTTE AMENDING THE ZONING MAP BY CHANGING THE ZONING OF PROPERTY AT THE SOUTHERLY CORNER OF WOODMEN AVENUE AND NORTH HOSKINS AVENUE, ON PETITION OF HENRY L. BLACKWELDER, SR., ADMINISTRATOR OF JOHN EDWARD DUNN ESTATE.

Councilman Whittington moved adoption of subject ordinance changing the zoning from B-1 to B-2 of property 120' x 170' at the southerly corner of Woodmen Avenue and North Hoskins Road, as recommended by the Planning Commission. The motion was seconded by Councilman Withrow, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 20, at Page 36.

ORDINANCE NO. 755 AMENDING CHAPTER 23, SECTION 23-41 AND SECTION 23-13 OF THE ZONING ORDINANCE TO REDUCE THE MINIMUM LOT WIDTH FOR ONE FAMILY ATTACHED HOUSING AND REMOVE THE REQUIREMENT FOR A PUBLIC STREET TO BE WITHIN 300 FEET OF SUCH A UNIT.

Upon motion of Councilman Alexander, seconded by Councilman Jordan, and unanimously carried, subject ordinance was adopted amending the text of the zoning ordinance to reduce the minimum lot width for one family attached housing to 16 feet and remove the requirement for a public street to be within 300 feet of such a unit.

The ordinance is recorded in full in Ordinance Book 20, beginning on Page 37.

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ORDINANCE NO. 756-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE OF THE CITY OF CHARLOTTE AMENDING THE ZONING MAP BY CHANGING THE ZONING OF PROPERTY AT THE NORTHEAST CORNER OF SHAMROCK DRIVE AND MAYWOOD AVENUE, ON PETITION OF BARRON R. PHILLIPS.

Motion was made by Councilman Whittington, seconded by Councilman Short, and unanimously carried, adopting subject ordinance changing the zoning from R-6MF and R-9 to R-9MF of property at the northeast corner of Shamrock Drive and Maywood Avenue, as recommended by the Planning Commission.

The ordinance is recorded in full in Ordinance Book 20, at Page 38.

ORDINANCE NO. 757-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE OF THE CITY OF CHARLOTTE AMENDING THE ZONING MAP BY CHANGING THE ZONING OF PROPERTY SOUTH OF MILTON ROAD WEST OF BARRINGTON DRIVE, ON PETITION OF THE ERVIN COMPANY.

Councilman Jordan moved adoption of the subject ordinance changing the zoning from O-15 and I-1 to R-9MF of property south of Milton Road west of Barrington Drive, except for a segment at the southeast corner, 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 20, at Page 39.

MIL-GROVE CORPORATION SHOPPING CENTER DISTRICT PLAN AMENDMENTS, APPROVED.

The changes in the site plan for the Mil-Grove Corporation B-1 Shopping Center District Plan at Milton Road and Barrington Drive were explained by Mr. Fred Bryant, Assistant Planning Director. Mr. Bryant stated this change will provide four driveways instead of the present three. In the original plan the proposal was for a service station and convenience food store to be located at the corner of Milton and Barrington Drive, then a super market. The revision in the plan would leave the service station at the corner, but would take out the super market and replace it with the convenience food store and some type of other retail facility. The additional driveway will be located on a Duke Power right of way.

No one spoke for or against the proposed change.

Councilman Whittington moved approval of the change in the Shopping Center District Plan as recommended by the Planning Commission. The motion was seconded by Councilman Withrow, and carried unanimously.

REQUEST FOR CHANGES IN B-1 SHOPPING CENTER DISTRICT PLAN ALONG MORRISON BOULEVARD, ACROSS FROM SOUTHPARK, DEFERRED FOR TWO WEEKS.

The request for approval of changes in the B-1 Shopping Center District Plan along Morrison Boulevard, across from SouthPark, to replace a combination retail and office building with a Hardee's Restaurant facility, was presented for Council's consideration.

Mr. Bryant, Assistant Planning Director, stated this request comes to Council with a recommendation of disapproval by the Planning Commission.

He stated there is an area along the north side of Morrison Boulevard, across from SouthPark zoned B-1SCD. The area has been approved for a number of years for limited and controlled type of development, consisting principally of some office-retail relationship buildings. The buildings which have been built are in accordance with the plan. The Exxon Service Station is located at the corner of Morrison Boulevard and Sharon Road; then a couple of banks have been built on Morrison Boulevard; these are in conformance with the presently existing plan.

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Mr. Bryant stated the proposal today is one which would eliminate one of the combination office and retail buildings approved under the present plan, and replace it partially with a Hardee's fast food facility. He then explained the changes from a map and the plan. He stated the plan which would be removed from the plan consists of a three story building, including shops on the ground floor and offices above, and consists of 41,400 square feet.

