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The City Council of the City of Charlotte, North Carolina, met in regular session on Monday, November 10, 1975, in the Council Chamber, City Hall, at 3:00 o'clock p.m., with Mayor John M. Belk presiding, and Councilmembers Harvey B. Gantt, Kenneth R. Harris, Pat Locke, Milton Short, James B. Whittington, Neil C. Williams and Joe D. Withrow present.

ABSENT: None.

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#### INVOCATION.

The invocation was given by Reverend Paul Horne.

#### MINUTES APPROVED.

Upon motion of Councilwoman Locke, seconded by Councilman Whittington, and unanimously carried, the minutes of the meeting on October 27 and the meeting on October 29, 1975 were approved as submitted.

#### RESOLUTION OF THE CITY COUNCIL APPROVING THE COMMUNITY DEVELOPMENT PLAN, THE REDEVELOPMENT PLAN AND THE FEASIBILITY OF RELOCATION FOR GRIER HEIGHTS TARGET AREA, ADOPTED.

Councilman Gantt stated at the public hearing on the Plan for Grier Heights there were comments relating to the traffic situation. From reading the plan he notes that while they were making some adjustment in traffic on Monroe Road, one concern expressed by citizens was the traffic along Billingsley at the Social Services area. He asked if anything is being done in this area? Mr. Sawyer, Director of Community Development, replied the Billingsley Road improvements will be made in connection with the improvements on Randolph Road, which is either underway now or will be getting underway soon. That takes care of both main entrance points to the Grier Heights community the residents were concerned about.

Councilman Whittington stated he had concern about the traffic light at Monroe Road and Dunn Avenue. At the public hearing Council was told the light had been authorized. He asked when it will be put in? Mr. Sawyer replied he does not know the exact schedule; he does not know whether it will be put in in connection with the redesign of the entrance points there, or whether it will be put in before that time. Mr. Burkhalter, City Manager, stated the Traffic Division has proposed a plan for the traffic in this area which does not include the installation of a traffic signal. He understands the people in that area think the traffic signal is the epitome of the plan. What he proposed to do is to bring this back to Council, giving them the alternate of selecting what the Traffic Division says is a safe and better way of routing traffic in this area, or the installation of a traffic signal. The traffic signal in this case is very expensive as it involves being tied in with another traffic signal because it is located at an underpass and you have to have a warning. The cost is going to be very high; and if we are going to put in the traffic signal we want to wait until the plan is approved so the money for the installation can be taken from the plan. Otherwise, Council will have to appropriate money from somewhere else. He stated it is estimated at \$50,000 to \$60,000, and when Council authorizes this they want to make sure they understand the cost. They would like to wait for approval of the plan so that the money can come from CDRS.

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Councilman Whittington stated the only point he wants to make sure is that all of staff is saying the same thing. All of the Council went into the neighborhood when this plan was presented to the community, and the people were told that the light was approved. If something different is going to be done, then he thinks the people in Grier Heights should be appraised of this.

Councilman Withrow stated they have a problem getting out of there to get to work; he asked if there is anyway to give them any relief at all with a police officer there for 30 minutes to help them get out. Mr. Burkhalter stated that is the reason he wants Council to see this plan from the Traffic Engineering.

Upon motion of Councilwoman Locke, seconded by Councilman Short, and unanimously carried a resolution entitled: "Resolution of the City Council Approving the Community Development Plan, the Redevelopment Plan and the Feasibility of Relocation for Grier Heights Target Area," was adopted and is recorded in full in Resolutions Book 11, beginning at Page 141.

RESOLUTION OF THE CITY COUNCIL APPROVING THE COMMUNITY DEVELOPMENT PLAN FOR NORTH CHARLOTTE AREA, AS AMENDED, DEFERRED UNTIL NOVEMBER 24.

Councilman Whittington moved adoption of a resolution entitled: "Resolution of the City Council approving the Community Development Plan for North Charlotte Target Area, as amended." The motion was seconded by Councilman Short.

Reverend Paul Horne with the North Charlotte Community Action Association stated in the past they have sought to get the leaders of institutions in the community involved. They are planning a meeting of the ministers and the representatives from the other churches in the community on Saturday; they are making a last ditch stand to try to involve them in the overall work of the community in improving the community. On Saturday they hope to present this plan to them and see how they feel once they understand that as the community goes, so go the institutions; that the community and the Church have to be hand-in-hand in working together with the people. Reverend Horne stated with that in mind, they would like to ask Council to put off making any decision on this until November 24th in order that they might meet with these leaders.

Mr. Sawyer, Director of Community Development, stated this would not affect their schedule; it will still be timely because the environment assessment of the plan is just about completed.

After discussion of the request, Councilman Withrow made a substitute motion to defer decision until November 24, which motion was seconded by Councilman Harris, and carried unanimously.

RESOLUTION DECLARING AN INTENT TO CLOSE PORTIONS OF PYRON STREET, BLUFF STREET, WHITE STREET, PHARR STREET, KENDRICK STREET, CANTON STREET, MARVIS STREET, POLK STREET, SNOWBALL STREET, FONTANA AVENUE, JOHNSON STREET, MCCALL STREET, CALLAHAN STREET, MAXWELL STREET, 13TH STREET, 12TH STREET, BURTON STREET AND OLIVER STREET, ALL IN GREENVILLE URBAN RENEWAL AREA, PROJECT NO. N. C. R-78, AND CALLING A PUBLIC HEARING ON THE QUESTION ON MONDAY, DECEMBER 22, 1975.

