

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Monday, February 28, 1966, at 3 o'clock p.m., with Mayor Stan R. Brookshire presiding, and Councilmen Claude L. Albea, Fred D. Alexander, Sandy R. Jordan, Milton Short, John H. Thrower and Jerry Tuttle present.

ABSENT: Councilman James B. Whittington.

INVOCATION.

The invocation was given by the Reverend Allison Hansen, Pastor of Good Shepard Luthern Church.

APPROVAL OF MINUTES.

Upon motion of Councilman Short, seconded by Councilman Jordan and unanimously carried, the Minutes of the last meeting on February 21, 1966, were approved as submitted to the City Council.

ACTION ON PETITION BY FIVE TAXICAB COMPANIES FOR AN INCREASE IN THE SCHEDULE OF FARES DEFERRED FOR ONE WEEK FOLLOWING PUBLIC HEARING ON PETITION.

The public hearing was held on the Petition of Baker Cab Company, Charlotte Cab Company, Inc., Checker Cab Company, Victory Cab Company, Inc., and Yellow Cab Company for an increase in the schedule of fares.

Mr. Brock Barkley, Attorney representing all five Cab Companies, stated they appeared before Council in recent weeks and presented their request for an increase in the schedule of fares of taxicabs operating in Charlotte. They have given Council information with respect to the problems the Cab Companies face and a Table showing rates in every city in the United States with a population between 200,000 and 300,000, in which category Charlotte, if the increase were granted, would still rate at the bottom. They have submitted to the City Manager for Council's information a Financial Statement from each of the Cab Companies. He stated that he has copies of the Table and Informational Statement with him and will be glad to supply them to the Council and City Manager if they so desire; also, he will be glad to answer any questions. He stated that he is speaking for all five Cab Companies.

Representatives of the Cab Companies who were present were invited to speak by the Mayor.

Councilman Tuttle asked Mr. Barkley what percentage of the trips are for approximately one mile? Mr. R. E. Crump, Yellow Cab Company, advised the average trip is about 1.9 miles.

No objections were expressed by the public to the requested increase in fares.

Councilman Jordan stated that in order for Council to have the recommendation of the Director of Finance after he has had time to study the Financial Statements of the Cab Companies, which he only received on the 24th, he moved that Council decision be deferred for one week. The motion was seconded by Councilman Albea.

Councilman Tuttle asked Councilman Jordan if he would include in his motion "defer Council decision for at least one week or until such time as we have received adequate Financial Statements from all of the Cab Companies" as he understands some of the Statements were not acceptable. The City Manager advised that some of the Statements that were received are rather incomplete and some of them are unsigned; perhaps we could get more information from some of the Cab Companies than we received.

Councilman Jordan stated that since Mr. Fennell has only asked for one week in which to study the Statements, and certainly we owe the Cab Companies a decision one way or the other; he thinks that one week would be sufficient time.

Mayor Brookshire remarked that action on the petition could be deferred again next week if Council so desired.

The vote was taken on the motion and unanimously carried.

ACTION ON PETITION NO. 66-17 BY NEAL C. HUNTER AND JAMES H. ROGERS FOR CHANGE IN ZONING FROM R-9MF TO I-2 ON PROPERTY FRONTING 515 FEET ON THE SOUTH SIDE OF I-85, DEFERRED FOR ONE WEEK ON REQUEST OF ATTORNEY FOR THE PETITIONERS.

Mr. Robert Potter, Attorney, stated that at the public hearing on last Monday, he represented the Petitioners for a change in zoning from R-9MF to I-2 on property fronting 515 feet on the south side of I-85, known as Petition No. 66-17; and since then, he has discussed the petition with some of the members of the Planning Commission, and they all feel it desirable that the Petition be referred back to the Commission for further consideration. He requested that this be done and Council decision be deferred until at least one week after the next public hearing in order to give an opportunity to the Commission to review this matter further. He stated that he has taken one member out to the property and wants to make sure that all of them see the property.

Councilman Albea stated that he thinks the request should come from the Planning Board. That Council agreed not to discuss these cases after the Hearing. That he appreciates the position the gentleman is in, but the Council is going to meet themselves coming back several times before our terms are up next year on things like this.

Mayor Brookshire asked Mr. Potter if he understands he wishes to ask the Planning Commission to revise the Petition? Mr. Potter replied that he does not wish to do so; that all he wants is to be sure that all of the Planning Commission have seen the property and understand what they are trying to do. That he has taken one member of the Commission out to see the property who did not go before, and he does not know how many more members did not go, that he found only one member who has been out to the property.