He stated the plan as proposed would take out that building and replace it with the Hardee's facility with driveway access from Morrison Boulevard; there would also be an access along the rear property lines of the property tying in with a street that is proposed, and then back out to Morrison Boulevard. There is a median treatment on Morrison Boulevard and it would not be possible for traffic from one side to get over and make a left turn into the site.

Mr. Bryant stated in considering this the Planning Commission was concerned about the traffic factors involved and also about the fact this was the first type of use of this sort to move into the SouthPark area, and expressed some concern and fear about other similar type uses that might be attracted.

Councilman Alexander stated SouthPark is just across the street from this property, and he asked the City Attorney if there is any conflict of interest, legally, by the Mayor presiding? Mr. Underhill replied none that he can see. In this instance the Mayor will not be voting as he only votes in those matters in which there is the 3/4 protest invoked, and it is not the case here. That he sees no conflict in the Mayor presiding for that reason. Secondly, he does not feel that the proximity of a development that he has an interest in is sufficient enough to cause a conflict of interest.

Mr. Irvin Boyle, Attorney representing the property owners who own the property, Mr. and Mrs. James Harris, stated the particular portion of this property fronts 150 feet on Morrison Boulevard across from SouthPark. The purpose of the petition is to request Council to change the proposed land use and not to make any change in the zoning. The zoning is not in question, nor is the structural portions of the building, nor is the design of the buildings. The only problem is the disapproval by the Planning Commission.

He stated in the initial plan filed by the owners, this particular area was included in some additional vacant land which was designated as office building and as retail space. Times have changed since the original petition and request was filed. He called Council's attention to the amount of vacant office space in this general area, and specifically called attention to the American Defender Life Insurance Company building on Fairview, just beyond Celanese, which has been completed approximately 12 months and stands today about 50% vacant. The only known opposition to this particular change is that of the Planning Commission. In response to a question from one of the members, it was pointed out that this property backs up on a very large apartment complex. On one side is the Exxon Service Station, and on the other side is a branch bank. Across the street is the SouthPark Shopping Center parking lot.

Mr. Boyle stated the SouthPark Shopping Center is a white brick building, and has a charcoal or bronze roof, and tinted glass. In order to follow this same concept with this building, he presented an architectural rendering. He called attention to the fact that the decor, colors, structure and architecture to be used in this building are the same as those construction material and otherwise now used in SouthPark. He stated this facility is one in which all food will be served inside the premises. It is commonly referred to as a sit-down restaurant; it is not a drive-in and is not equipped for that. He stated Mr. Hammond, a construction representative of the corporation that will lease the building, is present with him. That this will be a franchise operation, and will not be operated directly by Hardee's.

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He referred to a map showing the facility and the traffic lines. He pointed out where you could come off Morrison Boulevard into it stating there are 72 parking spaces provided for the restaurant. There would be no traffic problems as the rental property will include a strip at the back which will empty into what is now a dedicated street known as Adair Terrace. Adair Terrace in turn empties into Morrison Boulevard and a break in the median so there will be no problem about left turns going into it, and no problem about traffic jams.

Mr. Boyle stated the property will be landscaped and will be compatible with the other properties out there. He stated this is 150 feet out of a seven acre tract. He passed out to the Councilmembers a statement showing the assessed value of the properties in the area and the amount of taxes collected.

Mr. J. J. Delaney stated there is ample room for stacking cars either going in or coming out, so there will be no problem. He stated drive-in restaurants require a different type of zoning; the B-1SCD zoning would not permit a drive-in restaurant.

Councilman Short asked the length of the rental of the property Mr. Boyle spoke of using as a drive? Mr. Delaney replied the term of the use of that area goes with the use of the site of the improvement which is a 20 year lease. Mr. Boyle stated it is a 20 year lease and the drive is a part of the lease property.

During the discussion that followed, Mr. L. A. Hutson, Member of the Steering Committee of Barclay Downs Development, stated they are opposed to this change and request that Council deny the request. Also speaking in opposition were Mr. Sidney Butz, 3918 Barclay Downs Drive, Mr. Russell Tucker, 3823 Barclay Downs Drive and Mrs. Eugenia Horton, 3701 Ascot Road.

Councilman Short moved that Council defer action on the item for two weeks. The motion was seconded by Councilman Alexander, and carried unanimously.

CONTRACT WITH CHARLOTTE MEMORIAL HOSPITAL FOR PURCHASE OF LABORATORY EQUIPMENT FOR SICKLE CELL ANEMIA DEFERRED FOR ONE WEEK.

Councilman Alexander asked what connection this has with the group of doctors, headed by Dr. Lowe and the Sickle Cell program. He asked if there is any connection between that group and Model Cities and the operation at Memorial Hospital? Dr. Travland replied there is an informal connection in that the services available from both sources will be coordinated with each other. They are two distinctly separate sponsors. The Sickle Cell Anemia Association is primarily a developmental group, and is a group that is attempting to educate, particularly the black community, about sickle cell anemia. The contract on the agenda is for Charlotte Memorial Hospital to provide some equipment which it does not presently have for the detection of definitive diagnosis of sickle cell anemia.