Upon motion of Councilman Withrow, seconded by Councilman Whittington, and unanimously carried, the subject resolution was adopted declaring an intent to close portions of Pyron Street, Bluff Street, White Street, Pharr Street, Kendrick Street, Canton Street, Mavis Street, Polk Street,

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Snowball Street, Fontana Avenue, Johnson Street, McCall Street, Callahan Street, Maxwell Street, 13th Street, Burton Street and Oliver Street, all in Greenville Urban Renewal Area, Project No. N. C. 78, and calling a public hearing on the question on Monday, December 8, 1975.

The resolution is recorded in full in Resolutions Book 11, at Page 146.

Later in the meeting, Councilwoman Locke moved that the hearing be set for Monday, December 22, 1975, due to a change in the Council Meeting Schedule. The motion was seconded by Councilman Short, and carried unanimously.

ORDINANCE NO. 952-X AMENDING THE 1975-76 BUDGET ORDINANCE, TRANSFERRING FUNDS FROM THE GENERAL FUND CONTINGENCY APPROPRIATION TO THE COMMUNITY DEVELOPMENT DEPARTMENT TO FINANCE INTERIM RELOCATION COSTS TO RELOCATEES IN THE CLANTON HILLS SECTION OF THE WEST MOREHEAD DEVELOPMENT TARGET AREA UNTIL THE COMMUNITY DEVELOPMENT RELOCATION FUNDS BECOME AVAILABLE.

Councilman Short stated the agenda says this money is transferred until the Community Development relocation funds become available; but the explanatory material seems to say otherwise. It seems to say that this would never be replenished or refunded. What way is it? Mr. Sawyer, Director of Community Development, replied he is almost 99 percent confident this money cannot be reimbursed. They intended to say this is money to pay the initial cost, and by the initial cost he means moving expenses primarily. Councilman Short stated then it should not be considered as a loan because reimbursement may not be considered; but it says here this in effect is a loan until the Community Development funds become available. Mr. Sawyer replied they did not use the word "loan". There is only one case on record up until now where we got HUD to agree to a reimbursement after the fact - after the program started - and that was the summer school program for underprivileged children. Normally the regulations do not permit a reimbursement of any monies spent prior to the environment review and assessment.

Councilman Short stated this is spending \$20,000 of local tax money on a CD Project; what is the urgency? Mr. Sawyer replied this is the 70 some houses in the Clanton Hills section of the City the Building Inspection Department condemned. The Council has approved them, and the urgency is the people are being moved now and they are moving themselves, asking for relocation assistance. He stated his Department has the obligation to furnish them this service and they want to pay the initial expenses they incur in moving. This in no way affects their future benefits, which will be payable once Community Development funds are released. This is merely the money to get started and to prevent some severe hardships unless they can help with the physical move from the beginning. Councilman Short stated it seems our efforts are moving a little faster than the Federal funding efforts and we have no way to recompensate for the situation. He asked if that is right; and Mr. Sawyer replied that is correct.

Motion was made by Councilman Whittington, seconded by Councilwoman Locke, and unanimously carried, adopting subject ordinance amending the 1975-76 Budget Ordinance, transferring \$20,000 from the General Fund Contingency Appropriation to the Community Development Department to finance interim relocation costs to relocatees in the Clanton Hills Section of the West Morehead Development Target Area until the Community Development relocation funds become available.

The ordinance is recorded in full in Ordinance Book 22, at Page 438.

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ORDINANCE NO. 953 AMENDING CHAPTER 5 OF THE CITY CODE BY REPEALING THE EXISTING PROVISIONS RELATING TO FIRE LIMITS AND BY ADOPTING A NEW ORDINANCE ESTABLISHING NEW FIRE LIMITS.

Councilman Harris moved adoption of subject ordinance amending Chapter 5 of the City Code by repealing the existing provisions relating to fire limits and by adopting a new ordinance establishing new fire limits. The motion was seconded by Councilman Whittington, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 22, at Page 439-440.

ORDINANCES ORDERING THE REMOVAL OF WEEDS, GRASS AND TRASH.

Upon motion of Councilman Gantt, seconded by Councilwoman Locke, and unanimously carried, the following ordinances were adopted ordering the removal of weeds, grass and trash:

- (a) Ordinance No. 954-X ordering the removal of weeds, grass and trash at Eastway Drive and Peace Street.
- (b) Ordinance No. 955-X ordering the removal of weeds, grass and trash at 1521 Landis Avenue.
- (c) Ordinance No. 956-X ordering the removal of weeds and grass on vacant lot adjacent to 1710 Abbey Place.
- (d) Ordinance No. 957-X ordering the removal of weeds and grass on vacant lot at 1925 Washington Avenue.
- (e) Ordinance No. 958-X ordering the removal of weeds and grass at 2028 Oaklawn Avenue.
- (f) Ordinance No. 959-X ordering the removal of weeds and grass on vacant lot adjacent to 2211 Kenny Street.
- (g) Ordinance No. 960-X ordering the removal of weeds and grass on vacant lot at corner of Kenny Street and Eureka Street.
- (h) Ordinance No. 961-X ordering the removal of weeds and grass at 3514 Warp Street.
- (i) Ordinance No. 962-X ordering the removal of weeds and grass at 800 Woodside Avenue.
- (j) Ordinance No. 963-X ordering the removal of weeds and grass on vacant lot at rear of 3341 Dunaire Drive on Sudbury Road.
- (k) Ordinance No. 964-X ordering the removal of weeds and grass at rear of 3100 Cosby Place.
- (l) Ordinance No. 965-X ordering the removal of weeds, grass and trash at 1237 Echo Glen Road.

The ordinances are recorded in full in Ordinance Book 22, at Page 441-452.

RESOLUTION APPROVING A MUNICIPAL AGREEMENT BETWEEN THE NORTH CAROLINA DEPARTMENT OF JUSTICE, POLICE INFORMATION NETWORK AND THE CITY OF CHARLOTTE FOR THE INCREASED RENTAL COST OF THE POLICE DEPARTMENT'S FOUR POLICE INFORMATION NETWORK VIDEO TERMINALS, BEGINNING JANUARY 1, 1976.

