

January 31, 1972  
Minute Book 56 - Page 369

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Monday, January 31, 1972, at 3:00 o'clock p.m., with Mayor John M. Belk presiding, and Councilmen Fred D. Alexander, Patrick N. Calhoun, Sandy R. Jordan, James D. McDuffie, Milton Short, and Joe D. Withrow present.

ABSENT: Councilman James B. Whittington.

\* \* \* \* \*

INVOCATION.

The invocation was given by Councilman Sandy R. Jordan.

AMENDMENT TO COUNCIL MINUTES OF JANUARY 10, 1972.

Councilman Short requested that the Minutes of the Meeting on January 10, 1972, be amended, as follows:

Page 321, Fifth Paragraph, 4th line, Change "Short" to "Calhoun."

MINUTES APPROVED.

Upon motion of Councilman Jordan, seconded by Councilman Withrow, and unanimously carried, the Minutes of the last meeting, on Monday, January 24, 1972, were approved as submitted.

RECOGNITION AND PRESENTATION OF AWARDS TO CITY EMPLOYEES.

Mayor Belk recognized Mr. Lewis Albert Newell, Packer Driver, Sanitation Division of Public Works Department, and presented him with the City of Charlotte Employee Plaque. He stated Mr. Lewis was employed September 16, 1943, and retired January 25, 1972. Mayor Belk thanked Mr. Lewis for his service with the city and wished him well in his retirement.

The following employees were recognized by the Mayor and City Council and presented with Service Awards:

FORTY-FIVE YEAR SERVICE AWARD

W. I. Green

THIRTY-FIVE YEAR SERVICE AWARDS

E. W. Pierczynski  
Wallace Herndon  
Milton Clapp, Jr.  
W. M. Franklin

THIRTY YEAR SERVICE AWARDS

H. E. Blackmon	W. T. Tuttle
A. L. Cadieu	R. J. Wingate
W. O. Dowdy	T. H. Cooper
C. R. Lindsay	A. J. Gilleland
D. R. Shoup (absent)	J. C. Goodman
Hazel Simpson	E. T. Haney
R. A. Stevens	William Cloud (absent)
J. R. Thomas	Sam Evans, Jr. (absent)

January 31, 1972  
Minute Book 56 - Page 370

TWENTY-FIVE YEAR SERVICE AWARDS

J. H. Irvin	E. F. Fesperman
W. M. King	T. E. Griffin
R. C. Klutz (absent)	J. E. Jones
L. M. Russell	E. R. Wright
W. R. Wright	Herman Mullis
W. B. Roberts	Edgar Billingslea
C. E. Adams	J. W. Hinton
	C. L. Murphy

The following employees were recognized and presented with American Management Association Certificates for completion of the Supervisory Management Course Management Principles:

Ruth Armstrong	C. Y. Ross
W. O. Black	Paul W. Sherer
J. W. Brewer	Vernon Shuler
George A. Elam	T. F. Simpson
William H. Guerrant	George J. Sugar
Jarvis A. King	Larry B. Thomas (absent)
Robert D. Lahr	Johnnie Wallace

PETITION NO. 72-4 BY SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY FOR A CHANGE IN ZONING OF A TRACT OF LAND ON THE NORTH SIDE OF OLD REID ROAD, BEGINNING AT THE REAR OF LOTS ON LINFORD DRIVE, AND EXTENDING EASTWARD TOWARDS PARK ROAD, DEFERRED ONE WEEK.

The subject petition was presented for Council consideration. Council was advised that the Planning Commission recommends the request for B-1 be denied, and that the entire tract be approved for O-15 with the exception of a 75-foot wide strip on the west side which is at the rear of lots on Linford Drive, and a 75-foot strip on the north side, which two strips will remain as R-12.

Councilman Short stated he believes the plan of the Planning Commission is fair to the neighbors and will not be harmful to the neighborhood and makes it possible for the Telephone Company to do what they have to do.

Councilman Short moved that the petition be approved as recommended by the Planning Commission. The motion was seconded by Councilman Calhoun.

Councilman McDuffie stated he has talked with a number of people in the area and has visited the area. That he would be reluctant to vote for O-15 that would allow more than a switching station. The people who back up to the property have already been there and expected to be next to residential property. That he is led to believe there is a possibility of some compromise that would be acceptable to the people who back up to the property.

Councilman McDuffie made a substitute motion to defer the matter for one week to give an opportunity to work out an agreement between the Telephone Company and the residents. The motion was seconded by Councilman Withrow.

Councilman Short asked who would represent the residents? Councilman McDuffie replied there are two people in the audience, Dr. Golden and Mr. Steve Blackwell, who live in the immediate area; that he would leave it up to them to work it out, and then Council can make its own determination as to whether they do represent enough people to make a decision. That he is sympathetic to the Telephone Company, but is also sympathetic to the people who have built homes and then offices and apartments come in behind them without the people having an adequate chance to determine what is

January 31, 1972  
Minute Book 56 - Page 371

going in the neighborhood. He stated he would be agreeable to the switching station but he is reluctant to put something there to allow this many vehicles. That he would hope they can work something out for the switching station and allow the offices to be located nearby.

At the request of Mayor Belk, Mr. Fred Bryant of the Planning Staff explained the recommendation of the Planning Commission. He stated the request was filed as a joint request to change part of the property to an office classification for the purpose of establishing a switching station on the property, and in addition a portion of the property was requested for B-1 classification which would permit a service center to be operated principally for the purpose of the installers who would work out of this site. He stated the Planning Commission recommendation was to not approve the B-1 portion and, therefore, not permit the portion of the request pertaining to the service operation, but to approve the property for an office classification which would permit the switching facility. Mr. Bryant stated the recommendation is that at least 75 feet be left on the west side of the property, which is the side adjacent to the existing homes, and also 75 feet on the north side of the property which is an area presently adjacent to vacant property. The reason for recommending that much in an office classification was not an intent to permit anything more than the exchange facility. After conversations with the Southern Bell people they indicated if only the exchange was going there they wanted to redesign in terms of the orientation of the building. Instead of running it so much parallel with Old Reid Road, they would extend it backward more perpendicular to Old Reid Road so when they added on to it in the future, they would add on to the rear rather than adding on to the side, and therefore making it more visible from the Old Reid section.