Councilman Alexander moved that the item be deferred for one week for more information about the relationship of the two programs and to what extent they are tied together, and to what extent they will be cooperating with one another. The motion was seconded by Councilman Withrow and carried unanimously.

Councilwoman Easterling stated she would like to know if there would be duplication between the two programs. Dr. Travland replied there would not be. The group Mr. Alexander referred to is primarily an educational group, and they may at some point get into the counseling end of it. The item on the agenda is for the provision for a piece of medical equipment which will provide the capability to Charlotte Memorial Hospital for definitive diagnosis.

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RESOLUTION ENABLING CITY OF CHARLOTTE RESIDENTS TO BECOME ELIGIBLE FOR
FEDERALLY SUBSIDIZED FLOOD INSURANCE.

Councilman Whittington moved adoption of the resolution enabling City of Charlotte residents to become eligible for federally subsidized flood insurance, and that Mr. Guerrant, Public Service and Information Director, be instructed to make sure that this information goes to the citizens of Charlotte through whatever media he has available. The motion was seconded by Councilman Jordan, and after discussion, carried unanimously.

The resolution is recorded in full in Resolutions Book 9, at Pages 73-74.

ORDINANCE NO. 758-X AMENDING ORDINANCE NO. 520-X, THE 1972-73 BUDGET
ORDINANCE, TRANSFERRING FUNDS FROM THE UTILITY FUND OPERATING BUDGET TO
ESTABLISH A CAPITAL IMPROVEMENT PROJECT FOR CONSTRUCTION OF UTILITY
MAINTENANCE SHOP.

Motion was made by Councilman Short, seconded by Councilman Jordan, and unanimously carried adopting the ordinance transferring \$150,000 for the construction of a utility maintenance shop.

The ordinance is recorded in full in Ordinance Book 20, at Page 40.

PROPERTY TRANSACTIONS AUTHORIZED.

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

- (a) Acquisition of 15' x 870.29' and 10' x 9.47' of easement at 3025 Freedom Drive, from Mary B. A. Howell, (widow), at \$1.00, for sanitary sewer to serve Freedom Mall.
- (b) Acquisition of 30' x 130.13' of easement at 10400 Sterling Lane, from Mary B. Taylor (widow), at \$130.00, for Kings Branch Outfall Sanitary Sewer Construction Project.

CONTRACT BETWEEN THE CITY OF CHARLOTTE AND URBAN INSTITUTE TO GUIDE AND ASSIST
IN ARTICULATING OBJECTIVES AND ESTABLISHING APPROPRIATE REPORTING MECHANISMS
TO FOLLOW UP ON STATUS OF ADOPTED OBJECTIVES, AUTHORIZED.

After a lengthy discussion, Councilman Short moved that the Mayor be authorized to execute a contract between the City of Charlotte and the Urban Institute in the amount of \$18,000 to make appropriate staff members available to the City to guide and assist the City staff members in articulating objectives and establishing appropriate reporting mechanisms to follow up on the state of adopted objectives. The motion was seconded by Councilman Alexander, and after further discussion, the vote was taken on the motion and carried by the following vote:

YEAS: Councilmembers Short, Alexander, Easterling, McDuffie and Jordan.
NAYS: Councilmembers Whittington and Withrow.

RESOLUTION AMENDING THE PAY PLAN OF THE CITY OF CHARLOTTE AND ORDINANCE
NO. 759-X AMENDING THE 1972-73 BUDGET ORDINANCE, ESTABLISHING POSITIONS
NECESSARY FOR COMMUNITY DEVELOPMENT PLANNING, ADOPTED.

A resolution amending the pay plan establishing the following positions for Community Development Planning, and an ordinance authorizing a community development planner to be assigned to the Planning Commission, was presented:

Correction
See Minute
Book 58 -
Pages 361-362

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CLASS TITLE	CLASS NO.	PAY RANGE NO.	PAY RANGE STEPS
Citizen Involvement Coordinator Community Development Planning Coordinator	355	36	A-F
Financial Management Analyst	367	44	A-F
Program Analyst	391	39	A-F
Transportation Planning Coordinator	445	36	A-F
	485	53	A-F

Councilman Alexander asked if these are new positions being created, and the City Manager advised they are. Councilman Alexander stated then he would assume that the present Citizen Involvement Coordinator would have to apply for this new position. Mr. Burkhalter stated at present there is a Citizen Involvement Coordinator with the Model Cities Program, and if he wants to be considered for this position then he would have to apply. Councilman Jordan stated this new position will be for the entire city. Councilman Alexander stated everything we are talking about now will be for the whole city operation; for city-wide planning and coordination.