Motion was made by Councilman Gantt, seconded by Councilman Short, and unanimously carried, adopting subject resolution approving a Municipal Agreement between the North Carolina Department of Justice, Police Information Network and the City of Charlotte for the increased rental cost of the Police Department's four police information network video terminals, beginning January 1, 1976.

The resolution is recorded in full in Resolutions Book 11, at Page 175.

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MODIFICATION IN THE CONTRACT BETWEEN THE CITY AND THE BURROUGHS CORPORATION,  
APPROVED.

After explanation and discussion, Councilwoman Locke moved approval of the modification in the contract between the City and the Burrough Corporation for the Police Department's computer system to increase contract amount by \$3,291.80 annually, or a total seven year contract increase of \$20,000.00. The motion was seconded by Councilman Williams, and carried unanimously.

AMENDMENT TO CONTRACT WITH THE PROFESSIONAL A & E ASSOCIATES, LTD., APPROVED.

The amendment to the contract with Professional A & E Associates, Ltd. was presented for Council's consideration.

Councilman Short asked what it will cost the city in interest? Mr. Sawyer, Director of Community Development replied he does not know the answer to that. There is one parcel unsold in the project and they have to keep it open because of that.

Councilman Short asked if in effect the city is not saving interest for A & E Associates and costing it for the city? Mr. Sawyer replied yes; there is no doubt about it. Some of the interest we are carrying because we cannot close the project; we have to allocate to both parcels.

Councilman Harris asked if this would not violate the terms of the original contract. The property was advertised; it came to Council on a bid, and the bid is a contract and it has specific specifications in it? Mr. Sawyer replied that is correct. Councilman Harris stated he has serious reservations about this. He asked if the City has received any of the \$259,000? Mr. Sawyer replied 10 percent of it was received as a binder. Councilman Harris stated for business and economic reasons they say they need better consideration and need almost another year; they really want to split the parcel into two parts? Mr. Sawyer replied they felt there was a very good reason for that. First of all at the time the contract was executed, we were in a very different economic circumstances. That the bid was made and financing predicated on one set of circumstances; and those circumstances changed and changed rather drastically. That Mr. Whitehead, one of the principals in Professional A & E, is present to answer any questions they may have. That they have met with him, and he has completed every other term of the contract; his architects have completed the final plans and specifications for an office building. He has given them constant and periodic reports - not just verbal but including letters from insurance companies and other major lenders that he has approached for financing and he just has not been able to work it out.

Councilman Harris stated he can see that. They have had revaluation for everybody else; he is sure the price of this property should probably have gone up in the interim period of time. He does not know what the price would be today as far as the actual value price on it; but he thinks they have either got to increase the cost from the standpoint Mr. Short is talking about - the interest carrying this additional period - or we should rebid the property if he cannot carry forward on the contract.

Mr. Sawyer replied if we do that, we do not have a buyer at all. That would be trading something for nothing. They have not had a person to enter their office, or they have not been able to go out and promote anyone who is interested in buying that No. 1 parcel. They could advertise the No. 1 parcel today and they have no evidence whatsoever they would have a show of interest in bidding.

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Mr. Sawyer stated the written stipulation in the contract was that the developer would produce satisfactory financing, or evidence of financing for the project. He has not been able to do that. But that is the only segment of the contract that has not been provided. In addition, the developer has spent close to \$85,000 in plans, surveys and such.

Councilman Whittington asked how much the property has enhanced in value under revaluation? Mr. Sawyer replied he doubted if any; but he has not checked the tax rolls to see what it was appraised for. A parcel of land is worth what someone will pay for it. If there is nobody out there who will pay anything for it, it has no value that you can put your finger on. The developer is asking for a delay of a little over six months in one case, and longer on another - almost a year for the second parcel - but at the same time he is asking that we amend the contract and convey the land in two steps - similar to the way we conveyed the land in the downtown property.

Councilman Withrow stated he knows the bind this gentleman must be in because he knows a hundred or so other builders and developers in the same boat. There is just no money, and it is hard to get hold of. He personally thinks we should go along with this, and he doubts seriously if there will be a buyer for the next six months unless things change more drastically than he thinks they will.

Councilman Withrow moved approval of the Amendment, which motion was seconded by Councilman Short.

Councilman Gantt stated he agrees that the economic conditions have changed so much that he understands that by dividing this property into two pieces you end up with a little less than an equity situation. He wonders if even with the six months extension it is likely they are going to be able to do much more than that.

Mr. Whitehead stated in November 1973 when they bid on the property, mortgage loans were paying 8 1/2% - 30 years. You only had to put up 10% or 15% of the equity of the total property cost. And you only had to have 30% to 40% pre-leased. Today you have to have 60% pre-leased. Problem No. 1 for them, they have 32% pre-leased. Second you have to show 25% equity capital instead of 10%, and the redevelopment procedures are that you have to get all your plans developed and approved by the consultant architect, which he has done, spending about \$85,000 on getting their building approved. They have deposited \$26,000 with the City which has accrued \$1700 in interest. So there is \$27,700 deposited there. The difference today is that there is 60% pre-leased; 25% equity capital; and the rate is 10 1/4% for 30 years instead of 8 1/2%. He stated they feel reasonably sure they can get the 60% pre-leased; they can get the 25% equity. If they did not have to pay the other \$105,000 it would help that much on their equity. Higher interest rates make it very marginal for any economic achievement. One of the biggest factors that hurts is you have between one and a fourth and one and a half million square feet of office space available to rent in Charlotte. They have 32% and they think they can get 28% more pre-leased.