Mr. Steve Blackwell stated on the substitute motion by Councilman McDuffie there are three solid interests involved. First is Southern Bell, who needs a switching station; that they are aware of this and recognize it. Secondly, is the Church who finds themselves in the predicament of having to get rid of part of their property in order to build, and they are not opposed to that. Thirdly, are the adjoining property owners and the residents in the area, who are interested in what goes behind them. Mr. Blackwell stated realizing all these factors working together, the adjoining property owners, which represents one group, and the general neighborhood, which represents another group, have agreed to attempt to set down before next week, and work out some type of compromise with Southern Bell and the church that would work to all their benefits. He stated they would attempt to work out something that would appear in the deed from the Church to Southern Bell to protect their neighborhood.

Mr. Beverly Webb, Attorney for the petitioner, stated the switching facility is what they need, and that is what the land will be used for; they have had a number of suggestions in the past four or five days from the people in the area about how they want it restricted, and whether Southern Bell can live with any of these, they do not know at this time.

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

NEW CHARTER RESOLUTION PROVIDING FOR THE CREATION OF COUNCIL OF GOVERNMENTS, ADOPTED, AND RESOLUTION DESIGNATING THE CENTRALINA COUNCIL OF GOVERNMENTS AS THE "LEAD REGIONAL ORGANIZATION", ADOPTED.

Motion was made by Councilman Withrow, seconded by Councilman McDuffie and unanimously carried, adopting the New Charter Resolution providing for the Creation of Council of Governments, by incorporating the present charter, with the following amendments:

- (1) Present 28 members to be Charter Members.
- (2) Provide for affiliate memberships.
- (3) Name of organization, changed to "Centralina."

The resolution is recorded in full in Resolutions Book 8, beginning at Page 40.

January 31, 1972  
Minute Book 56 - Page 372

Councilman Withrow moved adoption of a Resolution designating the Centralina Council of Governments as the "Lead Regional Organization." The motion was seconded by Councilman McDuffie, and carried unanimously.

The resolution is recorded in full in Resolutions Book 8, at Page 51.

CONSTRUCTION OF A PEDESTRIAN WALKWAY ACROSS THE UNOPENED PORTION OF WOODLEAF ROAD TO SERVE WINDSOR PARK ELEMENTARY SCHOOL, APPROVED.

Councilman Alexander moved approval of the construction of a pedestrian walkway across the unopened portion of Woodleaf Road, between Gladstone Lane and Birchrest Drive, at an estimated cost of \$1,000, to serve Windsor Park Elementary School. The motion was seconded by Councilman Jordan, and carried unanimously.

Councilman McDuffie stated this is the type of thing Council has been talking about as it relates to the Fairfax Apartments, and a number of areas where Mr. Bryant of the Planning Staff is working on recommendations. That it appears we will not be able to solve this type of problem if we do not get back to capital improvements. He stated Council needs to know how many of these places exist, and any of the provisions Council can improve so that children will be able to walk to and from school.

Mr. Hopson, Public Works Director, stated they are working with the Planning Staff on the report, and the report will be back to the City Manager shortly.

RESOLUTION APPROVING A MUNICIPAL AGREEMENT WITH THE STATE HIGHWAY COMMISSION FOR INSTALLATION OF A COORDINATED SIGNAL SYSTEM AT FIVE INTERSECTIONS.

Upon motion of Councilman Jordan, seconded by Councilman Withrow, and unanimously carried, the subject resolution was adopted approving a municipal agreement with the State Highway Commission for the installation of a coordinated signal system at five intersections on East Independence Boulevard, from Westchester to Sharon Amity Road with all equipment to be furnished by the State Highway Commission at no cost to the City under the TOPICS Program.

The resolution is recorded in full in Resolutions Book 8, at Page 52.

COUNCILMAN ALEXANDER ABSTAINS FROM DISCUSSION AND VOTE ON GROUND TRANSPORTATION TO AND FROM DOUGLAS MUNICIPAL AIRPORT.

Councilman Alexander asked that the record show that he abstains from any discussion or vote on the matter of ground transportation to and from Douglas Municipal Airport.

AGREEMENT TO PROVIDE GROUND TRANSPORTATION TO AND FROM DOUGLAS MUNICIPAL AIRPORT, DEFERRED.

The extension of an agreement with the Yellow Cab Company for one year for ground transportation to and from Douglas Municipal Airport was presented for Council consideration.

Council was advised that notices were sent to eleven firms currently in the ground transportation field to bid on the airport ground transportation, and only two bids were received. (1) Yellow Cab Company and (2) Moore's Airport Limousine Service, Inc.

Mr. Robert Perry, Attorney for Mr. C. D. Spangler, Jr., stated Mr. Spangler might be the owner of a company called Hornet's Nest Transportation Company.

January 31, 1972  
Minute Book 56 - Page 373

He stated Mr. Spangler would propose that Council give him an opportunity to present an alternative proposal to the Yellow Cab proposal. Mr. Perry stated Mr. Birmingham, Airport Manager, has just told him that they had an opportunity to do this in the past, but he cannot speak to that as he does not know what the circular said that was sent out by the Airport Manager. But in any case, Mr. Spangler will form, given the sanction of the Council, a transportation company which will run a limousine service out to the airport. That he will have two busses to pick up and discharge passengers to and from the downtown section and the airport. It will be on a schedule of once every half hour, and there will be a \$2.00 fee charge, leaving the metered part of the business to Yellow Cab Company. Mr. Spangler would propose to pay the City of Charlotte 10% of his gross revenues. There would be a minimum of three stops in the uptown area. The stops would be subject to the negotiations between the City and the operator of the transportation company. The operation will be from 7 AM to 10:30 PM, and Mr. Spangler would ask for a five year franchise. He would hope to receive some area in the airport terminal itself for the purpose of advertising.