Councilman Alexander stated people are going to be turned off their jobs; that he can see a possibility of their being shut out of future employment in the fields in which they have their training; they have the same professional qualifications as someone from the outside; they have their Masters in city planning and so forth. The thing that disturbs him is the possibility of all these people being shut out of employment as we move into this new development process. That he wants to register his concern now as we go into this. He asked if this is approved will these positions be filled immediately, or is this to take place in July, 1973 or 1974, or when the money runs out and the model cities program disappears. The City Manager stated this is being done now to start this program; that these positions will be set up as rapidly as possible. He stated he sent out to Council a copy of a memorandum to Mr. Earle, Personnel Director, concerning the employment of these people whose jobs will be discontinued, instructing him to give them an opportunity and a preference in seeking people for these jobs.

Councilman Alexander stated in the years we have had the Model Cities Program, we have brought into this town some of the best trained planners you would ever want to see. The only mistake it looks like we made is we did not go out and see if anybody had trained any professional implementers of planned programs. We have had come across our desk plans that have been developed by some of the best planners as any town has ever had, and they have left this town, gone into commendable positions in other places, and are doing excellent. If the plans were not implemented as they should have been, he does not think it is the problem of the planners who developed them. They showed they had the expertise, the training, and the experience to fathom out this thing called community planning as best as he has known and as best as he has seen, and read up on. If there is any complaint about our planners, it has been on the implementation of the programs that have been planned. The city and everybody else is a little guilty for not having seen that the implementation of the plans were carried out as they should have been. This town has had, through the Model Cities Program, some of the most capable planners in the field for this type of doing.

Councilwoman Easterling stated she has been involved in reduction in force, and in changing of programs with the federal government. In almost every case, as one program is phased out and a new one takes its place, and certainly when the scope of the new program is larger than the ones being phased out, or becomes something that involves all of them being phased out, the personnel involved in programs being phased out are carried over into the new one. Maybe not with the same job titles or with the exact same responsibilities, but they have all been taken care of as far as jobs are concerned. That she became a little reassured as she listened to all the explanations that came today; that the personnel involved in Model Cities and Area Fund would probably be used in implementing the new community development planning. That she has been concerned about what will happen to the people - not just the people who will be out of jobs - but the people who were receiving the services. That she can see we are now thinking of planning that will give the city a broader plan involving the whole city instead of just parts of it.

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Councilman Whittington stated in connection with the Transportation Planning Coordinator, with Mr. Paul Braswell's committee and the technical coordinating committee and others, is this the thing to do at this point? Mr. Burkhalter replied it is highly desirable for a number of reasons. For the last three years the people in this community have been telling the Council that the organization for transportation is not proper, and he thinks this will correct that. That those in the management of transportation do not agree that one man should be head of traffic, street maintenance and the head of highway relocation, but they do recognize the problems that develop in our community sometime due to lack of coordination of these programs. He stated we are at the point where we have to bring in the federal highway people, the state highway people and all the city departments involved with this along with the transportation department. The federal people, along with some of the state people we work with, and our people, think it will be very helpful if we had this coordinator position that would work with all these people, trying to keep each one informed of what the other is doing, and the ideas that each has developed. This whole thing involves coordination, and transportation is a part of this whole program. Congress did adopt the approval of putting aside a certain amount now of the trust fund for transportation purposes. We have to be there when everybody else is and we want to be there with our operations and our plans.

Councilman Jordan stated the only thing that concerns Council about all these projects such as model cities, if they run out next year or the year after, what are we going to do with them; where will we fund the money to continue them? This is what concerns Council more than anything else. Mr. Burkhalter replied he thinks Council has great reason to be concerned about this. That he is working on the budget now, and is running across this very thing in the departments that have numbers of people who may be reduced sometime this year. He stated he is not personnel happy; that they were cut down last year and they will be cut down this year in that respect. That it grieves him to have to add this many people right now, but he finds this function is not being performed in this city this way. We do have a very fine planning staff; that model cities has a very fine planning staff; urban redevelopment has planning activities; and we need to coordinate these things, and it is ridiculous that they are not brought together. How long we will keep all of them we do not know; but that is what we are trying to do. We are trying to utilize and have already started utilizing certain areas of this without this position. That the city cannot plan and ignore the area just outside the city limit. This was discussed with Mr. McIntyre and he was very amenable to putting this position in his department, and bringing this all together because it is a county-wide function.

Councilman Whittington stated as of today through item 18 on the agenda seven (7) new people have been hired to do what Mr. Burkhalter is asking Council to do in this evaluation of programs, planning and so forth.

Councilman McDuffie moved adoption of the resolution and the ordinance as presented. The motion was seconded by Councilman Alexander, and carried unanimously.

The resolution is recorded in full in Resolutions Book 9, at Page 75, and the ordinance is recorded in full in Ordinance Book 20, at Page 41.

SPECIAL OFFICER PERMITS AUTHORIZED.

