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The City Council of the City of Charlotte, North Carolina met in regular session on Monday, May 1, 1978, at 8:00 p. m., in the Cafetorium of Briarwood School (District 4), with Mayor Kenneth R. Harris presiding, and Councilmembers Don Carroll, Betty Chafin, Tom Cox, Jr., Charlie Dannelly, Laura Frech, Harvey B. Gantt, Ron Leeper, Pat Locke, George K. Selden, H. Milton Short and Minette Trosch present.

ABSENT: None.

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INVOCATION.

The invocation was given by Reverend James Sell, Minister of St. John Presbyterian Church.

MINUTES OF MEETING ON APRIL 24, 1978 APPROVED AS AMENDED.

Motion was made by Councilmember Trosch, and seconded by Councilmember Selden, to approve the minutes of the Council Meeting on Monday, April 24, 1978, with the following amendment:

MINUTE BOOK 67 - PAGE 468 - 11th Paragraph - vote on original motion by Councilmember Selden, show Councilmember Leeper voting against the motion, and the Mayor breaking the tie, voting in favor of the motion.

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

REMARKS BY MAYOR AND DISTRICT FOUR COUNCILMEMBER LAURA FRECH.

Mayor Harris expressed Council's pleasure at meeting District 4 and acknowledged the large group of citizens present. He recognized Councilmember Frech who spoke on behalf of the people of District 4 in welcoming the Mayor, City Council and the City Staff. She stated the people who live in this district know that it is one of the most beautiful parts of the City and are very proud of it. She also thanked those responsible for planning the tour and providing the refreshments.

She stated her intention to, at the proper time, ask Council to place several items on the agenda which are of concern in the district, but other than that they are a fairly happy district - they do not have a lot of complaints; they just want Council to remember they are here and would like to be kept in mind when there are things that need to be done.

She recognized a number of citizens from the district who are candidates for public office in tomorrow's Democratic Primary.

Mayor Harris then presented the individual Councilmembers and the Executive Staff.

KNIGHT OF THE QUEEN CITY AWARD PRESENTED MEMBERS OF THE PARK & RECREATION COMMISSION.

Mayor Harris stated that as of today, May 1, the Parks and Recreation Commission has been changed to a City Department, and recognized the following members of the Commission to receive the Knight of the Queen City Award: Mr. Billy Bridgewater, Mr. Ralph Beatty, Mr. Marc Silverman, Ms. Juddie Bacot, Mr. William Oliver, Mr. Eugene Warren and Ms. Nelle Lorick. He thanked them for their service to the City and also gave each a Key to the City of Charlotte. Each Councilmember also greeted the Commissioners and thanked them.

Mr. Burkhalter, City Manager, stated the Parks and Recreation Commission chairman and members have been very cooperative with the staff and the people who work with them - in their budgetting process and in other areas. They

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have been very responsive to the things they have tried to do. That most citizens recognize the limited amount of facilities they have had in many areas in which to work. He wants to publicly add his thanks for what they have done for the city.

Mayor Harris also recognized Mr. Marion Diehl, Head of the Parks and Recreation Department and Mr. Hampton Ott of the staff. He stated they are very important in the decisions regarding parks and recreational facilities in the community.

COUNCIL ACTIONS AUTHORIZING AIRPORT BONDS.

Public Hearing on an Order Authorizing \$47,000,000 Airport Bonds.

The following spoke in support of the Bond Order:

Mr. H. E. (Ned) Pollock, Jr. representing the Greater Charlotte Chamber of Commerce, stated he is Chairman of the Chamber's Airport Development Task Force. It has been a long road getting here and he is delighted to speak on behalf of the Chamber of Commerce. He stated there would be many more of their members present tonight were it not for a meeting in Washington, D. C. where their officers and directors are meeting with Congressman Martin and senators and representatives of the Administration, the Federal Aviation Authority being one. With great enthusiasm he is here on their behalf to let Council know of the Chamber's full support for the Airport Bond referendum on June 20th.

The Greater Charlotte Chamber of Commerce will actively campaign for the passage of this referendum by the Charlotte voters. They are urging their 4,000 members to cast their ballots in favor of the bonds; also to get their friends and co-workers to vote affirmatively.

He stated that the orderly expansion of Douglas Municipal Airport is an important issue for the voters of Charlotte. Expansion of facilities and service has kept pace with the growing demand for additional flights to more cities. The current level of air passenger service from Douglas is greater than at all other commercial airports in the two Carolinas combined. If Charlotte is to maintain and improve the current level of passenger service, a new terminal is needed now. The need has been convincingly documented by the City staff, by airport consultants and the five major airlines which serve Charlotte. Their combined expertise tells us that the present passenger terminal will be operating above peak capacity in the early 1980's.

The new passenger terminal will provide space for increased passenger service as orderly growth continues into the 1990's. Douglas Airport can continue to be a factor in decisions affecting major investments in the Metrolina Region. Superior air service will continue to be a magnet attracting new companies and new jobs to the area. Voters who own businesses should be made aware that some of their customers are generated by the airport. Voters who are wage earners should be made aware that their jobs may have been the result of their company locating here because of the traffic at Douglas Municipal Airport. Voters who are parents should be made aware that one or more of their children may find employment in the future in an airport related or airport generated job. Taxpayers should be made aware that tax dollars generated by new firms and expanded firms because of superior air service help to keep taxes on property comparatively low.

Approval of the June 20th Bond Referendum will mean that the new terminal can be financed at the lowest interest rates possible and paid for by those who use the airport. Douglas Municipal Airport has achieved a national reputation as one of the most efficiently managed municipal airports in the entire country. This 43-year record of outstanding air service for the people of Charlotte and the region merits an affirmative vote on June 20th. A new airport terminal is the Chamber's highest priority item for the year 1978. We need to get on with the job of voting this approval on June 20th and he would urge everyone to support its passage. They are grateful to the Mayor and each member of the City Council for their action in scheduling a referendum on this important community issue and pledge the full support of the Greater Charlotte Chamber of Commerce.

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Mr. Stan Brookshire, 800 Huntington Park Drive, congratulated Council on being able to draw such a large crowd to a neighborhood Council meeting. They were not able to do that back in the 60's when they tried neighborhood meetings. He stated he is sure the quality of the audience is certainly equal to its size, and he says that in spite of the fact that he knows that some of those present are opposed to the expansion of the airport.

Mr. Brookshire read for Council's information a letter from the president of K.M.W. Johnson, Inc. about the reason his company located its world headquarters in Charlotte:

"We wanted a location with good air service to enable our salesmen and engineers to respond quickly to demands for service all over the country. The Charlotte airport was the primary reason for locating our world headquarters here instead of in some other southern city."

That statement in so many words has been expressed by many top executives of businesses and industries which have located in Charlotte in the past two decades, ascribing the airport as a principal reason with the airport service provided, for their coming to Charlotte.

What does new business and industry add to the City of Charlotte? How important is it, that we continue to attract business and industry? In the first place, new business and industry brings new jobs, new employment, additional payrolls; and with their investments in plants and equipment, they broaden our tax base and in so doing in the past they have enabled City Councils year after year to maintain a very stable tax rate. That is a benefit that every citizen in Charlotte who owns a home enjoys, because without the expansion and growth of business and industry in Charlotte adding to the tax base, undoubtedly, our local taxes both City and County would advance and perhaps as rapidly, as the inflation we have seen in the last few years. That is something worth our citizens giving some thought to.

In addition, it has been recorded and verified that the airport produces and contributes some \$117.0 million annually to the economy of Charlotte. That in itself benefits all of the citizens of Charlotte. He has to take issue with some of the other speakers. Unquestionably, they are sincere in their objection to expanding the airport, but he thinks it is on the basis of a misunderstanding. They have said that to enlarge or spend additional money for a new terminal at Douglas will increase the tax rate, will prove a burden to taxpayers. The facts are that since the establishment of the airport in 1935, it has never cost taxpayers of Charlotte and Mecklenburg County one dime. It has been self-supporting, it has always operated in the black and, in addition, it has made a profit, that profit being plowed back over the years to retire bonds for airport growth and expansion. That is exactly what the new bond issue for June 20th will provide.

Mr. Brookshire stated he can say with conviction that the airport is the greatest bargain that Charlotte has ever had; it has never cost our taxpayers anything and he is confident, with the management we have there, and with the growth of our economy, that it will be able not only to operate and pay its own expenses but to retire the bonds out of operating profits. To have the bonds fail on June 20th would be another setback for the City of Charlotte. There is no question but that the progress and prosperity of this city depends to a immeasurably degree on meeting future growth needs at the airport. It is important also to remember that when the airport was established 37 years ago, we had pretty good passenger rail service. Today we have none. We are more dependent than ever on air service.

Dr. Lynn Parker, Lake Wylie, stated he wants to be one of a number of people that he knows in the Steele Creek Area to give an expression that is not negative. That he met with Mr. Brookshire some time ago. That if necessary they can get quite a majority of the people who live in the Steele Creek Area who are very much in favor of the airport expansion. The people who live there are probably not paying taxes, but in his case most of his property is in the City of Charlotte and he is therefore a taxpayer. He thinks this airport expansion will do more for Charlotte than any one thing that has ever happened and he is very enthusiastic about it. He just wants Council to know that many of those in Steele Creek do not feel negatively about this.

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Mr. Jim Beam, Lake Wylie, stated he realizes all of the opposition the City has run into trying to build the airport, and also realizes that the people in Steele Creek did not help elect any of the City Council. But they are in Mecklenburg County, they pay taxes in that they have property in the city. If we can add more industry and more people to the City of Charlotte, all of us will benefit. If past history has anything to do with Council's decision he thinks Mayor Brookshire can cover the point saying that the past history of the airport has been such that it has not really cost the people of Charlotte in tax dollars anything or very little. And if other cities are any indication, it will continue to do this in the future. That after all the opposition voiced from the Steele Creek Community, he has told Mr. Brookshire that everybody in that community is not necessarily against the airport expansion; that the airport was there when most of them moved there; they knew the planes would be coming overhead and that the airport would grow and expand and the planes would get bigger; and back then they did not hear of alleviating the noise - that was not a major problem as has come to the front today.

He stated he was amazed when he heard a member of the Airport Authority saying that if anybody's property in the Steele Creek Community was devaluated because of noise pollution, that they really had a right to come back to the City and say they really owed them so much money. This amazed him because the airport was there and they knew it, most of them, when they moved there and they expected the noise to increase. That he personally uses the airport a great deal, and living on that side of town it is very convenient. He would hate to see us go to the idea of putting fourteen airports around Charlotte, or moving it farther out of town. Anyone who goes to Washington, D. C. or New York and has to land at the outside airports rather than the inside ones, can appreciate the position of someone coming into Charlotte when it takes just a half hour to get downtown.

He stated money seems to be a big thing - everybody is concerned about paying money. He noticed in the Atlanta airport the taxicabs pay a fee every time they pick up a passenger, rather than like Charlotte where it is exclusively for one company. It seems this might be a possibility for the airport here, another source of revenue.

Speaking in opposition to the Bond Order were the following:

Mr. Sid Barber, Herrin Avenue, stated several years ago the people sent a message to the City Officials on this airport bond issue. The message was plain and clear that they would not support such an issue with tax dollars. Although some say that we have a stronger economy now, many of the citizens of Charlotte do not feel that way, especially in the North Charlotte community. As they know, there is a taxpayers revolt going across this country. He does not want to see that happen in the City of Charlotte. This revolt has come about because the large spending, financial irresponsible spending. The more important things like the ambulance service which the Board of County Commissioners passed today. They quit playing a game which they had been doing with people's lives in the City of Charlotte. They say we will have it in six months, but he does not believe it yet.

