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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held on Monday, October 12, 1970, at 3:00 o'clock p.m., in the Council Chamber, City Hall, with Mayor John M. Belk presiding, and Councilmen Fred D. Alexander, Sandy R. Jordan, Milton Short, John H. Thrower, Jerry Tuttle, and Joe D. Withrow present.

ABSENT: Mayor pro tem James B. Whittington.

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INVOCATION.

The invocation was given by Reverend Thornley, of Aukland New Zealand.

MINUTES APPROVED.

Upon motion of Councilman Short, seconded by Councilman Jordan, and unanimously carried, the minutes of the last meeting, on September 28, 1970, were approved as submitted.

REVEREND THORNLEY MADE HONORARY CITIZEN OF CHARLOTTE.

Mayor Belk presented Reverend Thornley of Aukland, New Zealand, with a certificate, making him an honorary citizen of Charlotte, and a key to the City.

Reverend Thornley thanked the Mayor and stated this is a very great honor. That his little city of Aukland is called the Queen City, and he is tremendously happy to be spending these few weeks in Charlotte.

PETITION NO. 70-115 BY RICHARD TURNER AND ROBERT G. PHILLIPS FOR A CHANGE IN ZONING OF PROPERTY ON THE SOUTH SIDE OF MONROE ROAD AND ON THE WEST SIDE OF RAMA ROAD, DEFERRED FOR ONE WEEK.

Councilman Thrower moved that decision on the subject petition be deferred for one week. The motion was seconded by Councilman Jordan, and carried unanimously.

CERTIFICATE OF MERIT PRESENTED TO MR. JACK BLYTHE.

Mayor Belk stated Mr. Jack Blythe is stepping down as the Director of the Charlotte Police Junior Drum and Bugle Corp; that Mr. Blythe has served as Director for the last eight years.

Mayor Belk presented Mr. Blythe with a City of Charlotte Merit Award Certificate in acknowledgement and appreciation of his outstanding service.

Mr. Blythe stated he accepts the award in behalf of the Corp.

STATEMENT CONCERNING CHARLOTTE-MECKLENBURG SCHOOLS BY MAYOR BELK.

Mayor Belk stated many of our citizens are confused and concerned about the situation this Fall in our public school system. These feelings are not confined to Charlotte-Mecklenburg; they are present throughout the State of North Carolina as well. This afternoon the Supreme Court of the United States is hearing arguments and beginning its consideration of this critical subject. Because of the education of our children, which is of primary importance, it is my earnest hope that the high court will render a prompt decision which will preserve both individual liberty and public education.

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RESOLUTION EXPRESSING SYMPATHY UPON THE DEATH OF SAMUEL S. MCNINCH, JR.

Councilman Jordan read the following resolution:

WHEREAS, it is with deep regret that the City Council of the City of Charlotte takes note of the passing of Samuel S. McNinch, Jr., on Sunday, October 11, 1970; and

WHEREAS, Samuel S. McNinch, Jr. was a dedicated and devoted civic leader, having served his community as a member of the Mecklenburg Board of County Commissioners for six years, and as Chairman of the Board of Equalization and Review of Mecklenburg County for three years. During his tenure as County Commissioner, he fought for some of the county's most progressive action; and

WHEREAS, the City of Charlotte is especially indebted to Mr. McNinch for his recent service as coordinator of the Downtown Urban Renewal Project of the Charlotte Redevelopment Commission, where he was responsible for all activities including land-buying, relocation of merchants and persons in the area and public relations for the project.

WHEREAS, he served Charlotte faithfully with an unusual dedication to public service carrying out his duties and responsibilities in such a manner that his talents were clearly reflected in the growth and progress of Charlotte and Mecklenburg County; and

WHEREAS, the sense of bereavement felt by his family is shared by the City Council and his many friends and associates.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Charlotte, in regular session assembled on this 12th day of October, 1970, does hereby express its sincere sympathy to the members of Mr. McNinch's family, and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to his family, and that this resolution be spread upon the minutes of this meeting.

Councilman Jordan moved the adoption of the resolution, which was seconded by Councilman Thrower, and carried unanimously.

CITY OF CHARLOTTE EMPLOYEE AWARD PRESENTED MR. WILLIAM E. BROOKS.

Mayor Belk recognized Mr. William E. Brooks, Equipment Operator III, in the Sanitation Department, who was employed by the City on March 16, 1956, and retired October 1, 1970, and presented him with the City of Charlotte Employee Plaque.

MAYOR BELK LEAVES CHAIR.

Mayor Belk left the Chair at this time and Councilman Sandy R. Jordan presided as Chairman Pro Tem during his absence.

HEARING ON QUESTION OF WHETHER THE CITY OF CHARLOTTE SHALL ACQUIRE LAND AND/OR BUILD AND OPERATE AND MAINTAIN ONE OR MORE PARKING GARAGES IN THE CENTRAL BUSINESS AREA, AND HOW SUCH AN OPERATION SHALL BE ADMINISTERED.

Mr. Charles Crawford stated two weeks ago Mr. Broadrick, President of the Charlotte Chamber of Commerce, appeared before Council and stated that the Chamber had made an extensive study of the parking situation in the Central City and that they feel they have now reached the point of departure where we cannot expect private enterprise to fill the gap in the parking deficiencies which we have in the Center City. That they think it is time for the City

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Council and the City Government to fill this gap and they recommend that Council implement the Wilbur Smith Report which calls for the construction of parking structures in the center of the city as quickly as possible and further that these structures be financed by the issuance of revenue bonds.

Mr. F. T. Miller, Jr., Attorney for Allright Piedmont Parking, Inc., stated this company is a wholly owned subsidiary of the nationally operating and widely known concern. He stated they are here in the interest of furthering the aspirations and desires of all their downtown organizations that are confronted with and regarding the problem of lack of sufficient parking.

Mr. Miller stated because Allright Auto Parks is directly engaged in the private business of providing automobile parking in cities all over cities in the United States, they are particularly interested in doing their part to contribute to the solution of Charlotte's parking ills. The Charlotte operation is headed by Mr. D. C. Cox, President of Allright Piedmont Parking, Inc., in Charlotte; he has been directly connected with this type of business since 1928 when he first became affiliated with Myers Automobile Service Company. Mr. Cox provides us with 42 years of active interest in Charlotte parking.

He stated in 1952 when the City Council was considering the problems of Downtown parking and was studying the results of the Charlotte Parking Survey of 1947, and the Charlotte Parking Survey of 1951, he appeared before this Body offering the cooperation of Myers Automobile Service Company in efforts to relieve downtown traffic congestion and parking shortages and urging that all solutions to the problem be undertaken - not just an instantaneous establishment of city-owned parking facilities without further efforts being made to relieve the problem such as through more efficient traffic control and more rigid enforcement of on-street parking limitations.

At that time he noted the inherent American desire to park next door or in front of any establishment that a motorist desires to visit, and the fact that vacant parking spaces were abundant on the perimeter of the Central Business District while the facilities located within a block or two of the Square were always filled to overflowing. He stated such continues to be the case now, and he predicts that it will always be the case.

Mr. Miller stated in 1952 he dealt with the Charlotte parking survey of 1947 and the later one in 1951; that a comparison of those reports showed that from 1947 when there was a shortage of 13,243 spaces hours spread over a 16 block area, the shortage had been reduced so that in 1951 there was a 3,696 space hour shortage spread over a 14 block area. Even though during that 4 year span there had been a 19 percent increase in flow of traffic. The 1961 Study by Wilbur Smith Associates shows a shortage of 581 spaces. The survey of 1966 shows a shortage of 1,000 spaces. The survey of 1971 shows a deficiency of 678 spaces.