Mr. Perry stated it might be in the interest of the City that Mr. Spangler be given an opportunity to expand on the presentation in some way, and see if perhaps a division of the areas of responsibility might not be advantageous to the city.

Mr. Perry stated he asked Mr. Spangler why this presentation was being made so late and he said he did not know it was coming up on the agenda until the last minute. He stated he understood that he was given an opportunity to make a bid on a set of specifications that were completely unacceptable to him or to anyone else, and this can be shown by the fact that no one entered a bid on those specifications. Mr. Perry stated this is all heresay as he has not read the specifications himself. That Mr. Spangler said it required a stop at SouthPark and would require about six or eight units of transportation as opposed to the two he expects to run, and it could not economically be done. Mr. Perry stated that Mr. Birmingham tells him an opportunity was given in the past to submit an alternative to that where they did not have to subscribe to those specifications.

Mr. Birmingham, Airport Manager, stated in the specifications they tried to draw what they felt was an optimum operation, and they did not get any bids on it. He stated they left a place in their for an alternate bid. This was advertised on December 17, and bids were taken on December 30, at which time they received only the two bids. They extended this on December 30 until January 12, at which time they sent Mr. Spangler an invitation to bid, and he did not pick up the specifications. Mr. Birmingham stated he can see several things wrong with limiting the service to downtown. This means that anyone who wants to go to any other area in the City would have to pay the taxi metered rate if they were going into any area except downtown. That he does not believe we want to do that now as all the people are not confined to the downtown area. There are people going to the Coliseum area, to some of the other motels on the fringe, and some going to the SouthPark area. He stated they feel they have looked at this from a real objective standpoint, and feel it is the best they can do under the present setup to provide the most optimum service to all the people.

He stated in the agreement they propose with Yellow Cab Company there is a 60 day termination clause if the city wants to initiate limousine service. Based on these facts, he suggested that Council go ahead with the agreement. That technically the contract with Yellow Cab expired January 1, but they asked them to extend it by letter until March 1, which they did.

Councilman McDuffie asked if they pursued the metered system which was mentioned? Mr. Birmingham replied they did and they feel it is coming as quickly as they can make arrangements. They feel they are constrained for space in the present terminal area. Also if they allow all cab companies to come through a gate at a metered rate, the present traffic is peaked to six different peaks a day which runs from 6:30 in the morning until about 11:30 at night. Councilman McDuffie stated he only had in mind a taxi gate

January 31, 1972  
Minute Book 56 - Page 374

for people leaving the airport; anyone can bring them to the airport and they would not go through the gate; but anyone leaving would pay the 25-cents. Mr. Birmingham replied they feel if it is put on that basis and if you do not have an exclusive rate, that you do not guarantee yourself that these flights would be met; this puts the option to the taxicab company, or driver, who may or may not come out at the appropriate time, and he may select his time to come. Councilman McDuffie stated he would not object to giving this to Yellow Cab with the metered system which would eliminate the 5% gross because they pay as they go. Mr. Birmingham stated in the contract with Yellow Cab, they are proposing that sometime during the life of this contract during the next 12 months that the City come up with an enplane passenger rate and they pay the city so much on the enplane passenger. This would make the accounting very simple. Councilman McDuffie stated he would like to get down to the brass tacks of how much they are taking in. That 25 cent charged to the person using the taxi adding on to his \$2.50 the city would get more.

Councilman Calhoun moved that C. D. Spangler be permitted to make a bid, in writing, and that this matter be deferred for one week or two weeks. The motion was seconded by Councilman Short, and after discussion, the vote was taken on the motion, and carried as follows:

YEAS: Councilmen Calhoun, Short, Jordan, McDuffie and Withrow.  
NAYS: None.

Councilman Alexander abstained from voting.

#### PROPERTY TRANSACTIONS AUTHORIZED.

Upon motion of Councilman Withrow, seconded by Councilman Calhoun, and unanimously carried, authorization was given for the acquisition of two 100' x 294' residential building lots in the Whipoorwill Hills Subdivision, located 4,300 feet south of Airport Runway 18/36, at \$2,500 each, from Edgar B. Byrum.

#### RESOLUTION AUTHORIZING REFUND OF CERTAIN TAXES COLLECTED THROUGH CLERICAL ERROR AND ILLEGAL LEVY.

Councilman Jordan moved adoption of the subject resolution authorizing the refund of certain taxes in the total amount of \$1,151.70 which were levied and collected through clerical error and illegal levy. The motion was seconded by Councilman Calhoun, and carried unanimously.

The resolution is recorded in full in Resolutions Book 8, at Page 53.

#### CLAIM OF MRS. ISABELL MCCREE FOR LOSS OF ARTICLES OF CLOTHING, DENIED.

After discussion, Councilman Calhoun moved that the subject claim, in the amount of \$175.11, for loss of numerous articles of clothing, be denied as recommended by the City Attorney. The motion was seconded by Councilman Withrow, and carried unanimously.

#### CITY MANAGER AUTHORIZED TO APPROVE OR DENY CLAIMS AGAINST THE CITY IN THE AMOUNT OF \$300 OR LESS.

Councilman Short moved that the City Manager be authorized to approve or deny claims against the city involving \$300 or less. The motion was seconded by Councilman Withrow.

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

January 31, 1972  
Minute Book 56 - Page 375

ORDINANCE NO. 367-X AMENDING ORDINANCE NO. 190-X, THE 1971 MODEL CITIES BUDGET ORDINANCE, REVISING APPROPRIATIONS TO MEET ACTUAL AND PROJECTED EXPENDITURES AND REVENUES, AND PROGRAMMING FUNDS FOR EIGHT NEW PROJECTS.