Mayor Brookshire stated the Planning Commission has already considered his Petition and made recommendation to the Council, and Mr. Potter stated he realizes that, he is merely asking for a deferment of Council's decision.

Mayor Brookshire asked the Acting City Attorney to comment on the request. Mr. Kiser stated that as the Item appears on the Agenda, it appears with the recommendation that it be disapproved by the City Council. If there is a desire on the part of the Planning Commission that they be given an

opportunity to reconsider it, he would suggest that the recommendation or request be forthcoming from the Planning Commission and Council would then, of course, in its discretion consider whatever recommendation the Planning Commission might have with respect to the matter.

Councilman Alexander remarked that he is very interested in the statement made by Mr. Potter that an opportunity be given the Planning Commission members to see the property. That the disturbing factor in this to him, and this is what disturbs him on similar cases, is that the Council assumes that they can take the recommendation of our Planning Commission with the understanding that all necessary investigations have been made, and their recommendation is based on them. That it concerns him greatly if no one visits the site of the property involved in these zoning cases. And he is interested again from the point of view that here is a request for a Trucking Terminal that we heard last week, and the fact that we are attempting to get these big trucks off the city streets; and if no opportunity is going to be given that they be put on a highway like I-85, how are we going to get them off of the city streets? That he would like to hear what the Planning Commission says, and he thinks it would be wisdom if the Council could find some way to give them an opportunity to look at the property if they have not done so, so we can know what their thinking is then. That he thinks there is a little more back of this than is apparent to us. If the Council is to be guided by the decisions of the Planning Commission and some of them have not seen these sites - because what one sees on the ground is different from what one sees on a map - he feels that some consideration must be given to all of these factors.

At the request of Mayor Brookshire, the City Manager had contacted the Planning Staff to ask if they were willing to request Council to defer their decision on the Petition, and he advised that the Planning Staff reports they have no knowledge of the members of the Commission wanting to change their recommendation. He called attention that the Commission's recommendation, as it appears in their report to Council, was unanimous.

Mayor Brookshire stated the public hearing has been held on the Petition and suggested if Council sees fit they might wish to postpone their decision for one week and see if there is any communication in the meantime from the Planning Commission.

Mr. Kiser, Acting City Attorney, stated he would like to clarify what he said a moment ago. The Council, of course, may postpone any decision on any zoning matter within its discretion for one week or for so long as it desires; they do not have to make a decision on any certain date. The point made was that if the Planning Commission requests that this Petition be referred to them, that should be forthcoming from the Planning Commission.

Mr. Potter remarked that he wants to make it clear that he did not say that he has seen half or all of the members of the Planning Commission - that is the opportunity that he wishes to have, that he has seen some of the members and talked with them, and they feel that the Petition deserves reconsideration.

Mayor Brookshire asked Mr. Fred Bryant, Assistant Planning Director, if he has anything to say on Mr. Potter's request, and Mr. Bryant stated that he has just come into the Chamber and he does not know just what has been said; however, nothing has come to his attention that would indicate that the Planning Commission members have expressed any desire to reconsider the Petition.

Councilman Albea remarked that it has been insinuated here that some of the Planning Commission members do not go out and look at the property in the zoning cases before they make a recommendation to the City Council, and he wants to know if that is a fact. Mr. Bryant replied that he cannot speak for each of the Commission members; that they send each member, at least ten days or two weeks before the hearing, a list of the cases that are going to come up, where they are located and some pointers on how to get to the property. He stated that he, personally, always goes out and looks at the property on the ground, and on some occasions, makes more than one trip if some question comes up after he gets back to the office. And he can assure the Council that as far as the Staff is concerned, there is always an on-the-site inspection made. That he does know that some of the Planning Commission members make a point of visiting all of these sites, but he cannot speak for all of the members.

Councilman Alexander told Mr. Bryant that he raised the question, because he was concerned at a statement by Mr. Potter that he wanted to see if he could get the members of the Planning Commission to visit the site of the property in this Petition. That he has no objections to him doing so, and if the Council makes a decision today and disapproves the Petition, then they cannot come back with their request for a two-year period. If Mr. Potter can get the members to go see the site and thinks that will be helpful, then he is willing to give him the opportunity to do so.

Councilman Alexander then offered a substitute motion that action on the Petition be deferred for one week. The motion was seconded by Councilman Thrower.

Councilman Tuttle remarked that Mr. Potter came to see him regarding this, and, frankly, he would not have brought it up publicly, but now that Mr. Alexander has, he is glad that he did. That he was very much concerned to learn that the Planning Commission as a body, and apparently sometimes not any at all, and in this case, maybe only one has taken a look at the site where we have a 3/4th situation on a petition from the people. That it occurs to him that anything as important as this, involving several hundred homes, that some representative of this Commission should see the property.