Upon motion of Councilman Withrow, seconded by Councilman Short, and unanimously carried, the following special officer permits were authorized for a period of one year:

- (a) Issuance of permit to Charles W. Freeman for use on the premises of J. B. Ivey and Company.
- (b) Issuance of permit to Clyde Lee Long for use on the premises of Charlotte Park & Recreation Commission property.
- (c) Renewal of permit to James B. Chandler for use on the premises of Sears Roebuck and Company, 4400 Sharon Road.

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CONTRACTS FOR WATER MAIN AND SANITARY SEWER CONSTRUCTION, APPROVED.

Motion was made by Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, approving the following contracts for construction of water mains and sanitary sewer construction:

- (a) Contract with City Properties for construction of approximately 1,170 feet of 6-inch C.I. water main and one (1) fire hydrant, to serve an apartment complex located on Knights Bridge Road, outside the city, at an estimated cost of \$5,600.00. Funds will be advanced by the applicant and refunded under the terms of existing city policies.
- (b) Contract with Centennial Homes, Inc. for construction of approximately 1,780 linear feet of 10-inch and 8-inch sanitary sewer trunk extension off Highway #51 and adjacent to McMullen Creek, outside the city, at an estimated cost of \$17,319.50. Applicant has deposited 100% of the estimated cost and refund is as per agreement.
- (c) Contract with Delmar Corporation for construction of approximately 280 linear feet of 8-inch sewer main extension in Golf Acres Drive, inside the city, at an estimated cost of \$2,100.00. Applicant has deposited 100% of the estimated cost and is non-refundable.
- (d) Contract with Frank H. Conner Company for construction of approximately 85 linear feet of 8-inch sanitary sewer main extension in Joyce Avenue, inside the city, at an estimated cost of \$1,020.00. The applicant has deposited 100% of the estimated cost and is non-refundable.

CONTRACT AWARDED MARTIN-MARIETTA AGGREGATES FOR ESTIMATED YEARLY REQUIREMENT OF CRUSHED STONE.

Councilman Whittington moved award of contract to the only bidder, Martin-Marietta Aggregates, in the amount of \$258,000.00, for estimated yearly requirement of crushed stone. The motion was seconded by Councilman Short, and carried unanimously.

CONTRACT AWARDED CAROLINA CONCRETE PIPE COMPANY FOR ESTIMATED YEARLY REQUIREMENT OF REINFORCED CONCRETE PIPE.

Upon motion of Councilwoman Easterling, seconded by Councilman Short, and unanimously carried, contract was awarded the low bidder, Carolina Concrete Pipe Company, in the amount of \$20,695.05 for estimated yearly requirement of reinforced concrete pipe.

The following bids were received:

Carolina Concrete Pipe Co.	\$20,695.05
Gray Concrete Pipe Co., Inc.	21,431.57
Foltz Concrete Pipe Co.	22,323.00

CITY MANAGER REQUESTED TO HAVE SOMEONE CHECK THE TRASH AND GARBAGE ALL OVER THE STREETS AND SIDEWALKS ON MINT STREET EXTENSION GOING INTO WEST BOULEVARD.

Councilman Jordan requested the City Manager to have someone check the awful condition of trash and garbage on Mint Street Extension out to West Boulevard. That this is all over the streets, and this is a route that many people take to the airport. That he has never seen anything as bad as this was today. He stated those property owners should be held responsible for allowing the trash in their yards and in the streets.

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COPY OF PROPOSED TREE ORDINANCE TO BE SENT TO VARIOUS COMPANIES WHO HAVE EXPRESSED AN INTEREST IN HAVING INPUT INTO ORDINANCE PRIOR TO ADOPTION.

Councilman Jordan stated he has had calls from Duke Power Company, Southern Bell, Piedmont Natural Gas Company, Davey Tree Experts, Asplundh Tree Experts, Associated General Contractors and Home Builders Association, about the tree ordinance that is being proposed. He stated these people would like to have some input into this ordinance, and they say they have not been contacted about it at all.

The City Manager advised he expects to get it back from the departments this week and he will send a copy of the proposed ordinance to each of these companies.

INSPECTION DEPARTMENT REQUESTED TO CHECK THE HOUSE AT 3210 LAKEVIEW AVENUE.

Councilman Alexander requested the City Manager to have the house at 3210 Lakeview Avenue checked by the Building Inspection Department. That he does not know whether or not there is anything this Department can do, but he has received a number of calls and he would like for someone to go out and check it.

HIGH RISE PROJECT FOR ELDERLY BY SALVATION ARMY ENDORSED BY CITY COUNCIL.

Councilman Alexander stated the newspapers carried a story over the weekend that the Salvation Army is proposing a high rise for the elderly; this is an endorsement by a private organization and is not city or county funded. That he thinks City Council should endorse this project.

Councilman Alexander moved that the City Council endorse the project of the Salvation Army. The motion was seconded by Councilman Whittington, and carried unanimously.