After explanation and discussion, Councilman Alexander moved adoption of the subject ordinance, which motion was seconded by Councilman Withrow, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 18, beginning at Page 468.

RESOLUTION AUTHORIZING THE EXECUTION OF EIGHT ADDITIONAL MODEL CITIES CONTRACTS WITH THIRD PARTY AGENCIES.

Motion was made by Councilman Alexander, and seconded by Councilman Withrow, to adopt the subject resolution authorizing the execution of eight additional Model Cities contracts with third party agencies, as follows:

- (1) P.A.E.D. - Business Development Center Loan Fund - \$150,000
- (2) Johnson C. Smith University - Music Development Program - \$28,000
- (3) Hornet's Nest Girl Scouts Council - Girl Scouts Program Equipment Supplement - \$1,831
- (4) YMCA - Neighborhood Athletic Development - \$14,000
- (5) Mecklenburg County Scout Council - Model Neighborhood Camp Site Development Project - \$35,673
- (6) Florence Crittendon Services, Inc., Teenage Parents Hospitalization Services - \$24,000
- (7) Mecklenburg County Health Department, Sickle Cell Anemia Workshop - \$10,000
- (8) Johnson C. Smith University - Helping Hand Program - \$50,000

In the discussion, Councilman Short asked how it happens that the budget for business development was so little used, and now they propose to use the remainder of it in a great hurry? Mr. Wilson, Director of Model Cities, replied the revolving loan fund and the administrative costs were lumped into one account. That it makes more sense to take revolving loan accounts of this nature and set them aside and give them charters that will incorporate the use and intent of those funds in that charter in perpetuity. HUD has said it will not allow the release of these funds of \$150,000, or the \$200,000 that is yet carried over from the first year, until such time as the charter for both of these accounts has been approved separate from the administrative account which is now out of this \$150,000. The idea is to provide something that will live beyond the bounds of the program in terms of time, and to continue to do the things the program was originally intended to do. It will act as a bank after the funds have been requested and approved on each item that comes down. Mr. Wilson stated they simply cannot take and transfer that entire amount to that account even with the charter invoked. Still, we will have to approve every single request for loans against those respective accounts. The idea is to protect and to be able to account for every dollar that flows under these letters of credit to the federal government. Obviously if it is a loan, and those loan funds become repayable, they become repayable to that fund and what is done with them after it is paid back, aside from the need for the Council as the originator of those things having to go in and audit what they are doing, if we did not have a charter, we would not have any way of controlling what they did with those funds and in making sure they continued to do with that what was originally intended.

Councilman Alexander stated he sat with PAED in a Board Meeting, and he is not too sure that they are clear about what Mr. Wilson is saying. That he did not see where they are ready to progress to an operational point of view because of some of the things Mr. Wilson is saying. He stated he raises the question of whether they are fully aware of all the things that are necessary to be

January 31, 1972  
Minute Book 56 - Page 376

cleared up before they can move into the other agreements that will be necessary in the operation of this organization as it is hoped to be developed. Mr. Wilson replied on the 7th of January, he took both draft copies of PAED and MOTION, Inc. proposed corporations to the loan fund accounts to Atlanta for review with Dr. Patterson who is in charge of this particular activity. Dr. Patterson had reviewed and noted certain items that he felt should be incorporated. That they came back with that information and on the 12th of January conducted a meeting with both parties and their respective staff and explained at length to them what needed to be incorporated in addition to what they had already proposed. That was almost 20 days ago. From that day to this, except for telephone communications and one side excursion in the case of PAED where someone decided to ask another lawyer whether or not they really needed to do this, and in his ignorance, he told them it was not necessary. Mr. Wilson stated how he could tell those people what was or was not necessary when the people who are holding the strings on the money are also lawyers and are interpreting the laws according to what the Congress and the guidelines have dictated, he does not know.

Mr. Wilson stated there is to be a meeting this afternoon with Mr. Henderson and the Model Cities staff and two or three other people. He stated he sent them another letter re-explaining the situation and telling them, in great detail, that they are not going to ever get a penny of this money until these charter requirements have been satisfied in terms of what HUD has said, and they will also have to satisfy the Council. That his memo went so far as to tell them quite clearly if something is not done in the very next few days they stand a very good chance of having that particular fund de-allocated.

Councilman Calhoun asked for what purpose the loans are granted and what agency approves them? Mr. Wilson replied there is a structure that calls for a series of reviews, advisories and otherwise, prior to any approvals of any of the loans. Staff reviews the request for soundness. They must have approached the SBA and gotten their concurrences that although it cannot be done within the jurisdiction of their restrictions that it is relatively sound. There is an advisory board with at least three bank representatives, one elected official on it, one non-model cities business resident, one CDA representative, one PAED representative, one accountant and seven neighborhood representatives, three or four of whom may be businessmen. This group acts as an advisory board with respect to the reviewing and making recommendations to PAED that they should request through the Model Cities Department administration (x) amount of dollars in support of a particular loan. There are limits placed on the loans; these loans are not made in competition with either the SBA or the local banks, but they are higher risks than either of those would take. The assumption is because continual counseling service is provided and accounting service is provided that these people will survive and these loans will be repaid.

Mr. Wilson stated the HUD official mentioned there should be some statement of policy within this preparation as to whether or not they would take the equity position in any particular position they would develop. Their reason for that is fairly obvious in terms of an opportunity for them to participate in expanding the fund itself. If the company or agency wants it and will put it in their charter, HUD will permit this. HUD will also permit that there be in the charter the stipulation that states that on a non-profit basis they will begin to place themselves in a position that will allow them to continue the management cost of supporting this long term account in perpetuity.