Councilman Gantt stated when you project his office rental on 8 1/2% interest mortgage, he is willing to vote to allow him this break to split the property; but he seriously has a problem as to whether he will be able to achieve that - getting substantial changes in the economy.

Councilman Harris stated having had the run-in with HUD on Parcel No. 1, is there a possibility that HUD can come back in now? Did HUD not have to approve the contract to sell these tracts of land? Can they come back in and say we are changing the terms of the contract for the bid process, and that we should have to reopen all that again for re-bid?

Mr. Underhill, City Attorney, replied not in this case. This is an amendment to an existing contract. HUD did not approve the exact contract; it approved the form of contract; it approved the land use; and he sees no danger whatsoever of HUD even getting into the picture on this one. The only reason they came into the picture on the other one was the bidding process; not the contractual process. HUD's approval is not required for this amendment.

Councilman Harris stated to Mr. Whitehead that he wished he could go along with him; but he is sorry that he cannot because he thinks this is putting the City in an equity position basically. In other words, we would be going along with him from the standpoint of no equity on the City's end of it. He thinks this is a businessman's risk unfortunately that Mr. Whitehead has to assume.

Councilman Williams stated there may be no one else interested in developing this parcel or the one across the street. For a while bidding was so hot and heavy for that parcel across the street, what happened to those people. Mr. Whitehead replied that is the reason the City has not put it on the market because of a concern that you may not get a full bid on it. That he is confident they can do this if there is not another recession between now and April 30.

The vote was taken on the motion, and carried as follows:

YEAS: Councilmembers Withrow, Short, Gantt and Williams.

NAYS: Councilmembers Harris, Locke and Whittington.

MAINTENANCE CONTRACTS FOR THE COMPUTERIZED TRAFFIC SIGNAL SYSTEM, APPROVED.

Motion was made by Councilman Whittington, and seconded by Councilwoman Locke to approve maintenance contracts for the Computerized Traffic Signal System, as follows:

- (a) Contract with Christina Waite, at \$35,000, for Software Maintenance Contract.
- (b) Contract with Michael L. Smith, at ~~\$25,000~~ <sup>\$35,000</sup>, for Hardware Maintenance Contract (excluding Computer and Associated peripherals).
- (c) Contract with ModComp Corporation, at \$7,385.40, for maintenance of the Computer and Associated peripherals.

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Mr. Corbett, Director of Traffic Engineering, stated as of last Monday, the system became the property of the City, and is now in the hand of the City employees and is being operated daily by city employees. During certain parts of the day, the system has been removed from service and will continue to be removed from service as they insert new programs and test them out. Before they can put a program in operation and complete it, they must remove the system from operation, test the program for numerous hours. During that period of time the system is operating on the back-up system. Then they return it, and place the new program in operation and return the computer to its normal function. This will take place over many, many months as they continue to develop new programs.

Mr. Corbett stated the original contract - the construction contract - did not provide for maintenance service. They anticipated a year ago the system would require maintenance and they asked in the budget for funds for this purpose, and \$100,000 was set aside. Some five months ago they began interviewing companies who might be interested in this and to get figures from them for this purpose. Other than the figures before Council today, the cheapest figure they have is \$125,000 for the identical same service. So they are recommending the cheapest service they can get for maintaining the service for one year.

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He stated when they began to get into this particular area, they approached companies who were able to provide the city with this service. The city does not presently have on its staff individual positions such as these which are here. This is a service the city is buying, and in some instances, the contractor will furnish to the city, 24-hour a day, seven days a week, the service called for, with a minimum of 40 hours of actual working time per week. The system can fail any hour of the day or night, and it is necessary that these people be available.

The other alternative is to hire one of the twelve companies which they interviewed, in which the company would provide the same two people to do the same thing for \$125,000. These two people who they will hire with Council's approval have been employed by the contractor to build the system, and are the two most qualified people to do this job that are available in the country today. Any other firm would have to go through a learning period of a minimum of six months before we could get anything out of them. Within the terms of the contracts we provide the times these people are to be available to us. Should they not be available at any particular time, for one reason or another, a penalty is provided for that purpose.

There are people on our staff who in an emergency, with some training from these contractors, will be able to keep the system running. Also, the back-up system can function should these people be away. Under the terms of both the contracts, these people are entitled to certain times away from the site. Vacations and sick leave are provided in the contract. Mr. Corbett stated one of the primary purposes of these contracts is to train our in-house people.

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

**CONTRACT WITH GEORGE GOODYEAR COMPANY FOR CONSTRUCTION OF SANITARY SEWER TO SERVE OLD WOODS SUBDIVISION.**

Motion was made by Councilman Short, seconded by Councilman Whittington, and carried unanimously approving a contract with George Goodyear Company for the construction of 115 linear feet of 8-inch sanitary sewer to serve Old Woods Subdivision, inside the city, at an estimated cost of \$17,250.00, with the applicant to construct the entire system at his own proper cost and expense, and the City is to own, maintain and operate the system, and retain all revenues, all at no cost to the City.

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BIDS FOR TRUCKS AND BODIES REJECTED.

Motion was made by Councilman Short, seconded by Councilman Williams, and unanimously carried, rejecting bids for ~~52 trucks and 32 bodies~~ <sup>1/2 ton carryall</sup> for the Public Works Department, Engineering Division, due to the fact that the cost is in excess of approved budget and would not be advantageous to purchase.

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CONTRACT AWARDED TOWN & COUNTRY FORD, INC. FOR ONE - ONE HALF TON VAN PANEL TRUCK.

Upon motion of Councilwoman Locke, seconded by Councilman Whittington, and unanimously carried, contract was awarded the low bidder, Town & Country Ford, Inc., in the amount of \$3,974.80, for one 1/2 ton van panel truck, for Public Works Department, Central Services Division.