Mr. Miller stated he is here to offer complete cooperation by way of tangible plans that have been begun by the Allright people and which will be furthered to completion subject to the wishes of the Council and other interested parties.

He stated following his appearance in 1952, Myers Automobile Service erected the three story parking center behind the Johnston Building in 1954 with 270 spaces; the four-story Auto Park behind Ivey's in 1956 with 340 spaces and the Allright group erected the three story parking garage behind the Wachovia Building in 1957 providing 260 spaces. In addition a tremendous number of open lots have been opened up and paved to provide a total of 3300 parking spaces within four blocks of the Square by Allright Auto Parking itself.

Mr. Miller stated in early 1967 two plans were explored and preliminary sketches were drawn. Number one was a location at the northwest corner of Fourth and College Streets behind the Home Federal Savings and Loan Association building. Number two was diagonally across the street from that location at the southeast corner of Fourth and College Street. Both locations

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envisioned multi-story parking garages that would provide approximately 328 spaces each. Prior to the development of these plans, the plans for Phase No. 1 was submitted by their architects in preliminary form on April 10, 1967 and the preliminary plans for Phase No. 2 was submitted by the architect on April 12, 1967, and officials of Allright-Piedmont Parking met with Mr. Graeme Keith and his parking committee of the Chamber of Commerce and advised that plans were being prepared and that upon their receipt they would be delivered to Mr. Keith if his group was interested. Mr. Keith was advised when the plans were received and that they were available for submission to and consideration by his Committee. He stated Mr. Keith's committee did not evidence further interest or follow-up on this offer to assist in the program.

Mr. Miller stated in the meantime their proceedings had been slowed to a halt with the realization that both of these locations were within the Downtown Urban Renewal Area, and also their feasibility would be influenced by the ultimate decision of the location of the various structures proposed to be built in connection with the building of the Convention Center. He stated in April, 1969, the Allright people attended a meeting with the representatives of the land owners in the block bounded by North College, East Trade, East Fifth and the railroad. This conference was held to explore the possibility of acquiring a long term lease with respect to properties in that block to support the erection of a parking garage in two phases. The first phase would provide 478 spaces and the second phase would double the amount to 956 spaces. These garage parking facilities when added to 72 spaces already in operation at an adjacent location would afford a total of 1,028 spaces in the block mentioned immediately east of Belk's College Street Entrance. This project at that time was contingent upon a determination as to the final location of Convention Boulevard.

Mr. Miller stated Mr. Cox is with him today and he has the plans which he has mentioned. They have been shown to and discussed with Mr. Whittington and have been discussed with Mr. Veeder and Mr. Hoose. He stated they will turn these plans over to such representative of the City as is appropriate for exploration as to how Allright can further ease the parking problem that confronts us. He stated that would include an expression of interest on the part of Allright to operate on behalf of the City any parking facility that it would prefer to erect, or to lease the same from the city, or as their plans have been begun several years ago to move forward in the erection of their own facilities to serve the Charlotte public.

Mr. Miller stated the Central Downtown properties represent the largest assessed value per square foot for the production of ad valorem taxes when owned by the private landowner. When owned by the City itself, tax coffers are deprived of that much revenue.

Councilman Alexander asked if he is saying that his firm had not deemed it feasible to go into the building of parking facilities at this time? Mr. Miller replied at the first two locations mentioned when the study was made in 1967, they were slowed down in taking any affirmative steps by reason of the uncertainty as to just where the Convention Center and all its structures would be built, and where would be the best place to put a parking garage. The 1969 studies which were designed to explore the possibility of erecting a parking garage in the block at the northeast corner of East Trade and North College Street and across from Belk's College Street Entrance has not moved forward as they have not been able to acquire the necessary lease for the land to permit them to occupy and build such a structure. Councilman Alexander asked if they are ready now to go into the building of the structure? Mr. Miller replied they are; the only thing stopping them is the acquisition of land. Councilman Tuttle asked what they mean by now; do they mean literally now, if the land is available, they would go ahead with the structure? Mr. Cox replied yes, other than this would not be the time of year to take the spaces they have available there now; but immediately after the first of the year.

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Mr. Miller stated they are ready and able to go into construction subject to Number One - meeting the city's wishes and desires and Number Two - they need to get the land on which to build the structure; and Number Three - if the City prefers to build it, then they request the City to consider them as a fit, proper and experienced operator.

Councilman Alexander asked what it is that he has discussed with Mr. Hoose, Mr. Veeder and Mr. Whittington? Mr. Miller replied it is proposals for building a garage at the northwest corner of College and Fourth Streets and at the southeast corner of College and Fourth Streets. That these are not considered as A-1 locations as of now; but it is these plans they have shown to Mr. Whittington, and have told Mr. Hoose and Mr. Veeder that this was an indication of the study they are making from time to time.

Councilman Withrow asked if Council deferred action today, how long would it be before his Company could begin? Mr. Miller replied it is not a question of their starting to look for property, they have been looking for property, and have not been successful to this point, admitting that they have been slowed to a degree against determining a specific site until they are advised exactly where the Convention Center is going to be built. Councilman Withrow replied they know that now as it has been firmed up; so how much time will it take to come up with some plans?

Mr. Veeder, City Manager, stated Mr. Cox has indicated to him a willingness of Allright to build and/or operate a parking structure. The key to the current discussion is that they do not have the land and do not have a lease on the land; they apparently have had some conversations towards the lease of the land. That from his conversation with Mr. Cox on Friday, he gathered there is an intent to have further conversation of the possibility of a lease of a site described.

Councilman Tuttle stated he gets the attitude that Allright is no more concerned with building the building than they would be with a lease-contract if the City built it; he asked if this is true? Mr. Cox replied they would rather build the building if all the arrangements can be worked out.

Councilman Tuttle stated if Council delays any action on the part of the City today, how long will it take for Allright to tell the City between several given sites that they can or cannot build a structure and how many spaces they will build? Mr. Cox replied he cannot give a firm answer; that he would say three months. They can inform the City at the end of three months what progress has been made.

Councilman Withrow asked Mr. Cox if he can say that by January 1, he would have some concrete proposal to make to Council, and if this failed in the meantime that he would notify Council before this date that he had researched all avenues and had been unable to move? Mr. Cox replied he would rather set the date as February 1, or sooner.

Mrs. J. W. Stewart stated no matter who builds the parking structures, the spaces are needed. That recently they had some visitors from New York and they made the remark that Charlotte was one of the most beautiful cities they had ever seen. That she showed them through the most beautiful parts of Charlotte and they were very much impressed with the trees.

Mrs. Stewart stated due to the parking, she goes to a shopping center rather than downtown. If our downtown goes, what is left? She stated it is very exciting to see the things that have been done downtown. The trees that have been planted, the work that has been done to the cemetery and the park that she reads about from the cemetery to Edwin Towers - the plans for the canal for Sugar Creek would do wonders for Charlotte. That she is interested in some beauty around parking lots too, not just a drab piece of black pavement. This is not what makes a city. A City is made up of its attitudes and its looks and its vibrations. She said she is just saying that someone should build a parking facilities as one facet of moving ahead.

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Mrs. John Shaw stated everyone knows why the shopper does not come downtown because they have to park once they get there. A lot of cities have not salvaged their downtown area and they are in a lot of trouble. The suburban shopping centers are beautiful and they are convenient and easy to get to and there are four within easy reach of her part of town which is southeast Charlotte. She stated there are still people living on the west side and people on the north side who do not have access to the bigger shopping centers; they either have to come around downtown or come through it. It would be just as easy for them to stop there. She stated she feels Charlotte has waited a little bit late. She asked if it has not been put off about 20 years too long. The downtown area could have been salvaged a long time ago with the right kind of parking. That she would like to see the City get on and do something now and not wait another twenty years.