Councilman Alexander asked what is it that gets the situation balled up when it gets to the implementation stage where you cannot get off the ground? Mr. Wilson replied he hopes the meeting this afternoon with their lawyers and with the staff will resolve it once and for all, along with his admonishment that if they do not they will lose the funds. Councilman Alexander stated it seems to him that too many outside forces become involved and here is where the "messing up" begins. That we have to reach a stage where you take

January 31, 1972  
Minute Book 56 - Page 377

a group like thia and its funding comes through the Model Cities Program, and in this case PAED becomes the contracting agency for the business development program, that there has to be some way we can cut out the room for shenanigans with ideas that are contrary and irrevelant to what the program guidelines call for. Mr. Wilson replied, knowing what they call for, all he can do is to review and ask them to change and/or reject what they send up that does not meet the requirements. That he is not playing any games with these people, and unless they shape up in terms of playing the game according to the rules, then his next recommendation to Council will be to de-fund that program.

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

The resolution is recorded in full in Resolutions Book 8, at Page 54.

**CONTRACT WITH EARL M. REDWINE AND ASSOCIATES FOR TECHNICAL AND PROFESSIONAL SERVICES, APPROVED.**

Upon motion of Councilman Alexander, seconded by Councilman McDuffie and unanimously carried, the subject contract was approved in the amount of \$5,000 for technical and professional services required in the planning and execution of the City's Comprehensive City Demonstration Program.

**QUESTION OF TRANSPORTATION BEING FURNISHED FOR MODEL CITIES RESIDENTS ATTENDING ADULT EDUCATION CLASSES.**

Councilman Alexander stated he has received a folder of letters in reference to an adult education program but it mentions Model Cities and transportation problems. He asked how much participation Model Cities is having in this adult education program? That it says something about transportation supposed to be furnished by Model Cities. Mr. Wilson replied if it is one Model Cities is sponsoring and is the one that Central Piedmont has previously been exercising in certain churches in the community which, for their own reasons decided they did not want to continue housing such programs, so other facilities were sought. Among those facilities is one of the local high schools. To the extent that will cause a transportation problem for some people, they will resolve it by providing them with transportation to the school. That is something that is currently in execution. Mr. Wilson stated they will be glad to investigate this and give Mr. Alexander a report if he will pass the information to them.

**PROPERTY TRANSACTIONS AUTHORIZED.**

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

- (a) Acquisition of 11.32' x 161.44' x 70.77' x 73.99' x 155.53' of easement at 2626 Milhaven Lane, from the Charlotte-Mecklenburg Board of Education, at \$233.00, for Interstate-77 sanitary sewer relocation.
- (b) Acquisition of 7.50' x 9.04' of easement at Rt. 11, Box 134N, Juniper Drive, from Elizabeth Francis Collier and Marvin G., at \$75.00, for Interstate-77 sanitary sewer relocation.
- (c) Acquisition of 12.54' x 32.83' x 2.68' x 34.50' x 2.29' of easement at Rt. 11, Box 246, Boulder Lane, from C. Harry Black and wife, at \$100.00, for Interstate-77 sanitary sewer relocation.
- (d) Acquisition of 20' x 135.26' of easement at 606 Dewolfe Street, from Nannie Helen Greene (single), at \$135.00, for Parkway Avenue Trunk sanitary sewer construction.

January 31, 1972  
Minute Book 56 - Page 378

- (e) Acquisition of 20' x 173.54' of easement at 3946 Barlow Road, from Thomas L. Carrick, Jr., and wife, Jean Coll, at \$174.00, for Parkway Avenue trunk sanitary sewer construction.
- (f) Acquisition of 20' x 122.91' of easement at 4015 Barlow Road, from John Levi Bailey and wife, Betty M. Bailey, at \$125.00, for Parkway Avenue trunk sanitary sewer construction.
- (g) Acquisition of 25' x 117.98' of easement at 2911 Monroe Road, from D. L. Phillips Investment Builders, Inc., at \$300.00, for Upper Briar Creek Interceptor sanitary sewer construction.
- (h) Acquisition of 25' x 1,475.82' of easement at 15' x 369.08' of easement at 127 Moncure Drive, from Holly Development Corporation, at \$1.00, for Lower Briar Creek Interceptor sanitary sewer construction.

SALE OF CITY OWNED PROPERTY AT 600 SOUTH MINT STREET, DEFERRED, AND CITY MANAGER TO DECIDE WHEN TO PLACE IT BACK ON THE AGENDA.

Councilman McDuffie moved approval of the sale of city-owned property at 600 South Mint Street to Mr. Hugh Martin Efird, the high bidder, in the amount of \$30,080.00. The motion was seconded by Councilman Calhoun.

Councilman Short stated when this matter came up about 8 or 10 months ago he thought the city was disposing of a remnant where the city had purchased a larger lot and did not need all of it for the roadbed. That he did not realize the effect of what Council was doing was blocking off Stonewall Street from Graham Street. It seems that this is a rather basic linkup between Independence Boulevard and in effect Statesville Avenue, Derita and soforth which is Graham Street.

Mr. Hopson, Public Works Director, stated he had the same feeling and he went up and looked at the situation. That it is utterly impossible to ever do this without millions of dollars. There are several railroads involved and there is a topography problem. It looks good on the map, but when you look at it in the field it will not come to pass with all our other needs and highways. That this is about twice the appraisal value.

Councilman Short stated he noticed that this street does go across a main line railroad track, but the one that is being left open goes across eleven railroad tracks, and that is Second Street. Between the two, it seems better to close Second Street and leave this one open.

Mr. Bobo, Assistant City Manager, stated this right of way was bought for the opening of Stonewall Street before the Thoroughfare Plan was developed. When this plan was developed it was decided that a better plan would be to open Third and Fourth Streets as pairs rather than Stonewall Street. That the Stonewall Street opening has been abandoned. In the meantime the crossline railroad has been brought into play and the tracks elevated to have an underpass at Trade Street. The plan to extend Stonewall Street is obsolete.