He stated transportation is another important thing. We could use better transportation. We do not need the airport. If the airlines want to build an airport, let them build it. The North Charlotte community and the North Charlotte Action Association and he will support a revenue bond issue on the airport, but not an obligation bond. He told the Mayor last November or December that he would fight on this issue and he is still fighting.

He stated the foreign oil countries have threatened us with another embargo because of the devaluation of the dollar. What will we have then? A concrete building out there and a slab of concrete with no airplanes flying in or out. They cannot support this type of bond issue and they will not - the people in the North Charlotte community. We could use this money for programs like flood control. There are people afraid to go to sleep in this city at night now when a little bit of rain falls. We need a reduction in the tax base.

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Another thing the people in the North Charlotte community would like to know is why not put this up at the general election time as a bond issue? Are Councilmembers afraid it will not pass? They are wasting money in holding an election at this time - \$30,000 so they say. We could use that money in different places - playgrounds, etc. He has stood before Council before and he is standing here again to say he is going to ask the people in the City of Charlotte to vote this issue down.

Mr. Mac Webb, 1728 Academy Street, stated first of all he is opposed to spending \$1.0 million of the taxpayers' money for a new air terminal. By deficit spending governments have obligated our unborn children, our present generations with a national debt which many of us will die still owing, with no hope of ever paying it off and relieving this burden. Why add to it? Personally, he feels that spending \$1.0 million in the City of Charlotte at this time would be an irresponsible act on the part of this Council. Such acts as this can only lead the taxpayers into serfdom to the government. It would also dangerously jeopardize the credit rating of this city with the financial institutions of this country. That this action would be, in essence, subsidizing the airlines. If you subsidize one means of transportation, why not all of them? The trucking industry, the private automobile, the buses, you name it.

He stated one is lead to believe by statements of some that Charlotte is a city blessed with money trees growing in every backyard. They have toured the neighborhoods of this district and he doubts if they have seen a money tree. Charlotte is truly made up of ordinary working people struggling to make ends meet and at the same time they are taxed to death by government, both nationally and locally. He owns a small home, if it becomes too small he adds on a room. He wonders why cannot the City of Charlotte consider this - upgrade and make an addition to the present terminal, instead of obligating us further into debt with deficit spending.

Mr. L. J. Coleman, 316 Scofield, stated for 25 years he has eagerly awaited the time when Charlotte could find itself governed by a Council from districts throughout the city instead of a reflection of the various shades of power structures that we have had in the city for 25 years. It is a severe disappointment to him, having worked, hoped, prayed and looked forward to this kind of a City Council to see them once again make a mockery of the democratic process and the expressed desires of the handful - 100,000 or less - taxpayers in the City of Charlotte. It would appear that whatever the boys in the big buildings want, we are going to have regardless of what the taxpayers say. We have to put this issue up again and again. They are going to have their way. Regardless of what kind of coercion and intimidation, enticement; regardless of what means they have to use, they are going to have their way. That is a disappointment. He would hope they would do better in reflecting the expressed desires and the true interests of the people of this city. Less than 25 percent of those using the Charlotte Airport have even the remotest connection with the embarking passengers at that airport, and leaving passengers. 25 percent represents the County as a matter of fact. And, they are asking 100,000 city taxpayers to undertake this burden to please the boys downtown apparently because it surely is not to please the taxpayers.

Since the last time we voted on this, we have been told that air traffic produces stresses, produces an entire list of associated diseases. This airport is sitting right out in his backyard. It is not 15 or 40 miles away like they have it in Dallas-Fort Worth - it is sitting in most of our backyards. When it stacks up it is going to be over everybody's backyards. This mandate that Mr. Brookshire talks about on the runway was 200 votes. It was that infamous Labor Day vote that some of those present were around for, that was replete with violations of law by the anxious city government that was going to make doggone sure that thing got through the first time. Well, it did not - and it will not get through this time.

As a matter of fact, everything that was turned down in that election was ultimately put through. The desires of the voters of this city were abused time and time again. He stated Judge McMillan has examined the issues and

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said there is no justification for expanding the airport; investment bankers have said this is a foolhardy thing to do. They should not take this city down the path of New York City; should not use this money for elements which are not vital to the running of this city; but save that taxable portion of general obligation we have for things that the taxpayers need; don't pour it down a rat hole.

He stated Eastern Airlines wants to pay their stock brokers in script and this is who Council is asking the citizens to back up by mortgaging their homes. The folks who are leaving the northern cities are not leaving there because they lack airports; they have them. They are not going to come here because ^{of} the airports. What they want to find in Charlotte the airport can only pollute.

(Councilmember Gantt was excused from the meeting at this point, on motion of Councilmember Locke, seconded by Councilmember Short and unanimously carried. He returned later in the session.)

Ms. Jo Ellen Wade, Route 4, Douglas Drive, stated she has been before Council on several occasions and made remarks about her feelings about the total question of expansion of Douglas Airport in its present location, which is virtually in the midst of our city. Tonight she needs some information and asked if it would be possible for her to ask some questions on which she needs clarification? Mayor Harris replied she could do this on a limited basis, within her five-minute time period.

She stated the last time she appeared, Council voted for a resolution approving the setting up of this bond referendum, so she is a little puzzled as to what the exact purpose of this hearing is. Is the hearing tonight for the purpose of hearing the citizens' feelings on the referendum, is it to hear their feelings with regard to the building of the new terminal, or is the purpose to hear their feelings on the method of financing? Inasmuch as the referendum is already set, etc. she is confused on what they are supposed to be hearing comments on.

Mr. Underhill, City Attorney, stated a public hearing is a requirement of the legislation that authorizes cities to use general obligation bond financing. The action that Council took three weeks ago in passing the bond order at first reading is not final action. The action that is on tonight's agenda which if Council adopts at second reading, would be final action. At this point in time the Council is not legally locked in to holding a referendum. They could decline to adopt the bond order on the second reading; they could authorize a decrease in the amount of bonds for which they are asking voter approval; or they can approve it as it is presented. The action Council took previously was only a preliminary step; the action tonight, if taken, would legally set the referendum.

Ms. Wade stated if she understands that correctly then at this point in time we do not have a referendum set for June 20th? Mayor Harris replied not until the vote is taken on this second reading. Ms. Wade stated that is news.

She stated she has heard some smattering of information with regard to the contracts that have been drawn with the airlines - contracts that are supposed to assure the taxpayers that they are not going to have to assume any of the tax burden for these general obligation bonds. She has not had revealed to her the substance of these contracts with the airlines and she would like someone to please tell her what the stipulations are in the new contracts with the airlines that will assure the public that they are not going to have to foot any of the bill for these bonds.

Mr. R. C. Birmingham, Airport Manager, stated they have agreed in principle with the airlines on the basic elements of the agreement which allow for the amortization of the airlines' portion of the bonds that will be used for the spaces that they occupy.

As a typical example, right now they are operating on the basis from the airlines, under the existing contracts, getting about 34.27 percent of their revenues from the airlines and 65.73 percent from other sources.

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Under the new contracts, the airlines' percentage will go to approximately 57.5 percent and the other sources will be reduced to about 42.5 percent. The airlines, basically, have agreed to amortize and pay the interest and maintenance on all costs of the spaces that they occupy. That means that for a total \$24.0 million, which will be exclusively for airline use in the new terminal building, they have agreed to pay the maintenance, the operation, the amortization and debt service on this money until it is paid up.

Once a year the maintenance and operation will be reviewed and if there is any shortfall in the airlines they will be sent a bill and if they have been overcharged they will be refunded the amount of the overcharge.

The other parts which would be approximately \$23.0 million that the City proposes to pay out of concession revenues would be those parts of the area that are not exclusively used by the airlines but by those public places that all of us use. Basically, that amounts to about 42.5 percent of the total revenues that are taken in from all sources. That would include the main terminal building, the public areas, some of the streets and parking lots and things of that nature. They propose to pay the City's part of that with concessions from parking, which last year amounted to over a million dollars; from Rent-a-Car services, which right now is running at the rate of about \$600,000 a year; and other miscellaneous revenue, such as gift shops and restaurants, which amounts to between \$200,000 and \$300,000 a year. Basically, the agreements are that the airlines will amortize and pay for all the space and monies that they use over the next 25 years, not only the interest and amortization of the bonds, but all of the maintenance and operation costs in these areas.

Ms. Wade asked if any portion of the 57.5 percent that the airlines are backing is from landing fees? Mr. Birmingham replied yes it is; it is not totally from landing fees, but also from rental rates. He does not have the breakdown between the two, but he would say that the landing fees probably make up in the neighborhood of about 80 percent of what the airlines will pay on the airfield side, which they call the public airfield facility. The other 20 percent is paid for by general aviation and military.

Ms. Wade stated she suspected that landing fees played a big part in part of this financing condition and landing fees, she presumes, are based on the number of planes that land here, and yet we are consistently being told that the number of planes that come in and out of here do not have any bearing on the need for a new terminal. That she says to Council once again that air carrier operations into and out of Charlotte are down, have been down for the last year and are still going down, and we are basing 80 percent of our plans to finance this new terminal on landing fees which are in a state of decline and have been for over a year.

She stated she also has an article from Eastern Airlines, from Mr. Borman, which says "we are living with an extremely heavy debt load due to our failure to make money over the past 20 years." She is saying to the people of this county that these are the people who are supposed to pay off our general obligation bonds and they have not made money over the past 20 years. She submits to members of the Council that this is a little bit of a dubious situation for us to get into with regard to the taxpayers' backing of these bonds.

One final thing she would ask is the fact that the bond debt is for 25 years, if she understands correctly; yet another article she has from the paper says that this new terminal for which we are going into general obligation bonds for 25 years could open in 1982 and meet Charlotte's air needs for five to seven years. So, at the end of five years we would still have twenty years of the general obligation bonds to pay off. Then what do we do when we come to the end of Charlotte's air needs for those five years? Do we get some more general obligation bonds, or how do we meet Charlotte's needs after five years when the new terminal is no longer sufficient and we still have twenty years more to pay on general obligation bonds?

She asked that members of City Council please reconsider their decision on the bond referendum.

The Mayor was asked if he would like Mr. Birmingham to speak to these last questions, but Mayor Harris replied no, not at this point.

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Mr. Shelly Blum, 2300 Greenway, stated he has made his own survey of the airport needs when he has gone to pick up his wife and the place is not over utilized. He really has his doubts about the projections and the use in the past in projecting the future. That the reason for the airport expansion and the new terminal is to use Charlotte as an Atlanta replacement, as a break point in air travel. He does not think if we do not build the new terminal we are going to lose any flights; rather industry came based on the air traffic that we have had and will continue to have. He is not really concerned with Atlanta traffic moving to Charlotte for somebody's convenience. He stated in the past we have subsidized airlines and subsidized highways, and we have not subsidized rail. Those are all concerns about why the bonds should not go through.

About the date that this election is going to take place, he thinks they are making a real mistake by selecting June 20th. The date selection is one that is going to be a special election and essentially the City Council is going to be paying the cost for a special election in order to have fewer people come out and vote. If they had scheduled it at the time of the primary or the time of the general election we would have had a lot more people in the City of Charlotte vote.

They may feel that it is worthwhile to spend a lot of money to have fewer people vote because that way all 4,000 members of the Chamber of Commerce will turn out to vote but the ordinary citizens will not. The ordinary citizens may well be in a taxpayers revolt and would vote against it. He thinks that is a mistake and they are giving the people who are opposed to airport bonds, himself among them, a great argument - one he assures them they are going to use - against this airport bond referendum, because it is sort of a measure of the way the whole thing is taking place. We voted against it one time; it is now coming up again and they are scheduling a second election on the same issue in a special election at a time when people will not have other issues to come out and vote on. It is six days before the City Council considers tax rates so it is important to get that done before taxes are raised, which he assumes is going to happen. That is another good reason for having it that date, from Council's point of view perhaps, but he thinks they are making a serious mistake in not putting off this election now until the date of the general election when a majority of the citizens will be able to turn out and vote.