Mr. Ray King, Chairman of the Redevelopment Commission, stated they are interested in downtown Charlotte; they plan to spend within a three block area an amount of approximately \$7.0 million in the redevelopment of those three blocks to get them ready to revitalize Downtown Charlotte. The Commission has been active for a good many years in these particular parking studies which have been referred to. All of these studies have indicated that there is a definite need for additional parking downtown. No one has said that these parking studies are not correct in that we need additional parking for Downtown Charlotte. He stated if what is being planned in Charlotte through the efforts of CDA and through the efforts of other building that is going on such as First Union, Jefferson Towers and what is being planned by the Redevelopment Commission if that does not lead to the revitalization of Downtown Charlotte then many people will have missed the mark. He stated if we stand on this threshold for Downtown Charlotte then we need parking. Not only parking to make up for the present existing deficiencies but parking to provide for future development. He stated because the Redevelopment Commission feels we are now moving rapidly in the development of Downtown Charlotte because they are ready now to announce their first demolition of the dilapidated buildings in Downtown Charlotte on the 16th day of this month; because they believe we are not ready to move immediately into the development of Downtown Charlotte they feel it is time we must take steps immediately to provide the first parking garage recommended as No. 1 in the recent parking study, and that soon thereafter steps be taken to provide the second parking garage. They believe these steps should be begun immediately to provide this parking Garage No. 1 and No. 2 in order of priority through the use of Revenue Bonds and through the use of revenue financing.

Mr. King stated if at all possible they would like to provide this parking through free enterprise and through private development, but all the information that they have been able to gather indicate the financial situation and the money market is such today it just about makes it prohibitive for private enterprise to profitably develop structural parking in Downtown Charlotte. Therefore they believe that immediate steps should be taken to provide this parking through revenue financing and then decide how the city elects to have it operated. They would be very much in favor of leasing it to Allright or to any other good parking operator. Mr. King stated the Redevelopment Commission urges the Mayor and Council to take immediate action as they feel it is most important for the future of Charlotte.

Mr. Murray Whisnant, President of the Charlotte Section of the North Carolina Chapter of the American Institute of Architects stated they would like to endorse the concept of a city-owned parking facility to serve the central business district; they share with the Charlotte Chamber of Commerce the feeling that if the private enterprise sector could satisfy this need it would have already done so. He stated the case for the city's going into the parking business has been thoroughly documented by several studies and is so convincing that it now seem appropriate to concern ourselves with the quality of what must be built and its effects on the city. A multi-level parking facility is essentially a warehouse for cars and although it is obviously a functional blessing, it does not add a feeling of variety and life to downtown.

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He stated for this reason they strongly urge that every possible means be investigated to preserve retail activity at pedestrian level, whether that level be at existing street grades or whether that level becomes part of a platform city existing from Independence Square connecting the parking deck to the Convention Center and to whatever may be developed on the Southern Railway property. They believe this preservation of shopping activity would yield both environmental and economic advantage to our city. He stated regardless of whether commercial activity is integrated into the structure or what kind of financial arrangements bring it into being, its very size will make it an important visual addition to the central business district. The quality of its design is very important. The quality should exceed the image that commonly comes to mind when we say "parking garage". More importantly, it must be thoroughly integrated and tied to surrounding developments, most immediately the new convention center.

Mr. Harry Stewart, Executive Director of the Charlotte Development Associates, stated should the decision be for the City to go into this, recognizing the city's ability to finance it with revenue bonds which will probably be sold at a lower interest rate than private sources can get money, and recognizing the non-tax situation of a public parking facility, they would ask Council to take into consideration the competitive aspects of a city-owned facility with those to be built by private enterprise. He stated in their development they would probably put in something in excess of 4,000 parking spaces - not all at one time; they would come gradually. Obviously the economics of any of their development takes into consideration parking for the people who occupy the facilities and then, if possible, parking for the general public.

Mr. Albert Pearson stated the first two parking structures proposed are shown as A and B in the report; one is back of the proposed hotel being built by Downtown Charlotte Developers; and the other is across the street from Belks on College Street. He asked how the city proposes to get the land for that? Mr. Veeder replied the same way the city might acquire any land by negotiations if possible or condemnation if not.

Mr. Pearson asked if parking lot B is not already in urban renewal and there will be no problem about getting the land for any private developer as well as the city, if you wanted to do so? This is in the block bordering the railroad between Fourth Street, Third Street and College Street.

Mr. Pearson stated he listened to the President of the Chamber of Commerce a week or two ago and one thing he said was true - mainly, that the Charlotte City Council has been backward about doing anything about downtown parking. That has been shown here again today. Not by the fact that the city has not jumped in and built at the wishes of certain people, but by the fact that it allowed citizens to come to Council like Mr. Miller saying that plans had been proposed tentatively to various leaders in downtown Charlotte and yet the City Council as a group has never to his knowledge set down and tried to encourage any private building of parking garages in the City. Mr. Pearson stated he is not against city-owned parking garages; but he does think that what is needed is not just a report. He asked Council not to accept the part that it has to do something just because this group comes up. To ask themselves if they think that the Downtown Charlotte Association was here, the Chamber of Commerce was here and the Merchants Association was here accidentally on the same day. Certainly not. This has all been in the works behind the scene. That is why people in Charlotte feel that the Council does not run the City of Charlotte. He stated we need parking in downtown Charlotte but it is a question of who should pay for it, and how it should be paid for. He stated the report indicates that 49% of the parking is for work purposes. That Council has to make the decision now whether it is going to provide parking for those people at a reduced cost or any other way which will benefit the people who own the buildings at the expense of other people in Charlotte, unless the City sells revenue bonds without any guarantee as to interest rates and they are bought by these same businessmen. If they will put up the money and buy the revenue bonds without the City of Charlotte

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guaranteeing an interest rate, that is a different story. He stated another is business 20%. He asked what percent of that is Belks and Iveys? That he would guess between \$20 and \$22 million a year in Belks alone. He asked if City Council has set down with Mr. Belk and Mr. Ivey to try to get them to build the parking garage?

Mr. Pearson stated people today have said they are ready and willing to work with the City on parking in the downtown area, and each one knows that it all depends on what is going to be around it and whether they can get the land to build it.

Mr. James McDuffie stated if the tax rate is vigorously imposed and enforced there would not be any one and two story buildings downtown. He asked how revenue bonds differ from regular bonds? Councilman Short replied revenue bonds pledge only the revenues from the facilities to be built and the lender has to rely upon this as its recovery on the bonds. Mr. McDuffie asked what happens should the bonds default? Councilman Tuttle replied the buyers of the bonds have lost, not the city. Mr. McDuffie stated then the City does not have to guarantee that it will pay its own way; that the people who buy the bonds would have to feel pretty sure that the building would pay its own way or that the building they are buying the bonds for would be a good investment? If this be the case, then why would it not be better to have general bonds and let the taxpayers tell you whether you can build them or not? Councilman Short stated experience all over the county has indicated that revenue bonds is a good means for this.

Mr. McDuffie stated Sears has its own parking, Charlottetown Mall has its own parking, Edwin Towers has some parking and these are on the extreme ends of downtown. When you talk about parking for downtown, you are not talking about four or five blocks from the Square. He stated the taxpayers he has been able to talk with feel this is private enterprise and that a small number of people would benefit; if it is to be done and it appears these people are willing to do it, they should be allowed to. If the city government is to go into the parking lot business, then the whole resources of the city with the approval of the voters should be pledged. That if you are going to get into the parking business let the public approve the decision you make.

Councilman Short stated it is his judgement that Charlotte should begin activities perhaps small beginning type activities but positive activities, in this field. He stated the revitalization of Downtown Charlotte depends on our being able to place the parking but immediately uptown where people are willing to park when they want to trade downtown. That private enterprise has got to consider the financial judgement of their Board of Directors and it has to consider the safety of the stock holders. They have to make sure that the market is there. The intent of this Council is to build a downtown and to create a market there.