Councilman Short stated one of the basic questions he has if someone was traveling south on Graham Street, how could he get on the Independence Expressway? Mr. Bobo replied you could not get on from a Stonewall Street egress either. But Mr. Travers, in the Ponte Wolfe Plan, stressed a need for a connection either at Poplar Street or Church Street to the expressway.

After further discussion, Councilman Short made a substitute motion to defer the matter until the City Manager decides to place it back on the agenda. The motion was seconded by Councilman Withrow, and carried unanimously.

January 31, 1972  
Minute Book 56 - Page 379

COUNCILMAN JORDAN LEAVES MEETING.

Councilman Jordan left the meeting at this time, and was absent for the remainder of the Session.

CITY OWNED PROPERTY AUTHORIZED ADVERTISED FOR SALE AT PUBLIC AUCTION.

Upon motion of Councilman Short, seconded by Councilman Calhoun, and unanimously carried, property at 717-721 Wesley Drive, was authorized advertised and offered for sale at public auction.

TRANSFER OF CEMETERY LOTS, AUTHORIZED.

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

- (a) Deed with Frances Smith Purcell for Graves No. 1 and 2, in Lot No. 810, Section 6, Evergreen Cemetery, at \$160.00.
- (b) Deed with Thompson Watson MacDonald for Graves No. 3 and 4, in Lot No. 908, Section 6, Evergreen Cemetery, at \$160.00.
- (c) Deed with Richard Culp, for Graves No. 1 and 2, in Lot No. 46, Section 8, Oaklawn Cemetery, at \$160.00.
- (d) Deed with Willie E. Oliphant and wife, Mrs. Constance Oliphant, for Lot No. 143, Section 8, Oaklawn Cemetery, at \$320.00.

SPECIAL OFFICER PERMITS APPROVED.

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

- (a) Issuance of permit to Leonard Wilson Hedrick, for use on the premises of Central Piedmont Community College.
- (b) Issuance of permit to Tyrone Stanley Freeman, for use on the premises of Central Piedmont Community College.
- (c) Renewal of permit to Woodrow Freeman, for use on the premises of Charlotte Park & Recreation Commission.

COUNCIL ADVISED THAT COUNCILMAN WHITTINGTON HAS RETURNED HOME FROM HOSPITAL AND IS RECEIVING FRIENDS AND TELEPHONE CALLS.

The City Manager advised if everything went according to schedule, Councilman Whittington returned home today and is receiving friends and telephone calls.

COUNCIL MEETING FOR FEBRUARY 21 DISPENSED WITH AND MEETING SCHEDULED FOR TUESDAY, FEBRUARY 22, 1972.

Councilman Short moved that the Council Meeting scheduled for Monday, February 21 be dispensed with and the Council Meeting be set for Tuesday, February 22, 1972, as Monday, the 21st, is a legal holiday for City Hall. The motion was seconded by Councilman Withrow, and carried unanimously.

380

January 31, 1972  
Minute Book 56 - Page 380

REPORT REQUESTED ON OPENING UP OF NEW ROAD TO DOUBLE OAKS SCHOOL FROM STATESVILLE AVENUE.

Councilman Alexander asked the Public Works Director if there is any activity being generated about opening up a road to Double Oaks School from Statesville Avenue? Mr. Hopson replied he is not familiar with the problem, but he will give Council a report on it.

MAYOR LEAVES MEETING AND MAYOR PRO TEM PRESIDES.

Mayor Belk left the meeting during the following discussion, and Mayor pro tem Alexander presided for the remainder of the Session.

SUGGESTION THAT EXPERT BE EMPLOYED TO HAVE RESPONSIBILITY FOR PULLING TOGETHER ALL THE PLANS FOR DOWNTOWN AND COMMUNITY AS A WHOLE.

Councilman Alexander stated recently Council has been dealing in much uptown activity. That many plans have been proposed and studied. The City's road program is a part of the total community development. He stated he sits in Council and sees that the workload of the City Manager is added to swiftly.

Councilman Alexander stated he feels it is necessary to consider doing in Charlotte what was done in San Francisco, and that is employ an expert who can have the responsibility of keeping up with and putting together all these various plans and giving directions as to which way we should go in all the plans of the community and uptown development.

He stated this is what the late Mr. Justin Herman did in San Francisco, and this was the key to how they were able to begin a development program that everyone talks about and tries to pattern after. He stated we need to give some discussions to a similar consideration. That he cannot see how we are going to be as successful as we should be with what we are doing now and not bog it up for someone five or ten years from now unless this is done.

Councilman Alexander stated the position of Mayor is a part-time responsibility, yet the Mayor gives a major portion of his time here at City Hall. He does not have the time to do everything that should be done in putting these things together and keeping up with them.

He stated he would like to get this on the Council agenda for discussion and to get the pertinent facts as to whether or not such an idea is worthwhile in light of the development planned. He asked that Council consider this and ask the City Manager to begin immediately to put together some facts that will lead toward some discussion as to whether or not we have reached the stage where this should be considered.

Councilman Calhoun replied the idea is a good one. In his opinion we already have provisions for that sort of job. What Mr. Alexander is talking about definitely belongs under the planning function. Council has already talked about needing three other planners to handle the workload. That this should come under the Planning Director.

Councilman Alexander stated if it is to come under the Planning Department, or if it is a part of urban renewal responsibility, or whatever it is, he thinks we are losing time and dollars and balling up the planning if this is not begun immediately.

He stated some strong discussions are needed to see if it really does belong under the planning department or if it needs to be done somewhere else. He stated this is all important, and we are spinning our wheels unless we begin now and get going on something like this.

January 31, 1972  
Minute Book 56 - Page 381

Councilman Calhoun stated this is all part of the planning function and with an aggressive planning department it will be handled properly. That he is not sure the Department has the staff to cover all the various responsibilities, but this is where the responsibility lies.