COMMENTS ON EFFORTS OF THIRD WARD IMPROVEMENT ASSOCIATION TO IMPROVE THEIR COMMUNITY.

Councilman Alexander stated he attended an open house for the Third Ward Improvement Association yesterday. This group had asked that their end of Third Ward be included in the model cities program; but the program did not extend that far, and this end is not covered in any way. The people are concerned about the blighted condition of their neighborhood, and they have attempted on their own to organize and to improve their life and living conditions, and have established the Third Ward Improvement Association.

He stated this group is having a tooth brush sale; they are trying to dispose of 6,000 tooth brushes to help them in their community efforts. He stated they have secured a Solicitation permit to conduct this sale, but the door to door was for only one day. The City Clerk advised that an extension of the permit for the full 90 days has been requested and approved.

Several members of Council gave Councilman Alexander money to be turned over to this group.

EXECUTIVE SESSION OF COUNCIL SET FOR THURSDAY, MARCH 29, AT 7:30 P.M.

Councilman Alexander moved that City Council hold an executive session on Thursday night, March 29, at 7:30 P.M., in the Second Floor Conference Room, City Hall, for the purpose of conferring with its attorneys regarding the North Carolina State Law Enforcement Officers Association Law Suit. The motion was seconded by Councilman Short, and carried unanimously.

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PARK AND RECREATION COMMISSION REQUESTED TO PLACE MORE LIGHT AND DO SOME REPAIR WORK TO THE PLAY EQUIPMENT ON THE SMALL PARK ON SOUTH CHURCH STREET.

Councilman Alexander stated the Park and Recreation Commission has placed some play equipment in a vacant lot at the end of South Church Street. The people say there is not enough light out there and they would like to have more light and also some repair and maintenance. He requested the City Manager to contact the Park and Recreation Commission and ask that some attention be given to that park. He stated the Community House that is run is at 1444 South Church Street.

CITY MANAGER TO CONTACT HOME BUILDERS ASSOCIATION TO COME TO COUNCIL AND DISCUSS DEVELOPING HOUSING BELOW THE \$20 AND \$30 THOUSAND LEVEL.

Councilman Alexander stated COG has before it some concerns about their approval on some housing developments proposed by developers in the City of Charlotte. That he thinks they are in the county. These are not anything that are within the low income category; and he raises no question about them doing it.

He stated Council should use this as an opportunity to ask developers if they will come to Council and explain if there is any possibility of any housing below the \$20 and \$30 thousand class that can be developed out in these areas. That we talk about scattered housing and it is not exactly meeting our needs in the \$30 to \$35 thousand category. That he thinks Council should ask some questions to see what their thinking is about the scattered concept in developing some houses along the level to meet out community needs.

Mayor Belk requested the City Manager to contact the Home Builders Association and request them to come to Council for this purpose.

Councilman Short stated COG is established for the purpose of working for this City Council; that he has suggested to Mr. Alexander if he wants Council to express itself to try to implement certain housing policies, he thinks COG can do so if the Council so instructs it.

NOMINATIONS TO THE COMMUNITY FACILITIES COMMITTEE AND THE INSURANCE ADVISORY COMMITTEE.

Councilman Short placed in nomination the name of Mrs. Bryant (Laura) Freck for the unexpired term on the Community Facilities Committee, which will expire September 1, 1974. The nomination was seconded by Councilwoman Easterling.

Councilman Whittington placed in nomination the name of Mr. Jack R. Morris to the Insurance Advisory Committee for a term of three years, which will expire March 1, 1976.

Councilwoman Easterling stated she would like to have the opportunity of placing a name in nomination at the next meeting.

CITY ATTORNEY REQUESTED TO WRITE SENATOR KNOX AND LEIGH WILSON CONCERNING DELIBERATIONS AND HEARINGS ON REVISIONS ON SCHEDULE B.

Councilman Whittington requested the City Attorney to write Senator Knox and Mr. Leigh Wilson as to when deliberations and hearings will take place on the plans for Schedule B. As he understands it from the League and Delegation there is to be a study committee set up for the revision of Schedule B. If things go as they should the Legislation will meet annually, and if that is true, this committee will operate until 1974, and then hopefully Schedule B will be rewritten and revised.

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He stated when these hearings take place, he thinks local government and the county commissioners should be there. That the North Carolina League of Municipalities is for revising and setting up this study committee. If the cities are not involved beyond what the League says he does not think it will get very far. For that reason, Council should be informed and ready to go down and speak for the study committee.

Mr. Underhill stated a Bill has been introduced that would completely abolish Schedule B. Councilman Whittington requested the City Attorney to get Council on track on what is going on.

DISCUSSION OF ONE TELEVISED MEETING A MONTH ON EDUCATIONAL T.V. AND MOTION TO HOLD COUNCIL MEETINGS FOUR TIMES A YEAR IN THE NEIGHBORHOODS.