Mr. Neil Williams, Chairman of the Bond Committee, expressed his thanks to Council for being asked to serve as chairman of this committee. He recognized Ms. Kimm Jolly, the co-chairman. Mr. Williams stated he will give Council a progress report of where we are to date on this matter.

They have been in the process of selecting an Airport Bond Committee from members suggested by various members of the City Council. They almost have a complete roster and it should be complete within a day or two.

He stated the contracts with the airlines will probably not be fully executed prior to June 20th, the date tentatively set for the election. There are various reasons for that. They are complex documents for one thing. The lawyers have them and they could keep them for a long time. It runs into reams of paper. But more than that, he understands the corporate Boards of Directors of five different airlines will have to approve those contracts before they will be binding on the airlines. He does not think that most corporate Boards of Directors meet more than every thirty days at the most and in some cases, he has been told, every sixty days.

What he thinks they can have for Council before the 20th of June would be letters of intent from the Chief Financial Officers of the airlines involved. These letters would state that the management intended to recommend those contracts to the Boards of Directors, and would summarize what points the contract would contain. That the way he understands those contracts will read as far as it affects us financially, is that the airlines will agree to pay the principal, the interest, and the operating and maintenance costs of the portion of these facilities that they will use. This is not the whole \$47.0 million, but the portion they will use. It is his understanding they will use almost \$24.0 million of the total \$47.0 million - the concourses and the part of what he calls "the terminal box" for their baggage and ticket counters.

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What they will do is guarantee, through rents that they will pay, for the life of the bonds, that the City will not have to pay any interest, principal or operating and maintenance costs on that part. The contracts that they will sign will last beyond the period of the bonds - a typical bond will be for about 25 years. It is true the airlines could go bankrupt and the federal government could allow that to happen, or people could stop flying, or the world could end tomorrow. But, you have to go on what you reasonably expect the future to hold.

They may ask what about those other \$23.0 million in bonds for the rest of the terminal operation? The City will assume the risk on this, but from what Mr. Fennell and Mr. Birmingham say, the risk is minimal; and it looks pretty sound. That \$23.0 million will be paid back out of revenues from the Rent-a-Car operations, the restaurant concessions, the advertising, parking fees - every other non-airline user of the airport. It might surprise them to know that last year the gross revenues from parking alone were \$1,200,000, of which the concessionaire, under a "sweetheart" contract which he got back in the 50's when no one else would go out there, got 50 percent. That would change with the new terminal and the City would probably take it on a 90-10 basis, or maybe on a 100 percent and take it over. That would be some extra revenue.

The way he would estimate what it would cost on \$23.0 million is roughly 8 percent each year, which comes to something like \$1.8 million. Right now, the airport on that part of its operation is grossing about \$1.6 million, even with that unfavorable contract on the parking. Without any allowance for inflation or increased rents between now and 1982, without any allowance for the increased amount of parking space that the airport will have to rent, we are that close to breaking even right now on the interest and principal. True, there are going to be some operation and maintenance costs on the part that the City will have, but when you consider what the City will derive from parking and the other concessions, it looks as if there will be sufficient funds to pay it.

He stated he has read that several of the Councilmembers have been concerned about what happens if they issue these bonds, even if it does not affect the tax rate, about using up the City's available credit - we might want something else, we might want to use some of this for parks, for flood control or something else.

He stated he is all for parks, for mass transit, but those things do not make money except maybe very, very indirectly. But, you have a money making enterprise in the airport. He stated the experts tell him that when people are rating the credit of the City, they take out what is self-sustaining and what is not. They do not hold the self-sustaining part against the credit rating of the City. He stated Councilmembers have before them a summary of the City's debt structure as of the end of April. It shows that the City's total debt is around \$150.0 million, of which about \$65.0 million is self-supporting water and sewer bonds, which you take out when you are considering what the City's debt is as far as what they can afford to borrow.

Under State law, Charlotte could borrow about \$400.0 million or a little bit more. We have used up less than a fourth of that; even this \$47.0 million would not be counted against the City as long as it is self-supporting.

With respect to opposition that might be forthcoming - he would expect the grounds to be either financial (he has dealt with that) or environmental. He will admit, candidly, that if he lived near the end of a runway and if he were concerned about his own interests only, he would probably be against anything with the word airport associated with it. But, he thinks you have to consider, when making a decision like this, the overall good of the entire city against what individual hardship might come. In some cases, where a party who has been burdened by it, can show his legal right to damages, the law permits that. He stated there was a chicken farmer over in Greensboro, shortly after the second World War, who filed a suit and went to the United States Supreme Court. He claimed that the airport was disturbing him because the planes flying over caused his hens not to lay and his chickens to fly into the coop and break their necks. He was allowed compensation for that.

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Mr. Williams stated in conclusion that we are on the verge of taking off; that they say the definition of a successful pilot is one who has equal take-offs and landings. We are about to take off - he hopes we can land.

Ms. Carmen T. Daniels, 1907-E Eastway Drive, stated her concern is with the hydrology. No one has looked into that - the water run-off due to the runway or the building expansion.

That concerning Mr. Williams and Ms. Jolly being on the committee - Ms. Jolly is in a conflict of interest in that she is also on the Planning Commission. She asked that Ms. Jolly step down from her position either as a Planning Commissioner or as a member of the Airport Committee.

Mayor Harris stated the Committee has nothing to do with the Planning Commission. The committee membership is a volunteer job, just like any other committee in the community - it has no official government function.

Ms. Daniels asked no official government function - similar to the Planning Commission? The Mayor replied the Planning Commission has a very official government function.

Order Authorizing the Issuance of \$47,000,000 Airport Bonds on Second Reading.

All of the foregoing statements were duly considered by the City Council. Thereupon, upon motion of Councilmember Cox, seconded by Councilmember Selden, and carried, the Order introduced and passed on first reading on April 17, 1978, entitled: "ORDER AUTHORIZING \$47,000,000 AIRPORT BONDS", was adopted on second reading.

The vote upon the adoption of said Order was:

AYES: Councilmembers Carroll, Chafin, Cox Dannelly, Frech, Leeper, Locke, Selden, Short and Trosch.
NAYS: None.

The Mayor then announced that the order entitled:

"ORDER AUTHORIZING \$47,000,000 AIRPORT BONDS"

had been adopted.

The Clerk was thereupon directed to publish said order in The Charlotte News once, and to publish at the foot of said order the appended note as required by The Local Government Bond Act, as amended.

Resolution Calling a Special Bond Election on Tuesday, June 20, 1978.

Thereupon Councilmember Locke moved adoption of a RESOLUTION CALLING A SPECIAL BOND REFERENDUM on Tuesday, June 20, 1978, which motion was seconded by Councilmember Selden.

Councilmember Carroll asked if the fact that we will not be able to have the airline contracts signed by the time of the bond referendum gives Mr. Birmingham any pause. Mr. Birmingham replied no, not a bit. That he does not think it means anything one way or the other. That the letter of intent is binding and that when top management gives that letter, which they are preparing right now, that means they have approved it through the top level management down, that they will recommend it and that the Board will approve it.

Councilmember Short asked if the useful life of this terminal is less than the period of obligation on this bond issue? Mr. Birmingham replied that the facilities they are building as public spaces will last as long and beyond the time which the airlines will expand the concourses, which means that the baggage claim areas, the mixing building where the ticketing is and the other concessions will last much longer. What he thinks was alluded

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to by one of the speakers is the fact that it might be necessary later on for the airlines to extend the concourses. That they have it so schematically designed that it can be done in modular sections. At that point in time that will be an airline responsibility to do that. It does not necessarily mean that it would be the City's, but if they elect to do that then there would be additional financing required, which they in their total financing program will pay the debt service and amortization of the bonds.

Councilmember Selden asked that with the rate of inflation that we are experiencing today, what would a six-month delay or a one-year delay amount to in terms of the total cost? Would it not cost more if we incur a delay. Mr. Birmingham replied yes it would; he would conservatively estimate it at \$1.0 million.

Councilmember Leeper asked, in regard to the airlines considering expanding the concourses, if that additional feature build in where Council would review the contracts each year to take care of that particular feature. Would that be an advantage to the City? Mr. Birmingham replied it would. We would have to talk with them about how that would be financed. In other words, they could decide to finance the concourses themselves; or we could offer them some help in financing, as we are doing now. But, that would be subject to Council approval. The maintenance and operation of that would be paid for totally by the airlines, plus the amortization and the interest of that money, no matter where it comes from.

Councilmember Carroll stated he has one comment related to several of the things that some of the speakers have brought up. When this matter came up before, he noted that he was concerned that it came up at the time it did. He was laboring under the illusion at that time that they were looking toward the fall and were more in the process of studying the types of alternatives for financing that they might use. In fact, three or four days after that vote, he got a letter from the Mayor of Savannah telling him about how they used revenue bonds for their airport. That some good points have been made about the fact that we are having an election which costs about \$30,000 and it will be the third election within less than two months.

He was also concerned at the time that the Council really needed to discuss a little more the priorities of other funding projects - other things that they might think are important to Charlotte - before they decided on the timing of this bond referendum. That they have had some very thoughtful comments tonight by citizens and it continues to prove the value of public hearings. That from what they have heard about the financing, they are seeing that short of another energy crisis this method of financing is probably not going to hit the taxpayer's pocketbook. But there is a real concern that a lot of people have that that might not be just a remote possibility.

Another concern is that although, if we do not have a crisis which brings the burden of this airport expansion to the taxpayer, we still have to recognize that we are dealing with a problem of perhaps going back immediately to the taxpayers and asking them to approve some bond financing of other things like parks and stormwater and some of the concerns that Council has heard about in hearings and that they saw on the tour this afternoon.

Mr. Carroll stated that he personally wishes they had more time to talk about these things and more time to get straight in their minds exactly what these priorities would be. He is impressed with the speakers they have had and thinks they are going to see that the issue is going to get well debated by the public; he is sure that Mr. Williams is going to do his best to present all the facts; he was not even aware exactly of the breakdown regarding what part the airlines paid for and what part the concessions paid for. He had been laboring under the impression that the airlines were going to pay for most of it. He thinks they will get all the facts out; that the voting at this particular time he does not think encourages the best citizen participation. He understands the feeling of those who feel that they are saving money by going ahead. That perhaps we are not dealing with a basic

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service; that they are dealing with something that is going to be on some people's "frill" list and other people are going to see it as an expansion which will provide basic economic support to the City.

What he has been hearing from those who have spoken, are some pretty solid arguments on both sides of the issue. He would like to have seen us get a little more of the larger issues and the other funding projects that the City might have in mind under our belt before we got to this point, but he is aware that most of Council is committed to going ahead on June 20th. That we will find out from the voters how they really do weigh these considerations at that time.

The vote was taken on the motion to adopt the RESOLUTION CALLING A SPECIAL BOND REFERENDUM and it passed as follows:

AYES: Councilmembers Chafin, Cox, Dannelly, Frech, Leeper, Locke Selden, Short and Trosch.

NAY: Councilmember Carroll.

The resolution is recorded in full in Resolutions Book 13, beginning at Page 259.

CONTRACT WITH UNCC TO CONDUCT A CITIZENS SURVEY ON THE EFFECTIVENESS OF CITY SERVICES.