The following bids were received:

Town & Country Ford, Inc.,	\$ 3,974.80
Young Ford, Inc.	4,036.68
GMC Truck & Coach Division	4,115.00
LaPointe Chevrolet Co.	4,120.35

BIDS REJECTED FOR 2 - 15 PASSENGER MAXIWAGONS.

Councilman Whittington moved that the bids for 2 - 15 Passenger Maxiwagons be rejected for not meeting specifications. The motion was seconded by Councilman Short, and unanimously carried.

CONTRACT AWARDED TOWN & COUNTRY FORD, INC. FOR 19 - 1/2 TON PICK-UP TRUCKS.

Upon motion of Councilwoman Locke, seconded by Councilman Whittington, and unanimously carried, contract was awarded the low bidder, Town & Country, in the amount of \$72,590.79, on a unit price basis, for 19 - 1/2 Ton Pick-Up Trucks, for various departments.

The following bids were received:

Town & Country Ford, Inc.	\$ 72,590.79
Young Ford, Inc.	73,377.92
GMC Truck & Coach Division	75,850.00
LaPointe Chevrolet Co.	76,031.05

CONTRACT AWARDED TOWN & COUNTRY FORD, INC. FOR TWO 7800 GWV PICK-UP TRUCKS WITH CREW CAB.

Motion was made by Councilman Whittington, seconded by Councilman Short, and unanimously carried awarding contract to the low bidder, Town & Country Ford, Inc., in the amount of \$9,490.08 on a unit price basis, for two 7800 GWV Pick-Up Trucks with crew cab for Public Works Department and Traffic Engineering Department.

The following bids were received:

Town & Country Ford, Inc.	\$ 9,490.08
LaPointe Chevrolet Co.	9,781.34
GMC Truck & Coach Division	9,900.00
Young Ford, Inc.	9,918.64

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CONTRACT AWARDED TOWN & COUNTRY FORD, INC. FOR THREE 9000 GWV PICK-UP TRUCKS.

Councilman Withrow moved award of contract to the low bidder, Town & Country Ford, Inc., in the amount of \$13,208.30, on a unit price basis, for three 9000 GWV Pick-Up Trucks for Public Works Department and Utility Department. The motion was seconded by Councilman Whittington, and unanimously carried.

The following bids were received:

Town & Country Ford, Inc.	\$ 13,208.30
LaPointe Chevrolet Co.	13,237.83
Young Ford, Inc.	13,318.36
GMC Truck & Coach Division	13,420.00

CONTRACT AWARDED TOWN & COUNTRY FORD, INC. FOR 13 - 20,000 GWV TRUCK CAB AND CHASSIS.

Motion was made by Councilman Whittington, seconded by Councilman Harris, and unanimously carried, awarding contract to the low bidder, Town & Country Ford, Inc., in the amount of \$94,364.79, on a unit price basis, for 13 - 20,000 GWV Truck Cab & Chassis, for various departments.

The following bids were received:

Town & Country Ford, Inc.	\$ 94,364.79
Tar Heel Ford Truck Sales	97,170.97
Young Ford, Inc.	98,840.82
International Harvester Co.	104,694.59
GMC Truck & Coach Division	125,970.00

CONTRACT AWARDED TOWN & COUNTRY FORD, INC., FOR ONE - 20,000 GWV TRUCK & CHASSIS.

Upon motion of Councilman Whittington, seconded by Councilwoman Locke, and unanimously carried, contract was awarded the low bidder, Town & Country Ford, in the amount of \$7,447.34, on a unit price basis for one 20,000 GWV Truck Cab & Chassis, for Traffic Engineering Department.

The following bids were received:

Town & Country Ford, Inc.	\$ 7,447.34
Tar Heel Ford Truck Sales	7,457.87
Young Ford, Inc.	7,589.71
International Harvester Co.	8,032.77
GMC Truck & Coach Division	9,690.00

CONTRACT AWARDED TOWN & COUNTRY FORD, INC. FOR THREE - 20,000 GWV TRUCK CAB & CHASSIS WITH CREW CAB.

Councilman Short moved award of contract to the low bidder, Town & Country Ford, Inc., in the amount of \$23,545.50, on a unit price basis, for three 20,000 GWV Truck Cab & Chassis with Crew Cab, for various departments. The motion was seconded by Councilman Whittington, and unanimously carried.

The following bids were received:

Town & Country Ford, Inc.	\$ 23,545.50
Tar Heel Ford Truck Sales	24,266.76
Young Ford, Inc.	24,648.51
International Harvester Co.	26,546.70

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CONTRACT AWARDED TOWN & COUNTRY FORD, INC., FOR ONE 24,000 GVW TRUCK CAB & CHASSIS.

Motion was made by Councilman Withrow, seconded by Councilman Short, and unanimously carried, awarding contract to the low bidder, Town & Country Ford, Inc., in the amount of \$8,639.14 on a unit price basis for one 24,000 GVW Truck Cab & Chassis, for the Utility Department, Sewer Division.

The following bids were received:

Town & Country Ford, Inc.	\$ 8,639.14
International Harvester Co.	9,565.41
Tar Heel Ford Truck Sales	9,627.91

CONTRACT AWARDED TOWN & COUNTRY FORD, INC., FOR ONE 27,500 GVW TRUCK CAB & CHASSIS.

Upon motion of Councilwoman Locke, seconded by Councilman Withrow, and unanimously carried, contract was awarded the low bidder, Town & Country Ford, Inc., in the amount of \$15,150.24, on a unit price basis, for one 27,500 GVW Truck Cab & Chassis.

The following bids were received:

Town & Country Ford, Inc.	\$ 15,150.24
Tar Heel Ford Truck Sales	15,582.62

BIDS REJECTED FOR TRUCKS & BODIES.