Councilman Alexander stated Council has asked for a new zoning consideration, and other things which will have to come from the Planning Department. All of this is needed now. Decisions are being put off that need decisions now.

Mr. Bobo, Assistant City Manager, stated such discussion is going on and a plan is being developed for Council's consideration in the next few weeks. Just this week a meeting was held with the Public Works Director, the Redevelopment Commission Director and a representative from the Ponte-Wolfe plan, and the Planning Director to discuss this problem. They hope to have a plan ready for the City Manager's consideration very shortly, which if he agrees, will be brought to Council.

(MAYOR BELK LEAVES MEETING AT THIS TIME.)

Councilman Withrow stated when he returned from Europe he asked that three additional men be employed in the Planning Department. That he went to the Chamber of Commerce and asked them, and the Chamber of Commerce made their study from his recommendation.

Mr. Bobo stated they have a recommendation now from the Planning Director which is being studied about the three positions. Also, there is a recommendation coming on the various other activities such as the Ponte-Wolfe Plan for downtown.

Mayor pro tem Alexander stated the man he is talking about is stronger than any of the three men who have been requested for the Planning Staff. That he is not talking about the three additional planners that are necessary now. That he is saying we need a "Justin Herman."

Councilman Short stated this might be implemented in two ways. One would be the in-house method. That would be an individual designated at a level approximately on par with Fred Bryant, who is director of current planning; there might be a director of downtown planning. It would be a very high position in the planning structure. Another means might be the employed outside expert. This was a part of the thinking at the time the Ponte-Travers, Wolfe team was brought in. They have run through the allocation of funds made for their services, but it was envisioned at that time, and by Mr. McIntyre, that at least one of the gentlemen might be on hand and on call permanently as an outside expert who would advise, recommend and coordinate things in the downtown area. That "Justin Herman" would be an asset to any city.

**SUGGESTED ALTERATIONS IN PLANS FOR WIDENING AND IMPROVING OF SHARON ROAD REQUESTED INVESTIGATED BY APPROPRIATE CITY DEPARTMENT.**

Councilman Short stated in the capital improvements program for 1972-73, which is not very far away, there is an item he thinks is incorrectly planned. He passed around a copy of Page 19 of the capital improvement budget which shows the item he is talking about.

He stated he is referring to the widening and improving of Sharon Road, from Queens Road to Harris Road. The heavy line is the plan now to be used, and this will greatly harm many homes along there which are fine, expensive but somewhat older homes, and in many instances, they are built too close to the street. There are 64 homes along the area he is talking about. These homes will be harmed materially by the widening plan the capital improvement budget shows. In addition a great many trees would have to be cut down.

January 31, 1972  
Minute Book 56 - Page 382

Councilman Short stated he is suggesting that the alternate line shown be investigated. That the roadbed is already there. It obviously had been the intention of the original developers of Myers Park to run this street the ways he has indicated with the dotted line. That it is the best way and will save harm to those 64 homes. This street would run behind some of the homes instead of in front of them.

Councilman Short moved that Council ask the Traffic Engineering Department or the appropriate individuals in the city establishment to examine into this and report back to Council as it is on the capital improvement budget for handling soon. The motion was seconded by Councilman Calhoun.

Councilman Calhoun stated if this was done for nothing more than from the standpoint of adequate engineering, it would be worth looking into. The widening, as it now stands, is a winding road and is dangerous and does not lend itself to this.

The vote was taken on the motion and carried unanimously.

COUNCIL REQUESTED TO CONSIDER SUGGESTIONS FOR CENTRAL AVENUE EXTENSION INTO HAWTHORNE LANE AND HAWTHORNE LANE INTO PLAZA ROAD.

Councilman Short passed out a xerox copy of the Capital Improvement Program and asked Council to think about his suggestion.

He stated this shows an extension of Central Avenue on into Hawthorne and the extension of Hawthorne on into Plaza Road. In recent years, we have been talking about circumference type roads, but it seems to him without too much doing, we could create a very fine radial type road that would lead into northeastern Charlotte. He stated he has been concerned about the difficulty of getting into that area for a long time. Those people out the Plaza way have to come into Charlotte by roads that are not direct and require several left turns. There are thousands of people living out the Plaza.

Councilman Short stated the little additional road work he suggests with the two dotted lines will just bring the Plaza Road right directly into the new expressway loop, and at a very advantageous place at the big interchange. He stated this will require knocking out some things. Overall he thinks it would be a very advantageous thing.

Councilman Short stated this would carry Central Avenue into Hawthorne Lane approximately at the railroad tracks. He is basically saying that Plaza Road, Hawthorne Lane and Central Avenue are all really one street if they are just joined together. It takes two little additional pieces of construction to do it.

REQUEST THAT PERSONS PRESENTING PARKING PROPOSAL TO CENTRAL CHARLOTTE ASSOCIATION LAST WEEK BE INVITED TO BRING THE PROPOSAL TO COUNCIL AT A CONFERENCE SESSION.

Councilman Short stated it would be a good idea if Council invited Mr. Jim Hunter, Mr. Leroy Robinson and Mr. Marion Ellis to come to Council and discuss the parking proposal made last week at the Central Charlotte Association banquet. This is something Council owes not only them but the city. This is a very serious consideration. He suggested that Council consider inviting them to a conference session to go into this further to see what Council can do and to see if Council wants to do anything further to implement this proposal.

January 31, 1972  
Minute Book 56 - Page 383

REQUEST THAT BACKLOG OF ITEMS BE BROUGHT TO COUNCIL FOR CONSIDERATION.

Councilman Withrow stated time and time again each Councilman has asked for certain things to be done. That there must be a backlog of information the Councilmembers have lost. He asked if there is any way to go back and pick up the backlogs and get them on the agenda and clear them off.