Councilman Short stated to get downtown municipal parking underway effectively, the City Council should proceed with the first step which would be to acquire such land at Site A in the Wilbur Smith Report as is required to build the structure detailed on Pages 18 and 19 of that report. If the Council along with the staff carries out this initial step it seems this project would then be effectively triggered and progress on to the construction and operation of the facility should come. He stated to accomplish this step it will be necessary that our staff obtain appraisals of the value of the land. Following this Mr. Veeder, Mr. Fennell, Mr. Underhill and Mr. Hopson should advise Council concerning interim financing with reference to some of the money that is listed on Page 23 of the Report. Also advise Council on any other matter that they think is pertinent to this matter. He stated he would hope that Council could have these appraisals and the staff comment and advice within two months. During this two months period he is sure that any of the staff and any of the Councilmen will be delighted to confer further with Mr. Miller and Mr. Cox or anyone who would like to confer with them further about their private parking facilities. He stated Council should today adopt the policy that permanent financing for such funds as the government will provide for this project will be by revenue bonds.

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To give some organization and direction to this, that beyond these first steps of land acquisitions and the setting of the basic financial policy it is his belief that Council should pattern the structure of this project approximately on the Airport operation. This would mean that at the proper time a staff person would be designated or employed as the Director by the City Manager and guiding him would be a citizens advisory committee, which in the case of the Airport is five people.

He stated with this kind of structure the representatives of the people would be in responsible control - that is the Councilmen - and at the same time the Manager and Council would not have to be involved on a day to day basis. This committee should be appointed by the Mayor with the approval of the Council and this would be done after receiving the appraisals and staff comments.

Councilman Short stated once chosen, this Committee would want to address themselves to several questions: (1) Should the City lease the land to private interests who would then build and operate parking garage? (2) Should the City proceed to build the garage and then lease the completed facility to private interests for operation? (3) If leasing is done, would the lessee be a public non-profit corporation rather than private interest? (4) Should all phases of the operation be handled by the city, including operations so there would be no leasing? (5) What steps we would take to sell the necessary revenue bonds. (6) Whether this facility would be connected by overhead walkways to any other building.

Councilman Short stated he believes these procedures are the best for getting this underway and he moved that the City proceed accordingly. The motion was seconded by Councilman Tuttle.

Councilman Withrow stated after listening to Mr. Miller and Mr. Cox and after the decision as to where to put the civic center, he does not know whether he would want to build a parking facility or not in the City; but as this has been settled he thinks Council should give Mr. Cox and Mr. Miller a couple of weeks; that he personally would like to wait a week or two before making a decision on whether the City should get into the parking business. That he would like to talk to Mr. Miller and to Mr. Cox a little more.

Councilman Withrow made a substitute motion to wait a period of two weeks to make this decision. The motion was seconded by Councilman Thrower.

The vote was taken on the substitute motion and lost by the following vote:

YEAS: Councilmen Withrow and Thrower.
NAYS: Councilmen Short, Tuttle, Alexander and Jordan.

The vote was taken on the original motion and carried by the following vote:

YEAS: Councilmen Short, Tuttle, Alexander and Jordan.
NAYS: Councilmen Thrower and Withrow.

Councilman Tuttle stated this motion does not commit the city to build a building; it is nothing more than a study and this is giving the staff two months to come back with a feasibility study. In the meantime, if Mr. Miller and Mr. Cox can come up with something that is attractive there is no question but what we would like to bow out of this.

Councilman Short stated this is a matter of two months to obtain appraisals and to give Council any other comments of any sort they would like to make.

Councilman Withrow asked who will pay for the appraisals? Mr. Veeder replied once we have some knowledge of the cost of the appraisals it will be brought back to Council for authorization to spend the money for that purpose.

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Councilman Withrow stated he is not in disagreement that we need parking; that he just asked that this wait two weeks. Councilman Short stated he respects what Mr. Withrow is saying but he thinks this plan can be derailed at any time and at this stage is not beyond the point of no return. That rather than two weeks this really gives Mr. Cox and others two months in which to explore the matter further.

Chairman pro tem Jordan expressed appreciation to all who were present today and their comments.

MAYOR BELK RETURNS TO CHAIR.

Mayor Belk returned to the Chair at this time and presided for the remainder of the session.

COUNCILMAN TUTTLE LEAVES MEETING.

Councilman Tuttle left the meeting during the hearing on the next item prior to the vote, and was absent for the remainder of the session.

HEARING ON PETITION OF THE CHARLOTTE CAB COMPANY, INC. AND BAKER CAB COMPANY, INC. TO AMEND CHAPTER 19, SECTION 19-59 OF THE CITY CODE TO ALLOW LEASING OF TAXICABS OWNED BY THE PETITIONERS TO DRIVERS AS INDEPENDENT CONTRACTORS.

The scheduled hearing was held on the subject petition.

Mr. Myles Haynes, Attorney for the petitioners, stated he represents a segment of the industry which is doing everything it possibly can to help the city unclog its parking problems.

He stated this petition is grounded simply upon economic conditions. The facts are as follows: The cab industry nationally and the cab industry locally are in trouble and they are in trouble because of normal economic conditions. Three times in the last two years he has appeared before Council on behalf of one or more cab companies. They have asked for more certificates trying to get more cabs on the road and to try to bring down the unit cost. That has not seemed to work. Then they came to Council last year and asked for a rate increase and Council gave it to them. Since that time inflationary factors have evened up any potential profits that were in that increase. He stated the profits are eaten up by gas, oil, automobiles, radio equipment, taxi meter equipment, tires and insurance. Then there is the additional gas tax problems which have hit the companies. He stated his clients cannot live with the present situation and they looked at several possible solutions. They were quick to say that another rate increase was not the answer. The last rate increase put the public on the brinks of non-acceptability and they know to do that, even if the city should grant it, would be driving people away from the taxi industry and to other forms of public transportation.

Mr. Haynes stated they have consulted advisory companies around the country and particularly with International Taxicab Association and have come up with an alternate solution which causes them to come to Council and ask for an amendment to the Charlotte City Code. The Code presently prohibits the leasing of taxicabs to drivers at a fixed or determinable sum plus an increase. The National Taxicab Association has advised they have 978 members and among those 978 members that represents 3,000 operating taxicab fleets in the United States. That is 3,000 out of 7,200; more than half of their membership, and more than half of all the companies operating in this country are now going to the lease type arrangement because of the same problems we are having here. He stated out of the 25 larger cities in the United States, 18 of them now allow the leasing of taxicabs to drivers.

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He stated this will accomplish this. At present, the Charlotte Cab Companies on an average pay their drivers 44 percent of the gross dollars taken in on any one shift. The drivers are not making a great income at that percentage split. On the other hand from what the company takes out of that total dollar neither can it operate on a profitable basis. He stated both of his clients, based on returns he has operated at a loss last year and it appears they are going to operate at a larger loss this year.

Mr. Haynes stated they are simply proposing that Council amend the City Code and if it would like approve a form of lease which he has proposed. Based on what is going on in other places, they propose to lease a taxicab to a driver on a turn-key basis with a full tank of gas at a flat price for a ten-hour shift. He stated he was in Denver a few weeks ago and at that time he made an impartial investigation as Denver operates on this basis. He found the rate there runs from \$11 to \$13 per ten hour shift, depending on whether the driver is a regular driver or whether he is a part-time driver. They charge them either \$11 to \$13 per ten hour shift and two cents per mile for all miles driven over 100 miles in any one ten hour shift. He stated he talked to six drivers and they said they would operate under no other plan because when they went off the commission plan to this plan their revenue increased. He stated this way there is more incentive to the driver as he knows if he pays his rental charge and gets out and hustles, then what he takes in above that is his money.