Motion was made by Councilman Short, seconded by Councilman Whittington, and unanimously carried rejecting all bids for ~~twelve, 35,000 GVW truck cabs and chassis~~ ~~Trucks and Bodies~~ for Public Works Department, Sanitation & Street Divisions. corrected 11/24/75

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CONTRACT AWARDED TOWN & COUNTRY FORD, INC. FOR ONE 43,000 GVW TRUCK CAB & CHASSIS.

Councilman Whittington moved award of contract to the low bidder, Town & Country Ford, Inc., in the amount of \$18,956.33, on a unit price basis, for one 43,000 GVW Truck Cab & Chassis, for Public Works Department, Street Division. The motion was seconded by Councilwoman Locke, and unanimously carried.

The following bids were received:

Town & Country Ford, Inc.	\$ 18,956.33
Tar Heel Ford Truck Sales	19,396.74
International Harvester Co.	21,669.17
Mack Trucks, Inc.	22,483.56
Lucas White Truck Sales	24,785.00
Barringer & Gaiter, Inc.	24,885.00

CONTRACT AWARDED LUCAS WHITE TRUCK SALES, FOR ONE 45,000 GVW TRUCK CAB & CHASSIS.

Upon motion of Councilwoman Locke, seconded by Councilman Short, and unanimously carried, contract was awarded the low bidder, Lucas White

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Truck Sales, in the amount of \$23,750.00 on a unit price basis, for one 45,000 GW Truck Cab & Chassis, for Public Works Department, Motor Transport Division.

The following bids were received:

Lucas White Truck Sales	\$ 23,750.00
Mack Trucks, Inc.	25,245.00
Barringer & Gaiter, Inc.	25,997.00

CONTRACT AWARDED WORTH KEETER, INC. FOR TWO SERVICE UTILITY BODIES.

Motion was made by Councilman Short, seconded by Councilman Withrow, and unanimously carried, awarding contract to the low bidder, Worth Keeter, Inc., in the amount of \$1,918.00, on a unit price basis, for two Service Utility Bodies, for Traffic Engineering Department.

The following bids were received:

Worth Keeter, Inc.	\$ 1,918.00
Utilities Service, Inc.	1,990.00
Cook Body Company	2,045.00
Twin States Truck Equipment Co.	2,080.00
Controlled Environment, Inc.	2,080.00

CONTRACT AWARDED FRUEHAUF TRUCK EQUIPMENT CO., FOR FOUR 10 FT. STEEL DUMP BODIES.

Upon motion of Councilman Whittington, seconded by Councilman Short, and unanimously carried, contract was awarded the low bidder, Fruehauf Truck Equipment Co., in the amount of \$8,665.92, on a unit price basis, for four 10 ft. Steel Dump Bodies, for various departments.

The following bids were received:

Fruehauf Truck Equipment Co.	\$ 8,665.92
Twin States Truck Equipment Co.	8,869.92
Quality Equipment & Supply Co.	9,702.00
Roach Russell, Inc.	9,802.00
Worth Keeter, Inc.	9,940.00
Controlled Environment, Inc.	9,990.00
Cook Body Company	9,992.00
Map Enterprises, Inc.	10,400.00
Utilities Services, Inc.	11,436.00

CONTRACT AWARDED TWIN STATES TRUCK EQUIPMENT CO. FOR FLAT BOTTOM STEEL DUMP BODIES.

Motion was made by Councilwoman Locke, seconded by Councilman Short, and unanimously carried, awarding contract to the low bidder, Twin States Truck Equipment Co., in the amount of \$14,198.40, on a unit price basis, for eight 12 ft. Flat Bottom Steel Dump Bodies, for various departments.

The following bids were received:

Twin States Truck Equipment Co.	\$ 14,198.40
Controlled Environment, Inc.	16,610.00
Worth Keeter, Inc.	16,728.00
Utilities Services, Inc.	18,648.00

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Map Enterprises, Inc.	\$ 18,800.00
Quality Equipment & Supply Co.	19,602.00
Fruehauf Truck Equipment Co.	19,976.96
Roach Russell, Inc.	19,992.00
Cook Body Company	21,960.00

CONTRACT AWARDED QUALITY EQUIPMENT & SUPPLY COMPANY FOR STEEL DUMP TRUCK BODY WITH HYDRAULIC SIDE LOADER.

Upon motion of Councilwoman Locke, seconded by Councilman Short, and unanimously carried, contract was awarded to the low bidder, Quality Equipment & Supply Company, in the amount of \$3,712.50, on a unit price basis, for one 12 ft. steel dump body with hydraulic side loader, for Public Works Department, Sanitation Division.

The following bids were received:

Quality Equipment & Supply Co.	\$ 3,712.50
Map Enterprises, Inc.	3,900.00
Worth Keeter, Inc.	3,995.00
Utilities Services, Inc.	4,195.00

CONTRACT AWARDED GRIFFIN IMPLEMENT & MILLING COMPANY FOR SELF UNLOADING HOPPER TYPE SPREADER.

Councilman Whittington moved award of contract to the only bidder, Griffin Implement & Milling Company, in the amount of \$8,024.24, for one Self Unloading Hopper Type Spreader, for Public Works Department, Street Division. The motion was seconded by Councilman Short, and carried unanimously.

CONTRACT AWARDED N. C. EQUIPMENT COMPANY, FOR VACUUM CATCH BASIN CLEANER.

Motion was made by Councilwoman Locke, seconded by Councilman Short, and unanimously carried, awarding contract to the only bidder meeting specifications, N. C. Equipment Company, in the amount of \$27,680.00, for one vacuum Catch Basin Cleaner, for Public Works Department, Street Division.

The following bid was received not meeting specifications:

Jet-Vac Sanitary Service, Inc.	\$ 20,760.32
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CONTRACT AWARDED WORTH KEETER, INC. FOR REAR LOADING REFUSE COLLECTION PACKER BODIES.