The City Manager stated he very meticulously records everything Councilmembers request at a meeting. That a record is kept of the request and what has been done with the request. Mr. Burkhalter stated he will go back and check and see what items have been requested and been brought to Council's attention and no action taken. The items Councilmembers have suggested and that can be handled administratively are handled in that way.

Councilman Calhoun stated this all goes back to what he suggested several weeks ago. There are items on the agenda now that should be handled administratively and there are others that probably need to be on the agenda and are waiting because they were asked for by a Councilman and no action has been taken. That the agenda needs to be looked at a little more carefully, and eliminate what we can and put on there the other items which are backlogged.

Mr. Burkhalter stated a good case in point was discussed at the Conference Session. There was a report made to Council on Firemen's Retirement benefits; a report was made to Council that this could be done. The next thing that will happen will be the actuarial study. When that is completed, it will be made available to Council at a conference session or a meeting. The frustration part is there is where we leave it. He asked Council how they would like for him to handle this?

Councilman Calhoun replied as soon as this report is available, they want it on the agenda so that action can be taken.

Mr. Burkhalter stated he will go back and review requests and bring them to Council for consideration.

SUGGESTION THAT MAYOR AND COUNCIL CONSIDER THREE MEMBER COUNCIL COMMITTEES FOR MATTERS BROUGHT TO COUNCIL THAT ARE QUESTIONABLE OR DEBATABLE.

Councilman Withrow stated he has talked to a number of our legislators about how we can resolve matters of great concern, matters that are debatable, matters that Council can get together and talk over. That it has been suggested that Council use a committee form of three Councilmembers or less.

Councilman Withrow suggested to the Mayor and Council that this Council study the idea of having three member Council Committees on items that are brought to Council that are questionable, or are debatable. That the Committee would take the matter under advisement and bring it back to Council for consideration. That he thinks we should use the same method as the legislative group uses.

Councilman Short asked how this relates to the recent plan that evolved at the Manger Motel where the County Commission has two representatives, City Council had two representatives and the legislation has two representatives. Councilman Withrow replied he is talking about just for the City Council. This idea is good to plan an agenda for the Council, County Commissioners and Legislative group. That he is talking about the City Council as a whole appointing committees to study different items that are on the Council agenda or that are going to come before Council. He stated he is talking about a Committee of three people or less.

Councilman Withrow asked the City Attorney if this would be permitted? Mr. Underhill replied it seems Council is talking about the same type of system Raleigh has. They have two standing committees. One on law and finance

January 31, 1972  
Minute Book 56 - Page 384

which consists of three members of their council. They have another committee on planning and development. All items that go on their council agenda must first come through the committees. Raleigh has a different procedure; they have a two-reading procedure and they cannot take action on anything unless it passes two readings.

Councilman Calhoun stated a perfect example that will be confronting Council in the next six months is annexation. If annexation is to be looked into properly, it will take a lot of research, and material will have to be received from the Planning Department, Water and Sewer Departments and other Departments. Cost figures will have to be looked at. There is going to be a lot of "homework" necessary before any proposal for annexation comes up for Council to pass judgement on. That what Mr. Withrow is talking about is the necessary digging, researching and looking at these facts and figures and getting the information to present to Council. That each Councilman should do it individually, but it makes it a lot simpler if one or two people are assigned the task of doing this. That perhaps you would want to set up a similar study to look at another belt line over and beyond the Sharon Amity Belt Line, even beyond Carmel Road.

Mayor pro tem Alexander asked if this would fall within the law that Council is tied up in now? Mr. Underhill replied no as it would not be an official meeting of Council as such. If a Committee is composed of a majority of members of Council of four or more, it is conceivable they could transact matters that could fall under the provisions of the meeting statute. If less than a majority, then it probably would not fall under the statute. That he would have to look at it before making a proper response.

Mr. Burkhalter, City Manager, stated generally speaking committees are very bad in this form of government. They tend to take administrative action which is not proper; they tend to assume administrative action which causes some friction and does not produce good results. Principally they just double the work of all involved, because no Council that is worth its salt will vote on something they do not understand. Most of them do not wait for three people to tell them what they think; that he has observed that this Council is pretty independent. So each member will take the time to see that he hears it if he has not heard it. On the other hand, Mr. Withrow mentioned a good purpose for a Committee and that is one that can do some thinking for Council to keep up with some of the Council's legislative functions which is of a different nature than administrative functions of the City.

Councilman Withrow stated he is asking for a study and is not asking for a vote on it at this time.

**COUNCIL ADVISED THAT SIDEWALK STUDY WILL BE BROUGHT BACK SHORTLY WITH RECOMMENDATIONS.**

Councilman McDuffie stated a Sidewalk Study has been made and it is on the shelf someplace. He asked if this will be brought back to Council soon?

Mr. Bobo, Assistant City Manager, replied it is being studied and a report will be back shortly with a recommendation.

Councilman McDuffie stated he hopes it will be soon. That it is a disgrace that we do not have sidewalks on the major thoroughfares. That one place is at the Coliseum; people staying at the Ramada Inn do not have a place to walk from there to the Coliseum. That there is an ordinance on the books

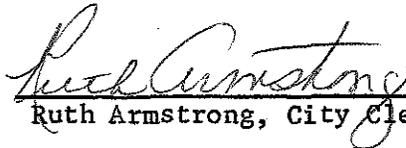
January 31, 1972

Minute Book 56 - Page 385

to keep bushes and shrubbery off the street; that if we have an ordinance that says this, then it should be enforced. Fences, for example, are put up every day in the rights of way; but there is not an ordinance to make the fence company get a permit to prevent them from putting the fence out on the street and it forces children and people to walk in the street. That when the study comes before Council, he hopes that Council will do something other than approve it, and forget about it.

MEETING ADJOURNED.

There being no other business before the Council, the meeting was adjourned.

  
Ruth Armstrong, City Clerk