Councilman Jordan asked how they work the insurance. Does the carrier carry a blanket policy? Mr. Haynes replied what they propose will in no way effect two things. Number one, the city's control over the cab company or the driver as the ordinance has very stringent controls over both. The city will still have its taxicab inspector and will still have regulations for people who drive the taxicabs. This lease agreement that he drew provides that the Companies themselves will provide the coverage on the cars as part of the package. The drivers do not have to worry about that. That the company has to have it as the State Law requires it. There will be no change about the liability coverage so the public is protected.

Councilman Tuttle stated he also investigated this in Denver and it was his impression that the \$11.00 or \$12.00 was for the car and the fee was some \$16 to \$18 a day counting gas and insurance and the whole package. He stated this has merit but he will not be here to vote for it but he would if he were here.

(COUNCILMAN TUTTLE LEFT THE MEETING AT THIS TIME AND WAS ABSENT FOR THE REMAINDER OF THE SESSION.)

Councilman Alexander asked if this would be limited to those who are the present drivers? Mr. Haynes replied no it does not limit it to just the people presently driving.

Councilman Short asked what is it that forces the Council to have to pass on such a request as this? Mr. Veeder, City Manager, replied the City Code specifically prohibits this now. If this meets with Council's approval, before it can be implemented, language will have to be devised to amend the code in order to accomplish this.

Councilman Withrow moved approval of the request to amend the code to allow the leasing of taxicabs to drivers. The motion was seconded by Councilman Thrower, and carried unanimously.

Mr. Veeder advised the amendments will be brought back to Council very shortly.

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LETTER FROM TOM SYKES REGARDING CONCESSION TO SUGAR CREEK PROJECT.

Mr. Albert Pearson stated Mr. Tom Sykes is out of the country at this time and has asked him to read the following letter:

"Gentlemen:

I am, this date, on a European trip which will take me to Holland, Denmark and Madrid, Spain. It was a most pleasant surprise that I learned, via the Charlotte Observer, Saturday, October 10, 1970, that our city is preparing to proceed with the Sugar Creek Project.

This will certainly make my trip much more exciting as I am looking forward to interviewing Spanish Dancers, Guitarists, and Boatmen to operate the entertainment concession for this project.

There is one problem that is bothering me on this matter, and this is one that I would like you, Mr. Mayor, and members of this august body, to solve before my return.

I am most certain that with Mr. Odell's assistance, you will be able to divert the lovely waters of glamorous Sugar Creek, uphill, along East Trade Street, so that my concession for the Gondola Fleet will be able to expose the many users of my Gondola concession to the Civic Center so that they might also visit this lovely facility and participate in the programs there.

Having worked so closely with you, Mr. Mayor and members of the Council, and having received so much support from this body, for my efforts to give the taxpayers of Charlotte as much as possible for their tax dollar, I am certain that you will reward me with this concession upon completion of this Sugar Creek Project.

Upon my return to the city, I will be most happy to give you a full report of my efforts to secure for Sugar Creek the finest talent for this most needed addition to the civic and cultural life of the Queen City.

In closing, let me remind each of you that as long as we have the best interest of the taxpayers at heart, I am most certain that they, the taxpayers, will support us, right or wrong!

Respectfully,

Tom Sykes"

PERMIT TO USE P. A. SYSTEM AT 200 INDEPENDENCE BOULEVARD ON OCTOBER 17 AND 18 GRANTED.

Mr. Bob Lee of WIST stated they would like to request a waiver by the City Council of the city anti-noise ordinance Section 13-53 in order that two of their clients, the Visulite Theatre and Shrude M. F. Holding Company, can use voice and musical instrument amplification systems on Saturday and Sunday, October 17 and October 18, from 1:00 to 6:00 p.m. at 200 Independence Boulevard. He stated they requested a waiver last year and it was granted by the City Council.

Mr. Lee stated they realize the purpose of the ordinance and will again respect it; that this will not be a continuous all afternoon type waiver they are asking for.

After discussion, Councilman Jordan moved approval of the request and asked that the sound amplification be held down as much as possible on Sunday. The motion was seconded by Councilman Thrower, and carried unanimously.

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INFORMATION ON FINANCES AND ZONING FOR WEST SIDE REQUESTED BY FRANK BATEMAN, JR.

Mr. Frank Bateman, Jr. stated he would like to make a request for information concerning the west side. For the purpose of this request he has defined the west side area as an area bounded on the south and east by South Tryon Street, North Tryon Street and Sugar Creek Road, north to the city limits, and bounded on the north and west by the city limits, from Sugar Creek Road west and south down back to South Tryon Street.

He stated some residents claim that the city is not spending tax money in the west side in an amount proportionate with the west side's contribution to the total revenue of the city. Secondly, some residents claim that during the last few years the city has rezoned a significant part of the west side from residential to multi-family and industrial zoning.

Mr. Bateman requested the following information, and if possible, he requested that it cover the period of July, 1965 to July, 1970.

- (1) A statement of the percentage contribution by year of the west side of the total city revenue.
- (2) A list of major public locally financed (through the general funds and bond issues) improvements and operations in the west side such as roads, parks, beautification and so forth and the yearly total expenditures. Then a similar summary for the rest of the city.
- (3) A list of major public federally financed improvements and operations in the west side and the yearly total expenditures. Then a similar summary for the rest of the city.
- (4) A statement comparing the amount of land zoned multi-family and industrial in 1965 as compared with today.

He stated to include with the yearly percentages of the total area zoned multi-family and industrial as compared with total west side area; also include similar percentages for the total area zoned single family.

He stated he tends to feel there is developing a little misunderstanding between the west side and the rest of the city, and he thinks if this request is fulfilled it might go some way in helping to allay or support the claim of the west side residents. That he feels they should have the opportunity of seeing information presented in a way that will be meaningful in an overall view of their situation.

ORDINANCE NO. 870 AMENDING CHAPTER 16, ARTICLE II, SECTIONS 16-14 AND 16-45 OF THE CITY CODE ESTABLISHING PROCEDURES AND CHARGES FOR HANDLING SEPTIC TANK SLUDGES.

After discussion, a motion was made by Councilman Withrow, and seconded by Councilman Short, to adopt the subject ordinance establishing procedures and charges for handling septic tank sludges to join in a cooperative effort with the City-County Health Department in the reduction of pollution in our local streams.

The vote was taken on the motion and carried unanimously.

The ordinance is recorded in full in Ordinance Book 17, at Pages 388 and 389.

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ORDINANCE NO. 871 AMENDING SCHEDULE 10 OF SECTION 86(c), CHAPTER 20 OF THE CITY CODE INCREASING THE SPEED LIMIT ON MATHESON AVENUE, BRODIE S. GRIFFITH VIADUCT AND 30TH STREET.

Councilman Short moved adoption of the subject ordinance increasing the speed limit from 35 miles per hour to 40 miles per hour on Matheson Avenue, from Holt Street westward along Matheson Avenue to the Brodie S. Griffith Viaduct, on the Brodie S. Griffith Viaduct, from Matheson Avenue westward along the viaduct to 30th Street, on 30th Street from the Brodie S. Griffith Viaduct westward along 30th Street to its intersection with North Tryon Street (U. S. 29, N. C. 49). The motion was seconded by Councilman Thrower, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 17, at Page 390.

RIGHT OF WAY AGREEMENT BETWEEN THE CITY AND DUKE POWER COMPANY TO INSTALL TRANSMISSION LINE ACROSS PROPERTY OF THE CITY WITHIN SUGAR CREEK WASTE WATER TREATMENT PLANT.