Motion was made by Councilmember Short, seconded by Councilmember Dannelly, approving a contract with UNCC to conduct a citizens survey on the effectiveness of City services, for a total of \$23,519.

Councilmember Trosch stated she has some questions about this survey and need we have at this point for the expenditure of \$23,000 above and beyond the time that will be involved by Budget and Evaluation staff. She has a concern that Council has a great many things brought to them involving an independent survey and consulting fees. That, as a district representative, she has not had the volume of complaints that she would think necessary to justify this kind of expenditure. That with district representation, they have a closer hand to the heartbeat as far as what does concern citizens. Before such an expenditure is authorized she would like an explanation of the need for this.

Mr. Tom Finnie, Budget and Evaluation Director, stated the survey is designed to be a random sample, a person-to-person survey, throughout the City. Some of the primary reasons: one, is to compliment the regular requests for service, complaints - comments that Councilmembers get as well as the formal requests and complaints that his office gets - with a scientific random sample; to balance against these and compare against these.

Secondly, to follow through on a similar survey that was limited to police services - a victimization survey two years ago. The third area they are very much concerned about is making a comparison of the perception of citizens to services between the Community Development Target Areas and the City as a whole. That, particularly in this area, it is difficult for even a district Councilmember to make that because in very few cases will they represent both the City and a specific target area.

These are some of the primary reasons they wanted to run the survey.

Councilmember Trosch asked if this is beyond the capability of Budget and Evaluation? Mr. Finnie replied quite a bit of it - in fact, the vast majority of the cost is in terms of the people who do the survey, the actual interviewers. Setting up the survey instrument and supervising and controlling the interviews is a time consuming job and a job that the university is experienced in and has done many, many times. His department does not do that on a regular basis; they can do it much more efficiently. Inasmuch as 85 to 95 percent of the cost is in the actual payment to the interviewers, the cost of supervising is very low compared to the fact that his staff has very little experience in doing it.

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Ms. Trosch stated perhaps she is looking a little simplistically at this and the scientificness of it, but could we not get from a questionnaire in the water bill a return that would at least lead us into areas that needed more study?

Mr. Finnie replied that is a technique that is used on occasion. He could give a lot of professional opinion and jargon about the virtue of mail-out surveys and ones that have to be returned. The validity of a random sample, person-to-person survey, is incredibly significantly higher than a survey that requires a person to send it back. One real problem is that it costs money to send it back - it is not much and it takes effort. It is very difficult for anybody to determine statistically if some areas, some types of people, some areas of concern, would not return them as much as some other groups would. Therefore, the whole validity of the sample would be thrown into doubt. It is a very critical area.

Ms. Trosch stated her biggest problem is the \$23,000 - is the need demonstratable enough to justify that expenditure, especially coming close to budget time.

Mr. Finnie stated he understands her concern about the cost. That if anyone is aware and concerned about the budget, he is. That obviously in asking for this he is very much aware of the trade-offs. He thinks it is worth it, but that is just his opinion. He is not proposing that this be done on any kind of a regular, annual basis, but every two or three years. It gives them an opportunity to track any significant changes in the citizens' perception. Again, he thinks it is worth it, but it is Council's decision.

Councilmember Frech asked if there will be any other cost to the City; that the cost of those who will be doing the interviewing is in the \$23,000; will he be coming back later with a request for more money to carry this out? Mr. Finnie replied no, no other costs.

Ms. Frech stated she is interested in seeing it done, although like Ms. Trosch she is concerned about the cost. She would be very interested in seeing the results of the parks questionnaire and the sanitation, because she has come before and talked about complaints she has had in her district about garbage collection. She has been told "oh no, there really is not any dissatisfaction, everybody is happy," so she would be interested to see what such a survey would show, because she is still getting these complaints that our sanitation service is not quite what it should be.

She stated they are talking about comparing Community Development Target Areas with the rest of the City; she would be very interested in seeing the sample broken down to show how residents of District 4 feel compared with District 7, or something like that. Would that be possible later on?

Mr. Finnie replied it is clearly possible to do it. The only reason he would not push it is that they do not know yet how many responses they will get by districts. The statistical significance of the responses he cannot guarantee right now. The chances are if it is a large enough sample they will be able to make some comparisons, but he would hesitate to promise that they could.

Ms. Frech stated she would be interest in seeing it done because some people in her district often express a feeling that they are not getting the same level of service as, say, Southeast Charlotte is. She would like to see just how far that extends. Mr. Finnie replied it is, of course, a perception of the service, not the actual service.

Councilmember Leeper stated he supposes it would be very hard for some people to view him as being conservative, but with all these surveys that come up that they constantly are spending \$10,000 to \$25,000 for - he has a real problem in digesting. Could Mr. Finnie tell him how he came to \$23,000 - has he determined how many people they will use, how much they are going to pay each one? Mr. Finnie replied that is based on the contract, the estimate of the cost by UNCC. They can estimate very closely the cost per interview. It is not a figure just pulled out of thin air; it is based on real figures.

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Mr. Leeper asked if it would be to our advantage to hire a staff to review all the problems that we have. He has just been on Council about six months and he would be willing to bet that they have spent \$150,000 just having people go out and research and review, and survey. That seems like a lot of money just to have folks look into seeing if we have a problem. We are spending money to review reviews.

Mr. Finnie replied we would not be doing that; it is not a research or a study; it is simply to collect some basic data that can then be used. That it is done in many different ways. He does not know if any one person would be qualified to review all of them.

Mayor Harris stated one area that he is very involved in is the area they did a study on in 1976 - the Police. They studied the police relationships, etc.; that he would like to find out what the people feel today about that same area.

Councilmember Selden stated survey work is one of his professions and he recognizes the need for it. That the cost of \$15.00 per completed interview, which is about what this calculates to be including the computer service, is a little bit on the high side.

Mr. Finnie stated he thinks it is actually a little bit lower than that. Using an average of 1,700 it comes out to around \$11.00 to \$12.00. Mr. Selden replied still and all that is a little on the high side. However, if it yields the end product he would be very glad to see it. He feels very strongly that we have not included all of the end products that we want to evaluate. He has received probably more criticism and complaint from District 6 residents regarding sanitary and water and sewer, and regarding solid waste disposal - some of the areas that are not contemplated to be treated in this. He would like very much to see the survey broadened to include some of these areas.

Mr. Finnie stated the way they started off was with a kind of priority list. The first priority would be the follow-up on the Police study because they have some data that they want to track. The second two priorities seemed, at this time, to be the concern about the equal treatment in CD areas versus the rest of the City; and the sanitation now. The only problem he has is that at some point you try a person's patience that you are interviewing and you have to limit it. But, he is not a hundred per cent convinced that they have necessarily reached that. He would be more than glad - this survey instrument is not completed to the point that this is the way it is going to be and cannot be changed, they are looking for approval from Council on this concept before they detail out the complete survey - to sit down with Mr. Selden and discuss some of these things. They would have to keep the idea in mind that they cannot cover everything because then they would be running a two-hour survey.

Councilmember Selden replied absolutely, he would not want anything over a given number of questions or a given time interval, but that undoubtedly they could add a few items. Mr. Selden stated to Ms. Frech that size survey would yield a quite accurate response by districts and he would recommend that this part of the action be included.

Councilmember Dannelly stated he is interested in this survey in that it addresses a lot of concerns that he has been getting from citizens as well as other Councilmembers have been getting. Until he read this last evening he was not aware of the fact that an earlier survey had been conducted and he would like to see the follow-up. He also recognizes the fact that there are citizens who will not write anything but they can sit down and relax and talk to someone and let them know what they are satisfied with and not satisfied with and you would get better data to work with. He also recognizes the fact that according to the contract, he does not think it is exorbitant for an average of 1,700 people to be interviewed.

Councilmember Carroll stated one concern he had - the problems that were listed to be surveyed they are all aware to a certain extent that they are problems. He, like Mr. Leeper, has a little concern that they not spend too much analyzing them, but get on with trying to solve them. He also hopes that the new system of district representation is helping those problems

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to get solved more easily. He wonders if they have given any thought to making the survey a little further along in the period that this new Council has been here. He also wonders about the summer, is that a good time to survey people?

Mr. Finnie replied summer is not ideal, but they feel they will be able to time it so that it will not be too bad. As far as moving it ahead - this survey is partly timed to coincide with the CD evaluation that his department conducts. That is the reason they would like to go on and do it.

Mr. Carroll asked if this, to some extent, is giving them some ability to analyze the performance of Community Development? Mr. Finnie replied yes, to a certain extent - it would be part of their evaluation of Community Development that they do as a normal course.

Councilmember Short stated our Evaluation Department, which has a fairly sizeable budget, probably would not be spending its budget to the best advantage if it merely depended upon those citizens who do happen to telephone in with some specific complaint, or if they simply depended upon the opinion of the head of the Evaluation Department about various City departments. In a sense, this money is well spent because otherwise we would just largely waste the existing budget of this department.

Councilmember Frech asked if the Police study resulted in any specific recommendations that caused us to make changes? Mr. Finnie replied the survey was part of a larger evaluation that was conducted by the Police Department and the Budget and Evaluation Department. He perceives this survey being the same way, not as an end result in itself, but as part of a larger effort for data that is required for different things. It was a part of an evaluation that did result in some changes in the Police Department.

The vote was taken on the motion to approve the contract and carried as follows:

YEAS: Councilmembers Carroll, Chafin, Cox, Dannelly, Frech, Leeper, Locke, Selden and Short.
NAY: Councilmember Trosch.

AGREEMENT WITH BELK AND IVEY'S AND ENCROACHMENT AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR CONSTRUCTION OF OVERHEAD CROSSWALK ACROSS NORTH TRYON STREET BETWEEN BELK'S AND IVEY'S STORES.

The following actions were taken for the overhead crosswalk across North Tryon Street:

1. Councilmember Cox moved approval of an agreement between Belk's, Ivey's and the City of Charlotte for the construction of an overhead crosswalk across North Tryon Street, at the corner of Tryon and Fifth Streets. The motion was seconded by Councilmember Selden.

At the request of Councilmember Leeper, Mr. Paul Bobo, Assistant City Manager, explained this project to Council. He stated this is a small segment of an overhead walkway system that was approved by City Council some years back. In this case, Belk's and Ivey's have agreed to build this walkway at their expense and donate it to the City if we will maintain it from now on.

The vote was taken on the motion and carried unanimously.

2. Councilmember Locke moved approval of an encroachment agreement with the North Carolina Department of Transportation for the construction of a pedestrian bridge over North Tryon Street, from Belk's Store to Ivey's Store. The motion was seconded by Councilmember Short, and carried unanimously.

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AGENDA ITEM DEFERRED TO END OF SESSION.

The Mayor advised Council of Councilmember Gantt's request that the next item on the agenda be deferred until later in the meeting when he could be present.

On motion of Councilmember Locke, seconded by Councilmember Trosch, and carried unanimously, the item to consider a resolution on the upgrading of Highway 51 was deferred until the end of the session.

MEETING RECESSED AND RECONVENED.

Mayor Harris recessed the meeting at 9:38 p. m. and it was reconvened at 9:45 p. m.

Councilmember Gantt returned to the meeting during the following presentation and was present for the remainder of the session.

REPORT OF THE PARK AND RECREATION COMMISSION ON THE STATUS OF THE RECREATION CENTER FOR THE SPECIAL POPULATION.

Mr. Eugene Warren, member of the Park and Recreation Commission, stated this particular item came up last summer; that Council allocated \$480,000 along with the sale of the recreation center property in Third Ward for approximately \$290,000 - a total of \$770,000 - toward the new facility. In August the Commission reviewed the architects who had expressed an interest in this work and in September interviewed these architects and engineering firms and selected the firm of Snoddy & McCulloch as a unanimous choice.