Upon motion of Councilman Short, seconded by Councilman Whittington, and unanimously carried, subject contract was awarded the low bidder, meeting specifications, Worth Keeter, Inc., in the amount of \$87,890.00, for 11 Rear Loading Refuse Collection Packer Bodies, for Public Works Department, Sanitation Division.

The following bids were received:

Worth Keeter, Inc.	\$ 87,890.00
Roach Russell, Inc.	89,045.00
Quality Equipment & Supply Co.	91,203.75

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Controlled Environment	\$ 93,401.00
Cook Body Company	129,511.25

Bids received not meeting specifications:

J. Kelly, Ltd.	\$ 85,712.00
Sanco Corporation	118,813.64

**CONTRACT AWARDED TWIN STATES TRUCK EQUIPMENT COMPANY FOR STEEL DUMP BODY.**

Councilman Whittington moved award of contract to the low bidder, Twin States Truck Equipment Company, in the amount of \$2,751.96, on a unit price basis for one 13 ft. Steel Dump Body, for Public Works Department, Street Division. The motion was seconded by Councilman Withrow, and carried unanimously.

The following bids were received:

Twin States Truck Equipment Co.	\$ 2,751.96
Cook Body Company	2,845.00
Fruehauf Truck Equipment Co.	2,975.06
Roach Russell, Inc.	2,979.90
Controlled Environment	3,053.00
Quality Equipment & Supply Co.	3,168.00

**CONTRACT AWARDED AUTO PARTS AND ELECTRIC COMPANY FOR WRECKER ASSEMBLY WITH SPECIAL BODY.**

Motion was made by Councilman Withrow, seconded by Councilman Short, and unanimously carried, awarding contract to the low bidder, Auto Parts and Electric Company, in the amount of \$11,795.28, on a unit price basis for one 25 ton Wrecker Assembly with Special Body, for Public Works Department, Motor Transport Division.

The following bids were received:

Auto Parts and Electric Co.	\$ 11,795.28
Auto Equipment, Inc.	12,223.00

**CONTRACT AWARDED LANDMARK ENGINEERING CO., INC. FOR FY-76 TOPOGRAPHIC MAPPING.**

Councilman Short moved award of contract to the low bidder, Landmark Engineering Co., Inc., in the amount of \$19,850.00, for FY-76 Topographic Mapping, for Public Works Department. The motion was seconded by Councilman Whittington, and unanimously carried.

The following bids were received:

Landmark Engineering Co.	\$ 19,850.00
Abrams Aerial Survey Corp.	20,950.40
Chas. T. Main, Inc.	23,260.00
Piedmont Aerial Surveys, Inc.	25,230.00
Kucera and Assoc., Inc.	31,430.00

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DELEGATE TO COG TO CONVEY FEELINGS OF COUNCILMEMBERS IN THE MERGER OF COG AND CRIMINAL JUSTICE PLANNING SYSTEM.

Councilwoman Locke stated the COG meeting will be Wednesday evening and because of a conflict she will not be able to attend this meeting, but Councilman Short will attend as the alternate.

She stated the agenda will include the discussion of the merger of COG and the Criminal Justice Planning System. Both she and Mr. Short are open to any suggestions from Council and from staff.

Councilman Short stated unless staff and Mrs. Locke ask otherwise, he would vote for Plan (A). That he would like to compliment this whole Council that we even have the opportunity to adopt either one of these plans. This flows from what this Council did about six months ago in asking the Legislature to re-structure the LEAA so there would be more local input into it - less input out of Raleigh, and less input from those who are not elected public officials.

Councilman Short stated Plan (A) has four court officials involved on the Criminal Justice Planning Agency Board, and ten police officials. That Plan (B) omits the court officials and has all of them as police officials and in each case eight elected public officials. That he thinks it would be a mistake to omit these court officials. About everyone on this Council has said at one time or another that a part of our crime problem can be attributed to the courts, and it is not strictly a police problem. Therefore, he thinks it would be a good opportunity to have a dialogue with court officials, and he thinks we should use the Plan (A).

Councilman Williams stated the only criticism he has heard on the Governor's Committee on Law and Order is that it is weighted towards these people you are talking about. Councilman Short stated the other side is that this Board of 24 would be weighted 16 to 24 with police chiefs. Councilwoman Locke stated at the Executive Board this was changed to 12 law enforcement agency representatives and 12 COG nominees - not delegates necessarily; but nominees the delegates would nominate.

Mr. Burkhalter, City Manager, stated he has concerns by selfish viewpoints that perhaps Plan (B) is the one we should go with. But, he does not have any strong hangups on it. Plan (B) seems to give us a little better voice. Mayor Belk stated the quicker you can get them out of the operation, the better off every local government is going to be. Councilwoman Locke stated this is mandated through COG. Mayor Belk stated he thinks it can be stopped at this point. The whole thing has crept in, and as far as federal control, it is the worse thing that has happened. They can take over the whole law enforcement which they can easily do in the way they are headed. If we took a stand on it now, it would help in the long run and let the local government run it, and not have any regulations or control of operations. If they increase the local representation to 12, he likes (B).

Mr. Burkhalter asked Councilman Williams if he thought this would affect the amount of money the district would get? Councilman Williams replied that is established by the Governor's Law and Order Committee. Mr. Burkhalter stated all this does is decide how to distribute it after it comes here. Councilman Williams stated he has heard the complaint about the Law and Order Committee that it is state oriented to begin with. If we put more state officials at this level, then we are sort of compounding the problem - if it is a problem. That he does not think it makes that much difference.

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Councilman Short asked if they are saying that someone like our district attorney is a state official? That Plan (A) includes the district attorney; and Plan (B) leaves him out. That he does not visualize someone like the district attorney as a state official. Councilman Williams replied he is paid by the State and receives his resources from the State. Councilman Short stated he is elected locally.