Upon motion of Councilman Thrower, seconded by Councilman Short, and unanimously carried, the subject right of way agreement was authorized between the City of Charlotte and Duke Power Company to install an electric power transmission line across property of the City within the Sugar Creek Waste Water Treatment Plant property.

DEED TO HUMBLE OIL & REFINING COMPANY FOR PUBLIC LIBRARY PROPERTY AT RANDOLPH AND GAYNOR ROADS, DEFERRED.

Councilman Thrower moved deferral of a deed to Humble Oil & Refining Company for public library property at Randolph and Gaynor Roads. The motion was seconded by Councilman Jordan, and carried unanimously.

MEMORANDUM OF UNDERSTANDING BETWEEN CITY AND CHARLOTTE-MECKLENBURG BOARD OF EDUCATION IN CONNECTION WITH CONSTRUCTION OF THE ELEVATED WALKWAY IN THE GOVERNMENTAL CENTER.

Motion was made by Councilman Thrower to approve the subject memorandum of understanding. The motion was seconded by Councilman Jordan.

Councilman Short asked what if one of the School Board's own personnel rammed a truck into a column or something on this walkway and ruined it. Would the City have to pay for the repairs? Should we cover the negligence of their own personnel even if we are legally allowed to? That is just what is likely to happen if there is any problem as they are going to be there and we will not. Do we have the right to cover the negligence of an employee of the School Board? Mr. Watts, Assistant City Attorney, replied if there is negligence on the part of an individual, it would seem the city would have a right of action against him even under this agreement. Councilman Short stated the agreement says the City agrees to construct, maintain and keep in repair the elevated walkway; this is over their property and some of their own personnel is going to damage it if it gets damaged. Mr. Watts stated assuming the City has a duty to repair the structure and assuming that someone negligently runs into it and damages it, he believes the City would still have a right of action against that person to repair it although it physically has the duty to see that the repair is done. That he would not read this document as relieving anyone for their own negligence. Councilman Short stated but if its in the course of his employment, the city's right of action would normally be against him and his employee. Mr. Watts stated the language can be changed to take care of that.

Mr. Veeder, City Manager stated when the Redevelopment Commission prepared this perhaps they did not think of this contingency. He asked Council to approve the agreement subject to some modification of language that will make it clear that the City will not be responsible for any negligence on the part of someone. That the City Attorney's office will work out the appropriate language.

The vote was taken on the motion and carried unanimously.

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AGREEMENT BETWEEN SOUTHERN BELL TELEPHONE & TELEGRAPH COMPANY AND THE CITY FOR LOCATING UTILITY LINES UNDERGROUND IN BROOKLYN REDEVELOPMENT SECTION 3.

Councilman Alexander moved approval of the subject agreement for locating utility lines underground in Brooklyn Redevelopment Section 3, at a proposed price of \$23,627.12. The motion was seconded by Councilman Withrow, and carried unanimously.

AGREEMENT BETWEEN DUKE POWER COMPANY AND THE CITY FOR LOCATING STREET LIGHTING FACILITIES UNDERGROUND IN BROOKLYN REDEVELOPMENT SECTION 3.

Upon motion of Councilman Alexander, seconded by Councilman Withrow, and unanimously carried, the subject agreement was approved with Duke Power Company to locate new electric street lighting facilities underground in Brooklyn Redevelopment Section 3, at a cost of \$2,447.48.

QUITCLAIM DEED GRANTED STATE HIGHWAY DEPARTMENT FOR A STRIP OF LAND FOR I-77.

Motion was made by Councilman Short authorizing the City to grant a quitclaim deed to the State Highway Department for a strip of land for I-77, along Irwin Creek lying on the east and immediately adjacent to Oaklawn Cemetery. The motion was seconded by Councilman Jordan, and carried unanimously.

DEED TO HUMBLE OIL & REFINING COMPANY FOR LIBRARY PROPERTY AT RANDOLPH AND GAYNOR ROAD, APPROVED.

Councilman Short moved that Item No. 9 on the agenda, to approve a deed to Humble Oil and Refining Company for library property at Randolph and Gaynor Roads be considered. The motion was seconded by Councilman Alexander, and carried unanimously.

Councilman Alexander moved approval of the deed to Humble Oil and Refining Company for library property at Randolph and Gaynor Roads. The motion was seconded by Councilman Withrow.

Councilman Jordan stated when the rezoning of this property was considered by Council he voted against the zoning change. That his feelings and position in this matter have not changed. However, the majority of Council saw fit to rezone the property and approve an option for sale. That he feels this action placed a legal as well as a moral obligation on the Body to follow through on this transaction. For this reason he plans to vote for approval of the deed.

The vote was taken on the motion and carried by the following vote:

YEAS: Councilmen Alexander, Withrow, Jordan and Short.

NAYS: Councilman Thrower.

SUPPLEMENTARY CONTRACT TO CONTRACT WITH SHARON UTILITIES FOR INSTALLATION OF WATER MAINS TO SERVE MONTCLAIRE NO. 5 SUBDIVISION.

Councilman Short moved approval of the subject contract, to contract dated August 8, 1968, for the installation of 2,620 feet of 8-inch C. I. water mains and three fire hydrants to serve Montclair No. 5 Subdivision, outside the city, at an estimated cost of \$15,000.00, with the applicant to finance all pipe lines and systems and to own and operate and maintain same until such time as any part or all of the systems becomes the property of the City without cost to the City or further agreements. The motion was seconded by Councilman Thrower, and carried unanimously.

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FOUR WRECKER COMPANIES APPOINTED AS AGENTS OF THE CITY TO SELL UNCLAIMED ABANDONED VEHICLES WHICH ARE STORED AND AUTHORIZED SOLD BY THE POLICE DEPARTMENT.

Councilman Thrower moved that the following wrecker companies be appointed as agents of the City to sell abandoned vehicles which are stored and which are authorized sold by the police department:

- (a) Hunter Auto and Wrecker Service, Inc.
- (b) C. D. Keith's Garage.
- (c) Kiser's Garage.
- (d) S. & R. Auto & Truck Service, Inc.

The motion was seconded by Councilman Jordon, and carried unanimously.

APPRAISAL CONTRACTS, APPROVED.

Motion was made by Councilman Jordan, seconded by Councilman Thrower, and unanimously carried, approving appraisal contracts, as follows:

- (a) Contract with L. H. Griffith for appraisal of one parcel of land at a fee of \$150.00 for Kilborne Drive and Central Avenue Project.
- (b) Contract with Henry E. Bryant for appraisal of two parcels of land at fees of \$125.00 for Airport Expansion Project.
- (c) Contract with Wallace D. Gibbs, Jr. for appraisal of two parcels of land at fees of \$125.00 for Airport Expansion Project.
- (d) Contract with Harry G. Brown for appraisal of six parcels of land at fees of \$150.00 and \$250.00 for Sharon Lane Widening.
- (e) Contract with Thornwell G. Guthery for appraisal of six parcels of land at fees of \$150.00 and \$250.00 for Sharon Lane Widening.
- (f) Contract with Brevard B. Brookshire for appraisal of six parcels of land at fees of \$150.00 and \$250.00 for Sharon Lane Widening.
- (g) Contract with Charles E. Owens for appraisal of six parcels of land at fees of \$150.00 and \$250.00 for Sharon Lane Widening.
- (h) Contract with Wallace Gibbs for appraisal of one parcel of land at a fee of \$175.00 for Sharon Lane Widening.
- (i) Contract with Doyle A. Stout for appraisal of one parcel of land at a fee of \$175.00 for Sharon Lane Widening.
- (j) Contract with William L. Frickhoeffter for appraisal of six parcels of land at fees of \$175.00 for Eastway Drive Project.
- (k) Contract with Zollie A. Collins for appraisal of six parcels of land at fees of \$175.00 for Eastway Drive Project.