In October they asked the architects, as they began to get into this project, to study sites around the city. The one that was recommended to look into first was the site in Latta Park beside O'Donoghue School. They set some criteria for selecting a site and there was some reaction from the community at that time. From that point they moved into the actual programming of the facility. They asked the architects to draw up a questionnaire. Of those who visited the Commission meeting at that time, they came up with 25 different agencies throughout the community who deal with the special population in different forms that could have use of this facility. As the momentum picked up, they all began to get more and more excited about the possibilities that exist in this area.

In December they reviewed a questionnaire and twice during December the architects held conferences in their office with these 25 agencies. He stated the report that the Councilmembers have been given is a finalized review which the architects have put together which spells out a program they would like, and the Commission would like, to use in designing the facility for the special population. In February they presented this program along with a study of six sites, and probable cost estimates for this facility to the Commission. In March the Commission voted unanimously to recommend to Council the adoption of this particular program and also recommended a site at Derby Downs on Tyvola Road.

Mr. Warren stated a number of the Councilmembers had given him suggestions for possible sites when he had requested them back in December; that every one turned out to be a blind alley, for one reason or another. Many of these were school sites and the school people had numerous things in mind for those properties.

Their concern now is that they get on with it. They might have been negligent in moving it along faster in the Commission, but they have been very concerned the last few months that they get through the decision making process, that they approve a program or at least authorize somebody to work with the architects and finalize a program, that they actually move toward selecting a site, and that someone be authorized to work with the architects now in implementing this facility.

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Mr. Mark Snoddy, representing Snoddy & McCullough Associates, discussed the brochure, stating in it they have attempted to define the needs of the areas that this recreational facility for the handicapped will serve and have also tried to include a program. The geographical areas which will be served have been defined; and recommended a location that is suitable for this facility. They have defined the activities, the functions, the objectives of the facility; and an architectural program.

The fact that 25 groups have been involved in this is an evidence of how much interest the community has in this type of facility. He stated his firm had planned the Metro-Center which has helped to put Charlotte on the map as a city caring for those people who are handicapped. They have been told that a number of professional people and others have moved to Charlotte for the simple reason that we have a facility like Metro-Center. That the program they are talking about tonight will also enhance the image of Charlotte as a city that cares about its handicapped people.

Whenever they talk about the special population they are talking about 40,000 people in the area that we serve. Fifty percent are mentally retarded, ten percent are blind, two percent are deaf, three percent are emotionally disturbed; and the physically handicapped are thirty percent. He stated that during the Airport discussion tonight the growth of our area was mentioned and certainly a facility of this type will be an expanding need in the future for our community. That the brochure gives some of the objectives and philosophies of this type facility.

When they talk about a facility for the handicapped, the activities are in a lot of ways normal to people with all of their facilities - physically, emotionally, etc. He referred to the list of activities which would be conducted in the gym itself and stated that pretty generally they are normal activities. They do have to have special considerations, particularly for the wheelchairs, and such as that.

When they talk about a swimming pool for the handicapped they are talking about an entirely different type of facility. The pool would have a ramp into the water which is necessary to avoid having to lift heavy people into the pool. They would have a very shallow part for infants. There would be steps with handrails; removable parallel bars; enough space would be provided for wheelchairs.

There are proposed arts and crafts activities which are pretty much in line with what you would find elsewhere.

He stated that Page 19 is probably one of the most important pages in the book in that it describes more in depth what they are looking for in the way of programs and activities for this type facility. They have evaluated six sites and only one of those would take care of all of these activities. They are talking about day camping, overnight camping, nature trails with rest areas - you have to think about people in wheelchairs, with braces on their legs walking about. Other things they are talking about are jogging trails, hiking, picnic areas, special Olympic training, ball games of all types, an obstacle course, track and field, shuffleboard, etc. These are the things they are talking about when they recommend the Tyvola Road site.

They have listed the priorities of the architectural program. The swimming pool is the No. One thing they are looking for. Next would be the gymnasium. Third, would be outdoor recreational facilities; fourth, arts and crafts. It is very important that the site be a central one since it will be the first one of its type that they know of south of Washington, D. C.; one that will accommodate the ultimate program; it needs to be on a public transportation route; a reasonable central location within Mecklenburg County convenient to major highways and roads (the Tyvola Road site is near and connects with I-77 and I-85); away from heavy traffic areas and easily recognizable. The site should have a balance of wooded area and open area - the Tyvola Road site has some hard wood forests and a mixture of different types of trees, it has a good variation in the land itself. The site should be separated from the mainstream of the general public and should be desirable and attractive to all economic levels. It should have room for a large number of parking spaces.

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The proposed Architectural Program calls for a total of 21,400 square feet; and a base budget of \$765,087. Two alternate budgets are for \$310,068 and \$68,540. He stated the budget was developed in January of 1978, which means there is a three-months inflation factor to add to this. It will be reviewed as they get more and more into the program.

Mr. Bill England, also of Snoddy & McCullough Associates, used a map to explain the feasibility of the site that was selected. It was evaluated in January of this year on the basis of the program which has been outlined. It is presently owned by the City and has about 64 acres, which includes Derby Downs.

They feel this site is very suitable both functionally and from the standpoint that it is near perfect in character, exactly what they are looking for. The No. One priority that came out of the programming meetings seemed to be accessibility, and this site fits the bill.

A site that can accommodate the ultimate program now or has the capability to allow for future growth. This site has that - all the land they need for all of the activities that have been programmed. It has a nice balance of existing relatively level open area for building and for sporting fields. Plus, it has plenty of trees - two types of forests, pine and hardwood. They are excited about the camping area under the hardwood forest

The site must lend itself to a quality program. The quality program is one that would include every activity that they have heard about from all of these groups.

Wooded Area. This is important and was brought up several times for a park atmosphere. Agencies and people they have talked with brought out the importance of bringing their people there, not only for sporting activities but to experience the outdoors, the "country" atmosphere, away from the chaos and away from urban sounds. This site does this beautifully because of the number of trees already on the site. It has a natural buffer in the trees to all the residential communities around it. Derby Downs also acts as a buffer against Tyvola Road. There is very little noise out there at all - you feel you are in the country.

The site should not be separated from the mainstream of the general public. There was some concern to attract the rest of the population to the site. This can be done on this site because it is such a beautiful site that they feel a jogging trail would actually draw a lot of visitors now and then.

Ms. Beth Bulla, Recreation Therapist for the Center for Human Development, stated her appreciation for the opportunity to express two major concerns relating to the new Recreational Center for Special Population, pertaining to the clients at the Center for Human Development. The Center is a diagnostic treatment center for those suspected of or having developmental delay such mental retardation, orthopedic disabilities and learning disabilities.

Presently the Center is serving approximately 70 clients, either in day education programs or in residential programs. In other words, the clients they are serving could be served through recreation in the daytime at the Center and in the evening hours also. Their past and present involvement with the recreation people involved in city special population programs has consisted mainly of work with special Olympics, crafts fairs and Camp Spirit, the Special Population's camp in the summer.

Taking into consideration all of the new opportunities that this proposed center could offer to their clients at CHD she feels that the indoor adapted swimming pool would offer the most beneficial and enjoyable program area for their clients. The small shallow pool would be especially nice because they have quite a large number of pre-kindergarten age students at the Center and they would be able to take advantage of this. With age aside, also through the medium of water - it is very beneficial to these clients, not only recreationally speaking but also therapeutically, in terms of the types of programs - sensitivity training and body awareness in the water.

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This pool would also be an ideal setting for Special Olympics swimming training. Right now, in the City, we do not have any pools that are really accessible to the Special Population. In the past, scheduling has also been a major problem. So, the pool is really a top priority with them.

The other area she would like to see developed as a second priority, to take into consideration their clients' needs would be the outdoor recreational area. With the large wooded tract of land, it would be an ideal setting to expand Camp Spirit. They definitely need expansion; need relocation of their site from Latta Park. It would be good for hiking trails, obstacle courses which help build self esteem, outdoor education for all ages. It would also allow areas for recreational activities that the handicapped confined to wheelchairs would be able to participate in.

Ms. Mary Andrews of Nevins Center stated they have a population of 136 clients and within the next 18 months to two years they are expecting to double that. They are expecting to start a new building soon but they will need other facilities. They have only one field on their grounds now to practice; they use Johnson C. Smith and other facilities to prepare for Special Olympics. Their clients include those in wheelchairs, the mentally retarded - all handicapped people. The adult population ranges from age 16 through 47 right now. This proposed recreational facility would greatly help them.

She stated recreation helps to increase ones independence and helps form new friendships and make them feel more comfortable. It helps physically and mentally, as well as a means of releasing tension, and it also teaches them to use limbs that they would not normally use. It is also a muscle builder. Through competition they are not only prepared for competition in the activities outside, but also in the work setting, since they are concerned with preparing these clients for competitive employment. It is the ultimate goal for each one. Through recreation programs their clients begin to feel more normal and accepted as human beings, instead of objects for someone to stare at. She gave examples of how their recreational program has encouraged individuals to accept their handicaps.

Mr. Tom Ryan, Manager of Carolina Tarwheels, stated they have put a bid in with their national organization to have the National Wheelchair Basketball Association tournament in Charlotte in 1980. They will have to have a gym that can handle all of these players in wheelchairs - there would be about 200, the four top teams in the United States. They would also need it for track and field events. From what he has heard about the site on Tyvola Road it would be the ideal place to have them. He hopes Council will say yes to this proposal.

Mr. Bob Shaffle, Director of the Metrolina Association for the Blind, stated the agency has recently been reorganized and some of their new programming philosophies reflect the innovative approaches that this facility will enable the City of Charlotte to provide for blind and visually impaired people. Inasmuch as over 70 percent of all legally blind people in the Charlotte area are 65 years of age or older, and inasmuch as their vocational and recreational services provide a major void in the quality of life of those people, and inasmuch as they believe that blind and visually impaired people are more unlike than alike, they support this facility wholeheartedly.

Ms. Susan McGee, Director of Impact Enterprises, stated this corporation works with developmentally disabled youth between the ages of 8 and 21 that are residents of the Community Development Target Areas. They work with them through leisure education to reach a goal of functioning independently in their leisure time. Their clients are active; they participate in recreation centers and programs that are already in progress in their neighborhoods. She foresees several things that will benefit these youths by the implementation of this new center. It would be a new community resource. Here it would be special because they could have programs that would be programmed to their own functioning levels. Their capabilities would be taken into consideration.

The swimming pool would be a high priority for her particular clients. They swim perhaps three months out of the year, but they need the repetition of skills to maintain these skills. They could also have a special instructor with this pool who has a special interest to work with these children.

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The nature trails would be especially useful because they would not require an ongoing program, but would be there for them to participate in whenever they were able to do so. This brings up a concern of hers that the facility be accessible to the youths. They are taught through their program to use public transportation.

Mr. Weldon Husk stated he works for Easter Seals and he is delighted to see that Charlotte is considering such a marvelous and progressive facility. The site that has been chosen will allow for the full expansion and development of the entire program. They especially appreciate the fact that the architects have considered that their clients not be totally excluded from normal people; that the site encourages the use of everybody as well as the handicapped.

Mayor Harris stated the purpose of the time spent tonight has been to accept this report for information purposes; he is sure they will be giving it to the City Manager and staff to fine-tune it some too, as relates to the recommendations.