Councilwoman Locke suggested that Mr. Short take Plan (B) and amend it during the discussion? Councilman Short replied he will do anything this Council says to do; but it is his personal view that the court officials should be included.

Councilman Whittington stated he has no idea what course should be taken. But this very Council asked the Governor and the Legislature to do what (A) calls for. Councilman Harris stated it is exactly what we asked for, and he thinks for us to ask for it and then back away from it is not right. Councilman Whittington stated he sees some real need to have Superior Court judges and district attorney on this composition.

Councilman Whittington asked if Council can approve Plan (A) and request the City Attorney, who is a member of the Legislative Committee, to go back to the N. C. League and say we want this controlled by the state level rather than by the federal level. Mayor Belk stated he would say no. That he would suggest Plan (B), that he was talking about the LEAA being into the operation, and just keep them in the grant, and not tell you what to do in the operations. This is the second governor that has tried to push this back to the state level, and we get left out every time. Councilman Short stated he cannot see where that is the issue here. That Plan (A) includes a probation officer, a superior court judge, the district attorney, and a district court judge. Between (A) and (B) there is not an issue as to whether we will have or will not have the LEAA; we are going to have it under either plan. Mayor Belk stated he is saying that we not go through the state. Everytime Charlotte goes through the state we are left out. That we do a lot better when we go through the federal government.

Councilwoman Locke stated that may be the answer. Could we not be designated as the prime sponsor since we are over 100,000. Could we not recommend that? Mr. Burkhalter stated this is purely an advisory committee. That is not where the work will be cut out for us. Councilman Short replied but the nature of a COG board is. An official advisory committee it is.

Mayor Belk stated this is setting up an advisory committee to go back through the state. He is saying as far as the City is concerned, not a county as it has to go through the state, it gets left out every time we go through on any grants, and we can do much better going to the federal government. If you go through the state all you get is a portion of it. That he is saying do not allow it to get back through the state. That is why he says go to (B) and not (A).

Councilman Whittington asked who would be on the Committee under (B) locally? Councilwoman Locke replied it would be COG appointed delegates, with nominees coming from the COG delegates, plus twelve police officials. Councilman Whittington asked if it is wise to have twelve police officials saying where this money will go.

Councilman Harris stated his only concern is that we hear a lot from the police chief coming in and saying the same thing - talking about making arrests and all that sort of thing, and a lot of the problems are judicial problems, and here we want to cut the judicial people. The

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judicial people should have some voice on what is needed. Councilwoman Locke stated the problem is everyone wants some money. Councilman Williams stated the Court Executives and District Attorneys will be asking for some money for a library in the courthouse; or a district attorney might want an investigator. This is all well and good and they may need that and deserve that. Councilman Harris stated they should be involved in some way. Councilman Williams stated maybe we should give them some official form to make their pitch, and that would be under (A)!

Councilman Harris suggested this be resolved by going with (B) as long as they can add some local judges and district attorneys.

Councilwoman Locke stated Council will leave to Councilman Short's discretion - after he has heard all the arguments. Councilman Whittington stated he is willing to leave it with Councilman Short; that he hopes he will confer with the City Manager and with Councilman Williams, who is on the Law and Order Committee.

#### SWEARING IN CEREMONIES FOR NEW COUNCIL SET FOR MONDAY, DECEMBER 15, 1975.

Councilman Withrow moved that the swearing in ceremonies for the new City Council be set for Monday, December 15, 1975. The motion was seconded by Councilwoman Locke, and carried unanimously.

#### RESIGNATION OF ISAAC HEARD, SR. FROM CHARLOTTE-MECKLENBURG PLANNING COMMISSION ACCEPTED WITH THANKS.

Councilman Whittington moved that the resignation of Isaac Heard, Sr. from the Charlotte-Mecklenburg Planning Commission be accepted with regrets, and a letter of appreciation be sent to him from the Council signed by the Mayor. The motion was seconded by Councilman Gantt, and carried unanimously.

#### PLANNING COMMISSION REQUESTED TO BRING RECOMMENDATIONS ON CLOSING OF PORTION OF KINGSTON AVENUE TO COUNCIL PRIOR TO NEW COUNCIL TAKING OFFICE.

Councilman Whittington stated he understood Councilwoman Locke's motion on the Kingston Avenue closing was that the Planning Commission would come back to Council with a recommendation within 30 days. That he thinks the majority of this Council would like to dispense with this before the new Council takes office, and he requested the City Manager, Mr. Burkhalter, to see that the Planning Commission brings that back to Council before the new Council is sworn in.

#### DESIGN OF INTERSECTION OF DILLARD DRIVE EXTENSION WITH HICKORY GROVE-NEWELL ROAD REQUESTED PLACED ON AGENDA FOR NOVEMBER 24.

Councilman Short stated Councilman Whittington has asked that Council be given a diagram showing the intersection of Dillard Drive Extension with Hickory Grove-Newell Road. That he was thinking of the housing project. But when this diagram came out to Council, it reminded him that he has another interest in this matter, not really related to the housing project, and that is the way this intersection is engineered.

Councilman Short requested this matter be placed on the agenda for discussion at the Council meeting on November 24.

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CAROL LOVELESS, ADMINISTRATIVE ASSISTANT TO CITY MANAGER, INTRODUCED TO COUNCIL.

Mr. Burkhalter, City Manager, stated the City Manager's Office has a new staff member. She is Carol Loveless who comes to us from the City of Austin, Texas. That she will fill the position of Administrative Assistant.

ADJOURNMENT.

Upon motion of Councilman Harris, seconded by Councilwoman Locke, and unanimously carried, the meeting adjourned.



Ruth Armstrong, City Clerk