RESOLUTION AUTHORIZING THE REFUND OF CERTAIN TAXES WHICH WERE LEVIED AND COLLECTED THROUGH CLERICAL ERROR.

Motion was made by Councilman Thrower to adopt the subject resolution authorizing the refund of certain taxes in the amount of \$50.00 which were levied and collected through clerical error against J. & M. Auto Parts, Inc. The motion was seconded by Councilman Jordan, and carried unanimously.

The resolution is recorded in full in Resolutions Book 7, at Page 150.

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ORDINANCE AMENDING ORDINANCE NO. 732-X, THE 1970-71 BUDGET ORDINANCE AUTHORIZING THE TRANSFER OF PORTION OF THE GENERAL FUND CONTINGENCY FOR THE PURCHASE OF LAND FROM THE REDEVELOPMENT COMMISSION, DEFERRED ONE WEEK.

After discussion, Councilman Short moved that the subject ordinance be deferred one week. The motion was seconded by Councilman Jordan, and carried unanimously.

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

Motion was made by Councilman Thrower, seconded by Councilman Withrow, and unanimously carried, adopting the subject ordinances, as follows:

- (a) Ordinance No. 872-X ordering the removal of a motor vehicle at 1320 North Caldwell Street.
- (b) Ordinance No. 873-X ordering the removal of a motor vehicle at 2906 Rush Avenue.

The ordinances are recorded in full in Ordinance Book 17, beginning on Page 391

ORDINANCES ORDERING THE REMOVAL OF WEEDS AND GRASS PURSUANT TO SECTION 6.103 AND 6.104 OF THE CITY CHARTER, CHAPTER 10, ARTICLE I, SECTION 10-9 OF THE CITY CODE AND CHAPTER 160-200 OF THE GENERAL STATUTES OF NORTH CAROLINA.

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

- (a) Ordinance No. 874-X ordering the removal of weeds and grass on property adjacent to 1607 Taylor Street.
- (b) Ordinance No. 875-X ordering the removal of weeds and grass on property adjacent to 1404 Baxter Street.
- (c) Ordinance No. 876-X ordering the removal of weeds and grass on property at rear of 1245 Rollins Avenue.
- (d) Ordinance No. 877-X ordering the removal of weeds and grass on property adjacent to 3216 Rainbow Circle.
- (e) Ordinance No. 878-X ordering the removal of weeds and grass on property at 324 Lillington Avenue.
- (f) Ordinance No. 879-X ordering the removal of weeds and grass on property adjacent to 708 McAlway Road.
- (g) Ordinance No. 880-X ordering the removal of weeds and grass on property adjacent to 1016 Goshen Place.
- (h) Ordinance No. 881-X ordering the removal of weeds and grass on property adjacent to 1025 Waccamaw Street.
- (i) Ordinance No. 882-X ordering the removal of weeds and grass on property adjacent to 1521 West Trade Street.
- (j) Ordinance No. 883-X ordering the removal of weeds and grass on property at 2124 West Morehead Street.
- (k) Ordinance No. 884-X ordering the removal of weeds and grass on property at rear of 2317 Statesville Road.

The ordinances are recorded in full in Ordinance Book 17, beginning on Page 393.

APPOINTMENTS TO BUILDING STANDARDS BOARD, APPROVED.

Councilman Jordan moved approval of the City Manager's appointments to the Building Standards Board for three year terms each, as follows: Mr. Jack T. Gray, Architect; Mr. J. V. Andrews, Mechanical Contractor; and Mr. Harry Porter, Plumbing Contractor. The motion was seconded by Councilman Thrower, and carried unanimously.

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

Motion was made by Councilman Thrower, seconded by Councilman Alexander, and unanimously carried, adopting the subject ordinances, as follows:

- (a) Ordinance No. 885-X ordering the demolition and removal of concrete block building on Duke Street, deed reference 24-45-619.
- (b) Ordinance No. 886-X ordering the demolition and removal of dwelling at 314 South Independence Boulevard.
- (c) Ordinance No. 887-X ordering the demolition and removal of dwelling at 208 Victoria Avenue.

The ordinances are recorded in full in Ordinance Book 17, at Pages 404 through Page 406.

RENEWAL OF SPECIAL OFFICER PERMITS AUTHORIZED.

Upon motion of Councilman Jordan, seconded by Councilman Withrow, and unanimously carried, special officer permits were renewed for one year, as follows:

- (a) Renewal of permit to James Archer Brown for use on the premises of Johnson C. Smith University Campus.
- (b) Renewal of permit to Thomas Lee King for use on the premises of Johnson C. Smith University Campus.
- (c) Renewal of permit to Lester Phifer for use on the premises of Kings Business College.

TRANSFER OF CEMETERY LOTS.

Motion was made by Councilman Jordan, seconded by Councilman Withrow, and unanimously carried, authorizing the Mayor and City Clerk to execute deeds for the transfer of cemetery lots, as follows:

- (a) Deed with Mrs. Frances B. Linker for Lot No. 282, Section 6, Evergreen Cemetery, at \$320.00.
- (b) Deed with Ralph Lee Black and wife, Edith Aleene and mother, Mrs. Nellie Mae Black, for SE 1/4 of fraction of Lot 53, Section Q., Elmwood Cemetery, at \$3.00 for transfer deed.
- (c) Deed with Mrs. Marie O. Smith for Grave No. 1, in Lot No. 742, Section 6, Evergreen Cemetery, at \$80.00.

ESTABLISHMENT OF CITY OF CHARLOTTE MANAGEMENT INFORMATION SYSTEM.

Upon motion of Councilman Alexander, seconded by Councilman Withrow and unanimously carried, the following ordinance and resolution were adopted, establishing the City of Charlotte Management Information System:

- (a) Ordinance No. 888-X Amending Section I, Schedule A, and Section 2, Schedule A of the 1970-71 Budget Ordinance authorizing the establishment of a separate organizational unit to be known as the City of Charlotte Management Information System.
- (b) Resolution amending Schedule IV of the Pay Plan of the City of Charlotte to include as an addition Class 339, Management Information System Director, assigned to Pay Range 43, Pay Steps A-F.

The ordinance is recorded in full in Ordinance Book 17, at Page 407.

The resolution is recorded in full in Resolutions Book 7, at Page 151.

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PROPERTY TRANSACTIONS AUTHORIZED.

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

- (a) Acquisition of 6' x 71.35' x 71.35' of easement at 3437 Silas Avenue, from Eugene Rodney Orr, at \$36.00, for sanitary sewer to serve Aaloha Apartments.
- (b) Acquisition of 10' x 803' of easement at 3000 Interstate 85 from R. C. Motor Lines, Inc., at \$802.00, for sanitary sewer to serve Griffin Realty Company Apartments.
- (c) Acquisition of 755' x 430' x 610' x 220' of easement at 1201 W. Fourth Street Extension, from E. C. Griffith Company, at \$33,500.00, for Irwin Creek-Sugar Creek Open Space.
- (d) Acquisition of 915' x 90' x 1,150' x 430' of easement at 1200 West Fourth Street Extension, from E. C. Griffith Company, at \$39,700.00 for Irwin Creek-Sugar Creek Open Space.
- (e) Acquisition of 83.64' x 139.45' x 29.83' x 142.5' of easement at 908 Westbrook Drive, from J. E. Jenkins and wife, at \$475.00 for Sugar Creek-Irwin Creek Open Space
- (f) Acquisition of 47' x 155' x 47' x 155' of easement at 616 Parkwood Avenue, from Wilbur T. Foushee and wife, at \$400.00 for Sugar Creek-Irwin Creek Open Space.