Councilmember Gantt stated he raised an issue with Mr. Burkhalter some time back and the reason it is here tonight in part is because of the concern about the site location. He does not think any of the Councilmembers disagree with the concept which has been presented. He gets the impression from the comments he has heard that they ought to settle the question of the site very quickly so that the architects can proceed. For that reason, he asked Mr. Burkhalter if he could put this on the agenda for consideration immediately - if possible, for the next meeting - if, in fact, the staff itself does not have any other considerations of sites to get into. One of the concerns that he had prior to this presentation was one that related to whether the site ought to be at a more central location, more in the mainstream of general activities of the Community, rather than what appears, at first, to be a fairly isolated location, which he thought might stigmatize that special population. He has heard a lot of good things tonight that convince him that that is not necessarily the case. One way or the other, he believes they have the architect's report and if staff has any additional input on a site, or if Council does, they ought to put them on the table and settle this issue.

Mr. Burkhalter stated he agrees that the first thing you have to do is select a site and the second thing is to have the money to buy it and whatever it takes to do it. This report takes 60 of the very fine acres of land in the center of Charlotte; it is very expensive and some provision for payment to the Utility Department will have to be made to acquire it for this purpose. He does not think we have funds for it at the present time, frankly. He stated the Utility Department objects to this land being used for this purpose very strongly. That Council should use its judgment as to whether or not it should use the property for this purpose, weighing all of the protection factors to the disposal plant, etc.

He stated one of the things they are in the process of doing now is a mandatory referral to see if the Planning Commission agrees with this site. He has asked for appraisals on this land so that Council will have some idea of its value. He doubts if they will be able to get this on the agenda for the next meeting, but they will very soon. They have been working on it for some time.

Mr. Gantt asked if this is the same property they initially discussed for the location of a satellite garage? Mr. Burkhalter replied no.

Councilmember Short stated this facility does not literally require the entire 60 acres does it? Mr. Burkhalter replied he believes it is 54 acres. Councilmember Selden stated the total area north of Tyvola Road is 67 acres. The practicality of use is something less than that. He would like to ask Council, based on the discussions they have had and the investigations he has made, to give them just a little time in terms of Mr. Burkhalter bringing to Council a package that will be a proposal to the Council.

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Councilmember Leeper stated he is familiar with that area and there is something there that those trees are not going to provide a buffer for and that is the smell that is almost stifling just riding through there. He asked if they had taken that under consideration in choosing that site?

One of the architects replied that the character is near perfect. Actually the lower part of this site is the bad part, where the building is and the sporting field. As the elevation changes, the smell goes down toward Sugar Creek. That was a consideration presented to the Parks and Recreation Commission and the general feeling is that they can put up with that if they have a beautiful site like that.

Mayor Harris asked Mr. Burkhalter if they can bring this back to Council in two weeks with a recommendation in terms of land. Mr. Burkhalter replied he thinks they can; if not, he will tell them so at the next meeting.

Councilmember Short asked if the diagram actually utilizes the full 60 acres? The reply was except for Derby Downs.

Councilmember Trosch stated in discussing this in the Liaison Committee, the question was asked if a multiple site location had been considered, that part of it could go on that site and part on one of the other considered sites?

Mr. Snoddy stated that everyone involved in the meetings would be definitely against dividing it up, because what they really want to do is to have their own people there fulltime and not have to go away and leave the site for special activities in other parts of the city.

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ARTS & SCIENCE COUNCIL AUTHORIZED TO SUBMIT AN APPLICATION TO THE NORTH CAROLINA ARTS COUNCIL FOR A GRANT FOR THE ARTS AND SCIENCE COUNCIL "PROJECT POOL" PROGRAM IN FY 79.

Motion was made by Councilman Gantt, and seconded by Councilmember Chafin to authorize the Arts & Science Council to submit the subject application for a grant totaling \$5,000, with a commitment for a city match of \$5,000.

Councilmember Carroll asked the total appropriation to the Arts & Science Council? Mayor Harris replied it is \$25,000, plus the \$5,000 for the matching grant, for a total of \$30,000.

Mr. Burkhalter, City Manager, stated he would like for Council to be aware they are raising this appropriation by \$5,000, because they will have to maintain the level of effort you are already doing, and to do this you have to add the \$5,000.

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

PUBLIC HEARING SET FOR MONDAY, JUNE 5 ON ESTABLISHMENT OF A MUNICIPAL SERVICE DISTRICT FOR CHARLOTTE'S CENTRAL AREA.

Councilmember Short moved that a public hearing be set for Monday, June 5, 1978, 8:00 P.M., in the Eastland Mall Community Auditorium, on the establishment of a Municipal Service District for Charlotte's Central Area. The motion was seconded by Councilmember Chafin.

Councilmember Selden stated he has some concerns on this. Should he address these concerns now, or wait for the public hearing? Mayor Harris replied the public hearing would be the time to do this.

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

AMENDMENT TO LEASE AND NEW LEASE AUTHORIZED WITH NELSON COMPANY FOR OFFICE SPACE IN EXECUTIVE BUILDING FOR COMMUNITY RELATIONS COMMITTEE.

Motion was made by Councilmember Gantt, and seconded by Councilmember Locke to approve an amendment to the existing lease and approve a new lease with the Nelson Company for the rental of office space in the Executive Building for the Community Relations Committee, with the existing lease to provide an additional 540 square feet of space at \$1,068.75, contingent upon approval of the three year lease at \$1,091.50 per month effective September 1, 1979.

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

REQUEST FOR INFORMATION ON AMOUNT OF RENTAL SPACE BY DEPARTMENTS.

Councilmember Selden asked the City Manager to provide Council by budget time, the amount of rental office space, by departments. He asked if this will be included in the budget package? Mr. Burkhalter, City Manager, replied he has recently sent this information to another member of Council, and he will send a copy to Mr. Selden.

REAPPOINTMENT OF MS. DOROTHY FURR TO CIVIL SERVICE BOARD FOR THREE YEAR TERM.

Motion was made by Councilmember Selden, seconded by Councilmember Short, and carried unanimously to reappoint Ms. Dorothy Furr to the Civil Service Board to succeed herself for a three year term.

AWARD OF CONTRACTS.

(a) Upon motion of Councilmember Locke, seconded by Councilmember Gantt, and carried unanimously, contract was awarded the low bidder, Rea Construction Company, in the amount of \$363,338.50, on a unit price basis, for Grier Heights Community Development Goldwyn and Alpha Street Improvements.

The following bids were received:

Rea Construction Co.	\$363,338.50
Crowder Construction Co.	365,645.00
Blythe Industries, Inc.	375,730.50

(b) Motion was made by Councilmember Locke, seconded by Councilmember Short, and carried unanimously, awarding contract to the low bidder, Air Masters, Inc., in the amount of \$11,485, for mechanical work for a heating, ventilation and air conditioning system for Traffic Engineering Department.

The following bids were received:

Air Masters, Inc.	\$ 11,485.00
Mechanical Contractors, Inc.	14,575.00
P. C. Godfrey, Inc.	15,288.00
Ross & Witmer, Inc.	15,841.00

(c) Councilmember Chafin moved award of contract to the low bidder, Norlina Electric Company, Inc., in the amount of \$2,978, for the electrical contract for the Traffic Engineering Department. The motion was seconded by Councilmember Dannelly, and carried unanimously.

The following bids were received:

Norlina Electric Co., Inc.	\$ 2,978.00
Reid Electric Co., Inc.	2,987.00
E & W Electric Co., Inc.	2,989.00

(d) Motion was made by Councilmember Locke, and seconded by Councilmember Frech to award contract to the low bidder, Handi-Hut, Inc., in the amount of \$40,512, on a unit price basis for 14 bus passenger shelters.

Councilmember Selden asked if this includes the cost of installation? Mr. Kidd, Transit Specialist, replied it does not; it will cost an additional \$10,000 to provide for the installation of the shelters.

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

The following bids were received:

Handi-Hut, Inc.	\$ 40,512.00
Clarence D. Rodgers	51,000.00
Fiberlus Products, Inc.	51,062.00

ITEMS REMOVED FROM CONSENT AGENDA.

Councilmember Selden requested that Agenda Item 13 relating to the exchange of land in the Southside Park CD Target Area be removed from the consent agenda. Councilmember Cox requested that Agenda Item 14 ordinances ordering demolition of buildings be removed from the consent agenda.

CONSENT AGENDA AS AMENDED APPROVED.

Motion was made by Councilmember Locke, seconded by Councilmember Selden, and carried unanimously approving the following consent agenda items:

- (1) Streets taken over for continuous maintenance by the City:
 - (a) Trotters Ridge Road, from 437 feet west of Forestdale Drive to 160 feet west of Willowlake Court.
 - (b) Blairtree Court, from Trotters Ridge Road to 560 feet north of Trotters Ridge Road.
 - (c) Coxwood Court, from Trotters Ridge Road to 210 feet northwest of Trotters Ridge Road.
 - (d) Willowlake Court, from Trotters Ridger Road to 290 feet south of Trotters Ridge Road.
 - (e) Carlotta Street, from Jason Avenue to 400 feet east of Jason Avenue.

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(2) Contracts for water mains:

- (a) Contract with Concrete Curb Corporation for construction of 2,565 feet of 8-inch, 6-inch and 2-inch water mains to serve Timber Creek Subdivision, Section 2-D, outside the city, at an estimated cost of \$20,900, all at no cost to the city.
- (b) Contract with Sherard/Moore and Associates for construction of 755 feet of 6-inch and 2-inch water mains to serve Medearis Subdivision, Phase I, inside the city, at an estimated cost of \$5,000, all at no cost to the city.

(3) Property transactions:

- (a) Acquisition of 10' x 312.76' and 10' x 213.95' of property, plus a temporary construction easement, on both sides of 7600 block of Sardis Road, from Hobart Smith Construction Company, at \$200.00, for Proposed Right of Way Sardis Road Bridge at McAlpine Creek.
- (b) Acquisition of 97' x 42.05' x 39.83' x 78.33' x 19.30' of easement at 7600 block of Sardis Road, from H. B. Walter and Mary M. Walter, at \$600.00, for Proposed Right of Way Sardis Road Bridge at McAlpine Creek.
- (c) Acquisition of 15' x 1,063.50' and 7.5' x 200' of easement, plus a construction easement, at 5833 Milhaven Lane, from The Charlotte Mecklenburg Board of Education, at \$1.00, for Sanitary Sewer to serve Consolidated Freightways - Sunset Road Terminal.
- (d) Acquisition of 15' x 200.34' and 7.5' x 215.06' of easement, plus a temporary construction easement, on Dellinger Drive, off Milhaven Drive, from Bula T. Elmore, at \$1.00, for Sanitary Sewer to serve Consolidated Freightways - Sunset Road Terminal.
- (e) Acquisition of 15' x 115.49' of easement, plus a temporary construction easement off Carmel Road at Carmel Ridge Subdivision, from Charles C. Ervin Company, at \$1.00, for Sanitary Sewer Right of Way to Carmel Lakes Drive.
- (f) Acquisition of 15' x 880.42' of easement, plus a temporary construction easement at 9022 Drifter Drive, from Ralph Adrien Mullis and wife, Alene, at \$1,500.00, for Sanitary Sewer Trunk to serve Deerhurst Subdivision.
- (g) Acquisition of 15' x 213.13' of easement at 7924 Ritter Drive, from Monika Elke Bischoff, at \$500.00, for Sanitary Sewer to serve Annexation Area 4.
- (h) Acquisition of 15' x 128.69' of easement, plus a temporary construction easement at rear of 500 block of Tom Hunter Road, from James R. Cochran and wife, Patricia H., at \$500.00, for Annexation Area I Sanitary Sewer.