Councilman Whittington asked the City Manager what progress has been made in scheduling the one televised meeting of City Council a month? Mr. Burkhalter replied Mr. Bobo and Mr. Williams are working on this; that it has been talked about informally and they are trying to see what the County Commissioners are going to do.

Councilman Whittington stated having had some limited experience in the last month, going out to various meetings of civic clubs and neighborhood groups as a proponent of the transportation bonds, he realized how very important it is for Council to use every means at its command to get the message of local government across to the public. This was pointed out to him today just as vividly as it could be. We should have a man like J. B. Fennell, Finance Director, every day before some group explaining how bonds are financed, and how they are paid for and how they are bid upon; there are not many people who would have difficulty in understanding bond financing and how important it is to this city. Regardless of what a council member may say, a man like Mr. Fennell, who is an expert in financial affairs, puts the icing on the cake. That he is saying this to reiterate how important these neighborhood meetings and televised meetings are. We are missing a great opportunity as a council if we do not do everything we can to get these programs televised and have neighborhood meetings at least four times a year.

Councilman Short stated he read where Ms. Davenport was willing to do this on tape, and he cannot agree that it would be all that dull. It could be done right here in our own locale and do it every week, and run it that night. That this would be good exposure to the public and bring us a lot closer to them. That he thinks this point should be considered. The City Manager stated he thinks Ms. Davenport was saying if they met in the School Board Room.

Mayor Belk stated he thinks Council should be cautious; that he thinks all the meetings should be open. But there is more than one station to be considered, and when you close off the others, then he thinks it is a bad position. Councilman McDuffie stated he has never heard any of the other stations express an interest in televising the meetings.

Councilman Withrow stated he agrees with the Mayor. Council gets good coverage at the six o'clock news, eleven o'clock news and all day the next day, and they just about cover most of the points of Council. He stated the City of Charlotte is the most fortunate city in the United States in the coverage of news, written and televised, of any city he knows about.

Councilman McDuffie stated the county commissioners objected to leaving their premises, and there was some question about whether they could legally hold a meeting on other premises. He suggested that the City offer to help pay for the cost of converting their building, and then we can use the county office building.

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Councilman Jordan stated the reason the School Board gets so much coverage and so many people look at it is because all these people have children, and they are interested in what is going on in the schools today. That he just does not think the people will sit for two or three hours and listen to a council meeting every week, or every month. If they are interested they will come to the meetings here and sit.

Councilman McDuffie stated everyone who sits out there and does not have children is a taxpayer, and council is conducting their business. That he thinks more people would be interested in local government if once a month they can turn on their T.V. set and see how their money is being spent.

Councilman Whittington stated he was under the impression that Council voted five to zero that Ms. Davenport would be requested to allow Council to have one televised meeting a month and it was in the Board of Education building, and nothing was said about having it here. Considering the inconveniences of the citizens and whether they have children or not, there is a great interest in local government by the people who live out there, and who want to know what is going on down here. Every means and every effort should be made to get local government to them; it is Council's obligation to do so and he says it should be done by television. That he agrees with what Mr. Withrow has said about the coverage the television stations give Council, and also the newspapers; but Council should go beyond that to televised meetings once a month and also should go into the neighborhoods as was done during the bi-centennial, at least four times a year, in order to take government to the people. Councilman Withrow stated he will buy the meetings four times a year in the community; but someone told him they were in a hotel room in another state, and the council meetings were televised, and it was the biggest political show he had ever seen; that every councilmember was cutting every other councilmember down; and it was just a show, and he said it was a disgrace to television, and to council itself. That he is afraid this is what will happen to this Council. That he does not think it is good for the public and he does not think it is good for the council. But the four meetings in the neighborhood he will buy.

Councilman Whittington moved that Council meet four times a year in the neighborhoods. The motion was seconded by Councilman Short.

Councilman Alexander moved that Council defer any decision on this matter until a later date. The motion did not receive a second.

After further discussion, the vote was taken on the motion and carried as follows:

YEAS: Councilmembers Whittington, Short, Alexander, Easterling, McDuffie and Withrow.

NAYS: Councilman Jordan.

COUNCILMAN SHORT LEAVES MEETING.

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

COMMENTS ON BONDS SOLD SINCE 1961 AND THAT NORTH CAROLINA NATIONAL BANK AND ASSOCIATES HAVE PURCHASED ONLY \$4.6 MILLION.

Councilman Withrow stated he has asked for a schedule of bonds being sold. In all the neighborhood meetings he attends, sheets are passed around stating that NCNB is buying all the bonds, and the Mayor has so much stock.

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He referred to the schedule and stated out of \$104.0 million bonds sold since 1961, North Carolina National Bank has purchased \$22.0 million, and out of that \$22.0 million, R. S. Dickson Company bought \$18.0 million. If you take the \$18.0 million from the \$22.0 million, it only leaves \$4.6 million bought by North Carolina National Bank and Associates. Their interest rate when they bid was cheaper than anyone else.