COMPROMISE SETTLEMENT WITH REID AIR CORPORATION, ET AL, FOR SANITARY SEWER EASEMENT TO SERVE HEATHERSTONE.

Councilman Thrower moved approval of a compromise settlement in the amount of \$3,600.00 with Reid Air Corporation, et al, for 10' x 795.75' of easement at 6025 Park Road, for sanitary sewer to serve Heatherstone. The motion was seconded by Councilman Jordan, and carried unanimously.

CONTRACT AWARDED WRAY FRAZIER CAMPING CENTER FOR MOBILE CITY HALL OFFICE UNIT.

Councilman Jordan stated the City Council has been especially interested in trying to develop ways to communicate with the citizens and this is one of the reasons that he personally pushed for the creation of a Public Service and Information office for some years. That the Public Service and Information office estimated it would handle 34,000 phone calls from the citizens of Charlotte relative to information and requests. As of the first of September, they had received over 56,000 phone calls. Last week alone, this office received 4,374 calls and answered questions relative to refuse bags, distribution points and general information about the Sanitation Employee strike. From this we can see that all methods of providing additional communication and information to our citizens is important. The establishment of a mobile government unit by the Public Service and Information office is another step in accomplishing this end. This mobile unit will mainly cruise the model cities area and will be available to citizens of the area at different locations each day to provide them information and the opportunity to communicate with their city government. This mobile unit can be the citizen's link with local government in regards to city services, citizens request and complaints. Some of the suggested services this unit might furnish are a small depository for water bills, parking and pet violations, dog vaccine schedules, taking requests for street lights, job opportunity information and locations of park and recreation facilities. One of the other very important duties of the local government unit is to have it available for schools and civic groups with auto-visual presentations on the operations of city government. This will help the citizens to better understand how the city government works and to provide them with that link with city government that they have never had before. This new mobile unit will be a first of its type in the United States to operate in the proposed manner.

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Councilman Jordan moved award of contract to the only bidder, Wray Frazier Camping Center, in the amount of \$12,750.00, for Mobile City Hall Office Unit. The motion was seconded by Councilman Alexander.

Councilman Alexander stated this is Model Cities funds and some LEA funds for staffing; it is not costing the city at all and these funds cannot be used for anything else.

The vote was taken on the motion and carried unanimously.

SALE OF TIMBER TO WESTER BROTHERS COMPANY, APPROVED.

Motion was made by Councilman Thrower to approve the sale of timber from airport property to the highest bidder, Wester Brothers Company, in the amount of \$6,510.00. The motion was seconded by Councilman Jordan, and carried unanimously.

CONTRACT AWARDED HARTSELL BROTHERS FENCE COMPANY FOR CHAIN LINK FENCE.

Upon motion of Councilman Jordan, seconded by Councilman Withrow, and unanimously carried, contract was awarded the low bidder, Hartsell Brothers Fence Company, in the amount of \$3,180.00 for chain link fence at city landfill area on Statesville Avenue for storage of abandoned vehicles.

The following bids were received:

Hartsell Brothers Fence Co.	\$3,180.00
Wilson Fence Co.	3,324.00
Allison Fence Co.	3,489.00
Cyclone Fence Sales	3,787.00
Fence Contracting Co.	4,564.49

REORGANIZATION OF THE CITY MANAGER'S OFFICE AUTHORIZED.

Motion was made by Councilman Alexander, seconded by Councilman Short, and unanimously carried, approving the reorganization of the City Manager's Office, adopting a resolution amending the Pay Plan to delete the classification of Administrative Assistant III and add and assign class numbers and pay ranges as follows: Assistant City Manager, Class No. 350, Salary Range No. 44, Steps A-F; and Assistant to City Manager to Class No. 345, Salary Range No. 41, Steps A-F.

The reorganization will have an Assistant City Manager assigned to Operations to assist departments with their operational problems, exercise daily control functions, and help citizens with questions about city services; be responsible for preparing the docket and conference agenda for Council's consideration and following up on Council requests for reports and services; monitoring the capital improvement program and keeping Council and the public informed on project status. The Assistant City Manager assigned to Community Development will provide direction and coordination to programs including Model Cities, Neighborhood Service Centers, Office of Intergovernmental Programs, and Community Relations Committee; be responsible for maintaining close working relationships with the Housing Authority, the Redevelopment Commission, Park and Recreation Commission and the Council of Governments. The Assistant to the City Manager will improve the flow of information between the City Manager and departments, management reporting and monitoring of projects and studies being done by departments; be responsible for helping the departments set their long-range goals, anticipating future problems and coordinating efforts to meet the growing demands for service.

The resolution is recorded in full in Resolutions Book 7, at Page 152.

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AMENDMENT TO CONTRACT BETWEEN MODEL NEIGHBORHOOD COMMISSION AND NORTH CAROLINA BLUE CROSS AND BLUE SHIELD, INC., AUTHORIZED.

Councilman Alexander moved approval of the subject amendment to contract with North Carolina Blue Cross and Blue Shield, Inc. extending the terms of the contract from October 21 to November 14, 1970. The motion was seconded by Councilman Jordan and carried unanimously.

ENGLEHART STREET REQUESTED INVESTIGATED FOR ADDITIONAL STREETS LIGHTS.

Councilman Alexander requested the City Manager to have someone investigate Englehart Street, between English Drive and Quentin Street, in University Park, for additional street lights.

REPORT REQUESTED ON ASSIGNING STREETS IN THE AREA AROUND EARLE VILLAGE AS PLAY AREAS.

Councilman Alexander stated some two weeks ago he was in First Ward at the corner of 8th Street and Myers Street and children were playing in the streets all over that section. A police cruiser passed through and stopped and directed the children out of the street. This was in the neighborhood of 5:00 o'clock. He stated this brought to his attention the need for consideration of play space in that area around Earle Village. That he sees nothing wrong with the city designating a few of those blocks as play streets between certain hours. The traffic volume through these streets is absolutely nothing after 4:00 o'clock; especially on 8th Street between Caldwell and Myers, and Myers Street, between 9th and 7th Streets in that section.

Councilman Alexander requested the City Manager to have someone look into blocking off certain of those blocks at certain hours and designate them as play streets as there is no play space for the children. That the policemen having to go through and ushering them out of the street is not creating good will. That he can see where it will not hurt traffic by designating some of the streets for play areas.

REVISED CONDITIONAL USE PLAN FOR HOPECREST FARMS ON THE WESTERLY SIDE OF PARK ROAD AT SHARON ROAD WEST APPROVED.

Councilman Thrower moved approval of the revised conditional use plan for Hopecrest Farms Subdivision as recommended by the Planning Commission. The motion was seconded by Councilman Short, and carried unanimously.

REPORT ON GARBAGE PICKUP BEHIND RESIDENCES.

Councilman Thrower asked when the City is going to get back on a reasonably normal garbage pickup behind the homes. That a lot of people are saying that the city has no intention of ever returning to this service.

Mr. Veeder, City Manager, replied he has seen some of these comments in the media and it is not the intent of any of those on staff to do anything to preclude going back to the rear of the home service; it is our intent to go through this week with curb pickup as has been announced, and towards the end of this week make some judgement on the type of service for next week, starting test to return to rear of the home service as quickly as possible.

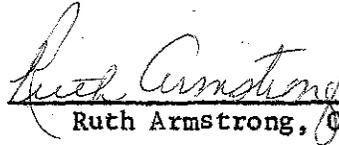
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MODIFICATION NO. 3 TO CONTRACT WITH HUD ON MUNICIPAL INFORMATION SYSTEM.

Councilman Thrower moved approval of Modification No. 3 to contract with HUD for the Municipal Information System naming Curtis Branscome as Project Director. The motion was seconded by Councilman Short, and carried unanimously.

ADJOURNMENT.

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


Ruth Armstrong, City Clerk