- (i) Acquisition of 15' x 747.2' of easement, plus a temporary construction easement, at 400 and 500 block Rocky River Road West, from Fred A. Cochrane, at \$1,500.00, for Annexation Area I Sanitary Sewer.
 - (j) Acquisition of 15' x 414.06' of easement, plus a temporary construction easement at 200 block of Gloryland Avenue, from H. B. McGill, Heirs, at \$415.00, for Annexation Area I Sanitary Sewer.
 - (k) Acquisition of 15' x 163.97' of easement, plus a temporary construction easement at 348 Featherstone Drive, from Helen F. Yandle, at \$675.00, for Annexation Area I Sanitary Sewer.
 - (l) Acquisition of 46.56' x 6.16' x 4.02' of easement, plus a temporary construction easement at 8398 Highway 74, from William B. Renfrow, Jr. and Claire R. Hughson, at \$15.00, for Beards Creek Interceptor.
 - (m) Acquisition of 25' x 2,704.48' of easement, plus a temporary construction easement at 7950 U. S. 74 (Independence Boulevard), from Mecklenburg County, at \$1.00, for Beards Creek Interceptor.
- (4) Encroachment Agreement with the North Carolina Department of Transportation for the maintenance of existing water and sewer lines in all streets in Walnut Creek Section 5-A subdivision.

RESOLUTION ANNOUNCING INTENT TO EXCHANGE LAND IN THE SOUTHSIDE PARK COMMUNITY DEVELOPMENT TARGET AREA WITH REA CONSTRUCTION COMPANY.

Councilmember Selden stated he would like a little more information as to how the values are set for the land.

Mr. Sawyer, Director of Community Development, referred to a map stating the parcel of land owned by Rea Construction Company has frontage on Southview Drive. The new alignment of Southview Street, in order to run it through the project, will pull it away from that parcel, and it will be left without frontage. The appraisal in on the basis of damage to that property for the loss of the frontage, plus the cost of the easement the city needs to complete the drainage system for the Southside Community Development Project. That weighed against the value of the parcel of land the city presently owns ^{stated} between the new street alignment and the old street. Councilmember Selden/he just did not see any appraisal in the package, or any method on which the drainage problem dollar value was set. Mr. Sawyer stated the actual easement there has far less value than the damage due to the loss of street frontage. Councilmember Selden asked if there was any basis on which to set this value? Mr. Sawyer replied only the value the appraisers put on it. It is a piece of land owned by Rea Construction; it is really a hole in the ground; it is a pond created by the drainage of most of that property accumulation, and flows eventually into the underground system; the overflow comes into the street. They have started closer to Irwin Creek, and worked back with a drainage system to this point.

Councilmember Selden stated he has no questions about the relative values; but he did not see any specific appraisal for the drainage system, or for any part of it in here; he did not know if there was a monetary appraisal set or what. Mr. Sawyer replied it was a combination of value for that parcel of land, and for damage loss, that equalled the value of the parcel of land being exchanged.

Motion was made by Councilmember Short, seconded by Councilmember Trosch, and carried unanimously adopting the subject resolution, which is recorded in full in Resolutions Book 13, at Page 269.

ORDINANCES AFFECTING HOUSING DECLARED UNFIT FOR HUMAN HABITATION.

Councilmember Cox stated he asked this item be removed from the consent agenda. It is entirely appropriate to demolish these dwellings. He pulled it in order to remind Council and the Operations Committee of the charge that is still outstanding regarding the method of enforcing the in rem remedy.

Councilmember Cox moved the adoption of the following ordinances, which motion was seconded by Councilmember Locke, and carried unanimously:

- (a) Ordinance No. 6-X ordering the unoccupied dwelling at 2615 Duncan Avenue to be demolished and removed.
- (b) Ordinance No. 7-X ordering the unoccupied dwelling at 1316 West Sixth Street to be demolished and removed.

The ordinances are recorded in full in Ordinance Book 25, beginning at Page 385.

RESOLUTION OF CITY COUNCIL REAFFIRMING ITS POSITION ON UPGRADING HIGHWAY 51: URGING THE NORTH CAROLINA DEPARTMENT OF TRANSPORTION TO WIDEN 51: AND TO PROCEED WITH THE PROJECT, DEFERRED.

Councilmember Selden moved adoption of the following resolution:

"BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session duly assembled, that it hereby reaffirms its position on upgrading Highway 51; and urges the North Carolina Department of Transportation to widen Highway 51 to a four lane facility; and to proceed with the project forthwith; and

BE IT FURTHER RESOLVED that the North Carolina Department of Transportation is hereby urged and requested to design the project in such a manner so that the Towns of Matthews and Pineville will be bypassed; and

BE IT FURTHER RESOLVED that the City Council commends the Department of Transportation for the progress made on this project to date."

The motion was seconded by Councilmember Locke.

Councilmember Frech stated to approve this resolution now would be quite premature; that traffic apparently does not justify widening this road to four lanes now, and probably will not before another six or seven years. It would be better not to take any position on this road because we do not control the zoning and land use along it; the widening would probably increase the pressure for rezoning for commercial and industrial use along that road; and it is in the county.

Also she thinks it would not be wise to take a position on the widening of this road now as the federal government has not yet worked out what its going to do about financing the road; there are still questions about the location of the southern route for the belt road. Also, because the choice of the southern belt road has altered the relationship between that road, 51, and other roads now in our current thoroughfare plan. She would recommend that Council has a presentation and some discussion of the thoroughfare plan before taking any such step as this.

Councilmember Frech made a substitute motion to defer approving any resolution having to do with upgrading Highway 51 until after it has become clear what the United States government intends to do about the southern belt road. The motion was seconded by Councilmember Trosch

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Councilmember Short stated that road is going to have to be rebuilt as a two lane road if it is not built as a four lane road. It is a peril to human life; its curving; it has all kind of fallen shoulders; it is exceedingly narrow; it has cars and commuters, and it would be better off if they were bumper to bumper. They are just racing along there. His business needs require him to go out that way all the time. He feels it is not out of order for us to recommend something about that road, even though Ms. Frech is right in pointing out it is outside the city. That he cannot support her motion.

Councilmember Trosch stated it is her understanding that in the thoroughfare plan, Highway 51 is a two lane, although upgraded as the resolution of City Council of 1977 suggested is in progress to wider two lanes. Mr. Corbett, Director of Traffic Engineering stated that is in process at the present time. Mayor Harris stated only one half of that is being done at the present time; the other is in litigation. The Department of Transportation told them in Raleigh they were able to go to Highway 16 from Pineville; they cannot go from Pineville to Matthews because of litigation right now, even the upgrading of the two lanes.

Councilmember Trosch stated then the reason on the thoroughfare plan for this remaining two lanes, was it tied to the placement of the belt road? Mr. Corbett replied that is correct, and at that time the placement of the belt road was north of Highway 51. Councilmember Trosch asked if the decision to four lane 51 as far as timing is concerned is related to the placement of the belt road? Mr. Corbett replied he would feel it would be. Councilmember Trosch stated if there is not a final decision at this point regarding the placement of the road would it be, as far as planning, permature at this point to make a decision on 51 when it is so closely tied to the belt road? Mr. Corbett replied personally as the Traffic Engineer concerned at the moment that any movement to widen 51 - basically speaking of the section between U.S. 74 and I-77 - might result in further delay of the building of the belt road in whatever location is finally settled upon. The thoroughfare plan does vision that once the belt road is built - and the thoroughfare plan shows a northern route - that sections of 51 would be two-laned, and sections would have to be four lanes.

Mr. Corbett, using maps, stated the thoroughfare plan as approved envisioned the belt road going north of 51. The first map referred to the basic thoroughfare plan, with 51 along the bottom, showing sections in yellow which are to be four laned, and the sections in green which are to be two lanes considering the fact that the belt road would be north of 51. The State has prepared this information; they have shown not only what sections of 51 are to be two or four lanes, but have also shown other streets in closer to the city that would have to be two, four or six lanes depending upon the location of the belt road.

He stated he would be very seriously concerned that widening of 51 to four lanes today when we have traffic volumes presently that vary from four to six thousand vehicles a day, might end up in attempting to stop the future development of the outer belt between I-77 and U.S. 74. There are some cases of what would happen if that took place. Many of the roads such as the Airport Parkway, parts of Wendover, parts of Sharon Road, and parts of Sharon Amity are presently shown the need for 1995 with the belt road north of 51 would be four lanes. The red sections are the roads that would have to be six lanes. If Council takes an action proposing the widening of 51 it might in some way have an effect so there would be no outer belt. The outer belt would be built down to I-77, and on the other side down to U.S. 74, and would leave part out. He then indicated on the map the number of streets shown in red, and the number of streets that would have to be widened to six lanes - part of the Wendover Belt Road, which is not yet complete; South Boulevard, I-77, parts of Park Road, parts of Fairview Road, Independence Boulevard (and parts of it would have to be increased to eight lanes of a freeway type).

Councilmember Cox asked if these lines of projections he is talking about presume a northern or southern route? Mr. Corbett replied the ones he is talking about now presume no belt road in the southern segment, but the belt road the rest of the way around the city.

Mr. Corbett stated the next overlay shows what happens if no belt road is built. The red increases. All of Wendover from one end to the other, Eastway Drive, I-77, parts of South Boulevard. In some cases rather than having six lanes, they fall back to four lanes because traffic is now attempting to come through the city along the inner belt road. It increases from a very small amount of red, and mostly green and yellows to a very large amount of red. There would be much more traffic in the inner city area; these are basically the 40,000 vehicles a day attempting to use this corridor. He stated it does concern him if an action is taken now to widen 51 to four lanes we might delay the building of the belt road, or might even somehow prevent its being built, and end up with the situation he pointed out on the last overlay. Also, if a belt road is not built, then four lanes on 51 will not be sufficient. It will take seven to eight lanes.

Councilmember Trosch stated the present traffic on 51 - that she has heard people allude to the fact that we need 51 now because the belt road will take a good while no matter where it is placed to actually be there - will 51 upgraded to two lanes carry the traffic, and projected for how long? Mr. Corbett replied the traffic increasing at the normal rate it usually increases, 5 to 7 percent per year, and with volumes there of 4 to six thousand per day, it takes roughly 15 years for traffic to double itself, and then we will have 8 to 12 thousand in 15 years, assuming things are pretty well like they are today. At the time traffic would reach 12,000 vehicles per day it would then be a good time to widen it to four lanes. The information which is contained in the states' workup to this time as to which parts would be four lanes and two lanes if the belt road is built, uses the figure of 12,000 a day to justify the point at which it would be widened to four lanes.

Councilmember Trosch stated then basically if the road goes north it would be a different kind of development on 51 with some two lanes and some four lanes; and then perhaps if it goes south the volume will be much higher on 51? Mr. Corbett replied that is correct.

Councilmember Cox asked if he feels Highway 51 will need to be upgraded regardless of whether the road is built north or south to four lanes? Mr. Corbett replied part of it, but not all of it; he is talking about parts of it between I-77 and 74; that is based on the information we now have in hand. Mayor Harris stated that is the segment we are now talking about. Mr. Corbett stated the section from Independence to Monroe Road would need to be four lanes regardless of where the belt road goes. Sardis to Alexander could remain at two lanes unless the belt road is not built, then it would have to go to four lanes; section between N.C. 16 and Rea Road, two lanes versus four lanes if the belt road goes in the southern sector. So those two sections from N.C. 16 to Rea Road and from Sardis Road to Alexander Road would not have to be widened.

Councilmember Cox stated if the road goes south, does he believe it would be wise to upgrade 51 to delay building of the southern route? Mr. Corbett replied he does not.