He stated he thinks this information should be given to the public.

DISCUSSION OF TRASH AND LITTERING OF STREETS, AND POLICE DEPARTMENT REQUESTED TO CITE PERSONS FOR LITTERING.

Councilman Withrow again asked what is being done about the litter on the streets, and if the police department has caught anyone and fined them. Trash is still all over the streets and on the lots, and people are going out and throwing this out their car windows and just dumping it. He asked when the police department is going to catch someone and give some fines to persons littering the streets.

He stated four or five people have called him and said they are required to mow their lots, and right across the street from them the trash is piled up and no one says anything about those lots; that some of them are city-owned lots. That the same people who are finding some of these should also look at all the lots and treat everyone alike.

Councilman Whittington stated Mr. Jordan mentioned Mint Street Extension earlier in the meeting. That there is not a day in the week that you can go from West Boulevard, north on Cliffwood that this property does not have everything imaginable that could come out of a house out on the curb or on the sidewalk. The only way it gets cleaned up is for the city force to come along and pick it up. Every bit of it is in violation. It appears to him that the city force is not going into areas like this and going to the people who own the property. The city cannot assume this sort of responsibility all over town. He stated this is in the 1700 block of Cliffwood Place, and is across the street from Wilmore School.

Councilman Withrow stated he would like for the police to cite someone for littering.

FINANCE DIRECTOR REQUESTED TO BE AVAILABLE TOMORROW TO ANSWER QUESTIONS ABOUT FINANCING OF BOND PACKAGE.

Councilman McDuffie stated he read in the afternoon paper that Mr. Sykes and others will have a press conference on their side of how the bond issue affects taxes. He asked if the City cannot have a press conference with Mr. Fennell and put out the truth after they have their conference. That Mr. Fennell can explain the 25 cents in the tax rate that retires so many bonds and anyone interested can see exactly what the truth is about the fact that it does not raise taxes, and how much revenue the new annexation will bring in.

Councilman McDuffie requested that Mr. Fennell be available tomorrow and answer any questions the news media will have about the bond package.

COUNCILMAN ALEXANDER LEAVES MEETING.

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

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CITY MANAGER REQUESTED TO SEND A SUMMARY OF THE SYSTEM THE POLICE DEPARTMENT USES IN ACCOUNTING FOR CITATIONS AND DISPOSITION OF THE EMPTY CITATION BOOKS.

Councilman McDuffie stated he read recently about the police department having some difficulty with citations. That when people went to pay them, the magistrate did not have a copy of the citation. He asked what happens to the books; how the officers account for every ticket in the book, and how they dispose of the empty book once all the citations are written.

He requested the City Manager to send him a summary of the system.

REQUEST THAT CONSIDERATION BE GIVEN TO PLACING SIGNS ALONG FENCES ON INTERSTATES AND THE POLICE OFFICERS PATROL THESE NEIGHBORHOOD AREAS WHERE PEDESTRIANS ARE GOING THROUGH THE FENCING.

Councilman McDuffie stated two persons were killed on the Interstate last week inside the city limit. That it is a wonder they were not younger because of the fence problems down by the golf course. That small children have been going back and forth across the Interstate. He stated he hopes the City is in touch with the State Highway Commission and is doing what it needs to do locally about putting signs along the fence about no pedestrian traffic being permitted. He stated he has seen some small children, ten years and younger out there.

Councilman McDuffie stated the city needs to do something about marking the fences in the neighborhoods and also, if it is allowed, use some police officers to patrol the areas.

REQUEST THAT PROCEDURES FOR COUNCIL MEETINGS BE ADOPTED NEXT WEEK.

Councilwoman Easterling stated several weeks ago, the City Manager was requested to draft procedures for Council meetings. That Mr. Burkhalter sent some suggestions, and she would like to see Council adopt these, or make changes and then adopt them. That she believes it would speed up the meetings; it would facilitate the handling of public debate and citizen participation.

She requested that these be given to Council this week, and that Council adopt some procedures next week. The City Manager replied they will be mailed out to Council this week.

SUGGESTION THAT BICYCLES BE REQUIRED TO HAVE BELLS AND THAT CAMPAIGN BE CONDUCTED ON COURTESY FOR BICYCLE RIDERS.

Councilwoman Easterling stated many people are using their bicycles now that spring is here. That a friend, who is retired, walks on some of the streets where bicycles travel, and she suggested that bicycles should be required to have bells.

Councilwoman Easterling stated she asked the City Attorney to look into this and he found the city does not have an ordinance requiring bells. He checked with other cities and found none of them seem to have ordinances covering this type of thing.

She suggested that the City have a campaign on courtesy for bicycle riders, just as we stress the courtesy of car drivers.

ADJOURNMENT.

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


Ruth Armstrong, City Clerk