Councilmember Gantt stated he is not quite sure why we are in great haste to pass this resolution. To him by Mr. Corbett's description the Council did ultimately make the right decision on the belt road, which was for the northern route. Even that notwithstanding, and whenever we finally settle the question of what the feds are going to do with regard to funding of the road, which in a sense says we have not settled the question of where the road is ultimately; it seems to him to upgrade or to push for the upgrading of Highway 51 is going to mean further great damage to the city in terms of its overall planning program. He is talking now about protection of various kinds of land uses along that route, the more attractiveness of a four lane facility, and going much further down to find that ultimate outer belt that is going to be built sometime in the 80s. In answer to Mr. Short's comment, it would seem to him the previous Council did talk about upgrading 51 and that is improving the treacherous kinds of conditions there now. He would think at the least that work should continue in terms of making 51 a passable and useable two lane facility. Before the Council passes such a resolution as it has before it now, it should do some exhaustive study of how we protect the entire 51 corridor.

This has more to do with the overall planning in the area, not only transportation, protection of land uses. That he will support Ms. Frech's motion that at least we not act in haste on this until that issue is much more settled. He is not interested in the concept that by building the four lane facility we somehow delay the building of the southern route. That is wishful thinking. On the other hand he feels no pressure for us to act in that kind of haste in saying we would like a four lane facility now.

Mayor Harris stated from his visit in Raleigh, along with Ms. Chafin, the 100 foot right of way along Highway 51 is already acquired. That no additional right of way is going to be needed for the four laning. He asked Mr. Corbett if that is correct? Mr. Corbett replied that is assuming a four lane road, if built, would be built to four lane urban standards on a 52 foot cross section. Mayor Harris stated that was Mr. Rose's comment in Raleigh. The right of way is there, and they are already widening it, so it is according to how wide you are going to make it; it is in the county and we do not have any zoning controls over that land right now.

Councilmember Gantt stated one of the things they are studying in this review process right now is to look at these kinds of things. The fact is the county does have zoning control over it; but the Planning Commission is both city and county. He would be interested in seeing this Council, once some other issues are settled on the outer belt, request that our Planning Commission take a look at certain kinds of controls; many of which we have talked about in campaigns and other kinds of things. Now, we need to seriously look at protecting that road now instead of talking about making it a four lane facility and then running to react to pressures we are likely to face. There is no question in his mind that if you build the southern route of the outer belt Highway 51 as a four lane facility will be much more attractive - notwithstanding the fact we have a 100 foot right of way. He cannot see that because we have acquired the right of way the need is now to necessarily go and build it, particularly given the traffic volume.

Mayor Harris stated the mood they found in Raleigh was if it was delayed, as it is probably going to be, the feeling was they would go ahead and do it. The Department of Transportation made a resolution to that effect the day of the vote.

Councilmember Selden stated first of all the right of way to widen 51 to four lanes has already been obtained. Secondly, he had heard the plan was to widen 51, at least by the idea of the Board of Transportation, at some time in the near future as soon as the question of the location of the southern route is established. He recognizes that is hearsay. Thirdly, in so far as whatever this Council does, the Board of Transportation is going to react in their own decision way probably by some information they are privy to that we are not; or maybe because their own decisions are in a given direction. Actually it does not make too much difference whether we say widen 51 to four lanes, or whether we do not say widen to four lanes. However, there is one aspect in the whole situation which he thinks has been overlooked for discussion here. That is, the proposal include the bypassing of Matthews and Pineville, which he thinks is an ultimate necessity, irrespective of what is done with the northern or southern or not route. He thinks there is considerable traffic advantage in the bypasses around these two small towns. He thinks if this Council expresses itself, it may be that we would need to amend the resolution to say widen where studies indicate the need to be widened. Maybe Mr. Corbett's reflection there are certain areas where you do not need to go but two lanes is appropriate. They are certainly privy to this information same as Mr. Corbett.

Councilmember Short stated Mr. Corbett indicated all kinds of complications about widening 51; but he did not really indicate just when he thought it would be widened, except for that between Alexander and Sardis. The only conclusion he can draw is that Mr. Corbett must have in mind the widening after the outer belt is on its way, or in place? Mr. Corbett replied he is very concerned if we attempt to widen it before the outer belt is underway in some form or other, the amount of money set aside by the Board of Transportation to be used by Mecklenburg County is reasonably limited. If we go out and use part of it to widen 51 today, he is concerned that money could otherwise be available to start buying up right of way for the outer belt.

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If we do use it instead for widening, we might not be getting any part of the outer belt road, whether north or south. Councilmember Short stated he does not believe it is possible to wait and repair and widen that Highway 51 the indicated 10 or 12 years until that outer belt is in place. Mr. Corbett replied he would agree with Mr. Short on part of what he is saying - to widen and repair the road. The present proposal which the North Carolina Department of Transportation has underway has just a thing in mind to widen it from two very narrow lanes to two standard lanes; to straighten out some of the curves and eliminate some of the hills to make it a safe two lane road. This is the thing Mayor Harris was talking about earlier that has partially been stopped because of court action; but they do intend doing this with the remainder of it.

Councilmember Short stated Mr. Corbett's suggestion is that between Alexander and Sardis, a distance he thinks may be something like 3/4 of mile or a mile, this would permanently be two lanes but most of the rest of it would be four lanes ultimately? Mr. Corbett replied assuming the belt road was in place; and as the thoroughfare plan now takes it, assuming it would be in a northern location. We all know the Board of Transportation has chosen to put it in a southern location, and we do not have all those figures on what is going to happen to all these streets under those conditions.

Councilmember Selden stated the litigations are going to unquestionably delay any action on the outer belt in this sector for a substantial period of time. And he thinks it is incumbent upon this Council to indicate the need to upgrade and widen where studies which are in the hands of the State Highway Department indicate the need to four lane as well as the by-pass which he referred to.

He stated he was going to amend the resolution to reflect matching of the State Highway studies in terms of the need to four lane.

Councilmember Dannelly stated on the basis of what Mr. Corbett said, and even taken in a little the point that has been said, if they build the outer belt road when it could be expected to be built, he is not afraid of any litigations that may take place at this point. By time the litigation is over all of it will fall into play at the right time. But on the basis of the distribution of the red lines, if we do not go with an outer belt road, and go with the widening of 51, but for the sake of extreme neighborhood cut through in the process, along with those red line distributions with the widening of 51, no outer belt road, he could not support any resolution to widen it to four lanes.

Councilmember Chafin stated she feels this resolution may be on the agenda in part because of comments she made at the last meeting. She agrees with the Mayor that she was lead to believe in talking to Mr. Bradshaw and Mr. Rose if the Board made a decision to select the southern route that in fact there would be tremendous pressures placed upon 51. At the Board's next meeting there would probably be an agenda item dealing with moving ahead on the four laning of 51. But she believes Mr. Corbett has raised some questions here tonight for which she does not have answers. She thinks before the Council approves such a resolution they would once again want to invite representatives of the State to come before them and make a presentation; and if in fact the staff is planning to recommend the four laning of 51 that they justify their reasons to the Council before we endorse that position. For that reason she thinks Council should vote to approve the substitute motion.

The vote was taken on the substitute motion by Councilmember Frech, and carried on the following vote:

YEAS: Councilmember Frech, Trosch, Carroll, Chafin, Cox, Dannelly, Gantt, Leeper, and Locke.

NAYS: Councilmembers Selden and Short.

COMMENTS BY CITY MANAGER.

Mr. Burkhalter stated without objections from the Mayor and City Council, the luncheon meeting for May 8 will be cancelled.

Mr. Burkhalter stated he is having 18 to 20 Managers of the largest cities in the Country in Charlotte the weekend of May 12. He asked if Council would be interested in attending a small reception for them. That he would like to show the Mayor and Council members off. He asked they give him some indication of their interest. He stated the Manager of San Jose will be here; that he was the Manager of Boulder when they created the blue lines in the Mountains of Boulder, in which they would not build any further.

He stated this would be Friday night, May 12. That he will be in touch with them individually.

COMMENTS AND REQUESTS OF COUNCILMEMBER FRECH.

Councilmember Frech asked to place on the agenda a discussion of asking the Planning Commission to make a study of the possible rezoning of the industrial land adjacent to Eastbrook Woods (Orr Road area). Mayor Harris stated without objections it will be on the agenda.

Councilmember Frech stated in light of what has happened she would like a presentation and review of the thoroughfare plan. That she looked at it today and it still shows the northern belt route. She has a lot of questions. She thinks Council might benefit from a discussion of it. Mayor Harris replied she will be getting part of this when they go through the capital improvements budget. Councilmember Frech stated if that does not answer the questions, then perhaps later on they can have the review.

COMMENTS AND REQUESTS OF COUNCILMEMBER GANTT.

Councilmember Gantt stated he would like to raise a point that occurred in the Public Works and Planning Committee meeting on Friday regarding the questions raised by some members as to the criteria Mr. Burkhalter and others will use in the selection of the Planning Director. Some members of the Committee felt this was not the charge given to the Public Works and Planning Committee in its review of the planning process. Others felt the charge was embodied, notwithstanding the fact the City Council voted on last week to leave that chore up to the City Manager representing our interest. However, some members of the Committee did vote to bring this issue back to Council to see whether or not it was appropriate to have this Committee develop some criteria to be given to Mr. Burkhalter with regard to his selection of the planning director primarily because they had been given by Mr. Burkhalter copies of the general guidelines being used by the search committee, and many of them felt it was insufficient.

He stated not wishing to get into a long debate tonight he would like to request that Mr. Burkhalter provide to Council his specific criteria he will be using in the selection of the Planning Director so that the Council might have some input to him at this point. Personally he does not feel the criteria he is using, which does not describe any level of formal education requirements for this job, is sufficient. He felt the particular guidelines being used by the Planning Commission were not sufficient to adequately describe in any way the kind of person they are looking for. He wonders if a motion is needed to ask Mr. Burkhalter to provide Council with the criteria he will use. Mr. Burkhalter asked if he knows the criteria the committee has is not the criteria he prepared. Councilmember Gantt replied he understands that; and for that reason and he knows Mr. Burkhalter is operating under the mandate given him by this Council to act on its behalf at the last Council Meeting; and knowing that he has made selections of various high level officials of this city, it seems to him that he will be developing criteria he will want to be using in evaluating that person. He stated he is making this as a personal request.

Mayor Harris replied he thinks the request is all right, and he does not see the need for an agenda item.

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Councilmember Frech asked if he intended to put on the agenda asking Council if they wished to instruct the Committee to work with Mr. Burkhalter in developing the criteria? Councilmember Locke stated she is opposed to that, and she told them in the Committee she is opposed to it. But the way Mr. Gantt seeks to go about it she sees nothing wrong with it. Councilmember Frech asked if this means it will come on the agenda. She thinks in order to function as a Committee they need a vote.

Mayor Harris replied at this point the request is to Mr. Burkhalter to come back to the total Council with the agenda item. Councilmember Frech replied she understands that. Eventually we are going to need a vote of Council in order for this Committee to function.

Councilmember Gantt stated he would like to clarify what he is doing. What he is saying is that at least three of the Committee Members have expressed some concerns about the guidelines they are using in the selection of the planning director. These guidelines were given to the Committee Members by Mr. Burkhalter; they are not Mr. Burkhalter's guidelines. The Committee Members are concerned about those guidelines and would like to know whether Mr. Burkhalter has, or expects to improve upon that - that is the essential thing. In order for them to make input into that, they have to see who it is Mr. Burkhalter is looking for. He is suggesting that he prepare those and submit them to Council so they can all review it. Then if it is decided at some later point to make a comment to him, then they can put it on the agenda, and comment on those guidelines. That precludes the need for a motion to put it on the agenda.

ADJOURNMENT.

Upon motion of Councilmember Selden, seconded by Councilmember Chafin, and carried unanimously, the meeting adjourned.



Ruth Armstrong, City Clerk