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

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

ENFORCEMENT OF LAW REGULATING PARKING AT COLISEUM, PARK CENTER AND THE STADIUM REQUESTED.

Mr. John C. Bennett appeared before Council and registered a complaint relative to the promiscuous parking of cars by people attending functions at the Coliseum, Park Center and the Stadium. He stated that people park their cars anywhere they can find twenty feet of space, and some of the streets are so congested that an ambulance or fire truck could not possibly get through. That he has checked the parking lots several times and found an acre or two of unused space there, and at the same time, the streets were all clogged. He stated that he would like for Council to instruct the Police Department to enforce the law to the letter against everybody, regardless of whether they are from Charlotte or elsewhere.

Mayor Brookshire told Mr. Bennett that the Police have that authority, and Mr. Bennett replied that they evidently have a policy now not to enforce the law. That he hates to see a heart attack or a house burn down in order to bring the seriousness of these violations to the attention of Council, but it looks like that is what is going to have to happen.

Mr. Bennett stated further that there was a meeting on this last year, and everybody was invited to the meeting except the people most interested, the people who living in the area of the Coliseum who have to get beer cans off their front porch every morning after a full house at the Coliseum. So he thinks a meeting should be held in the Council Chamber and the property owners invited to attend and let them be heard.

The City Manager remarked that he would make a review of this matter.

CONSIDERATION OF PETITION NO. 66-13 BY SHARON HOME LOAN COMPANY AND JAMES J. HARRIS FOR CHANGE IN ZONING EXTENDING FROM SHARON ROAD TO NEAR INVERNESS ROAD AND LYING TO THE SOUTH OF WICKERSHAM ROAD, FROM R-12 TO R-12MF AND O-15, DEFERRED PENDING RECOMMENDATION OF THE PLANNING COMMISSION.

Upon motion of Councilman Jordan, seconded by Councilman Albea and unanimously carried, consideration of the subject Petition was deferred pending the recommendation of the Planning Commission following their further study of the Petition.

ORDINANCE NO. 433-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE, CHANGING THE ZONING FROM R-6MF TO B-2 ON THREE LOTS LOCATED AT 715, 717, AND 721 SOUTH TORRENCE STREET, UPON PETITION OF BREVARD S. AND JOHN S. MYERS, ADOPTED.

Councilman Tuttle moved the adoption of the subject ordinance, as recommended by the Planning Commission. The motion was seconded by Councilman Thrower and unanimously carried. The ordinance is recorded in full in Ordinance Book 14, beginning at Page 278.

PETITION NO. 66-18 BY KATHERINE D. DULIN AND MRS. EMELYN LAYNE PERSON FOR CHANGE IN ZONING FROM R-9MF AND B-2 TO I-2 OF 95.68 ACRES OF LAND ON THE SOUTH SIDE OF I-85, DEFERRED FOR ONE WEEK.

Upon motion of Councilman Alexander, seconded by Councilman Thrower and unanimously carried, action on the subject Petition was deferred for one week, the City Manager having advised that Councilman Whittington, who was absent, requested the deferment in order that he could have an opportunity to look at the property before the vote on it was taken.

ORDINANCE NO. 434-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE, CHANGING THE ZONING FROM R-6MF TO B-1 ON PROPERTY ON THE SOUTHWEST SIDE OF BELHAVEN BOULEVARD, FROM HONEYWOOD AVENUE TO NELSON AVENUE, FOR A DEPTH OF 150 FEET, UPON PETITION OF FRANK A. KENNEDY, M. E. ALEXANDER, P. P. TURNER AND B. K. HAMILTON, ADOPTED.

Upon motion of Councilman Thrower, seconded by Councilman Albea and unanimously carried, the subject ordinance was adopted, as recommended by the Planning Commission. The ordinance is recorded in full in Ordinance Book 14, beginning at Page 279.

PETITION NO. 66-20, AMENDED FOR CHANGE IN ZONING FROM O-15 TO B-1 OF PROPERTY ON THE NORTHEAST SIDE OF SHARON-AMITY ROAD, FRONTING 196.50 FEET ON SHARON-AMITY ROAD, BEGINNING 100 FEET NORTHEAST OF PROVIDENCE ROAD, DENIED.

Councilman Tuttle moved that the recommendation of the Planning Commission be overridden, and the Petition be denied. The motion was seconded by Councilman Jordan.

Councilman Alba remarked that he has had to break his 98 percent record of upholding the Planning Commission on this petition.

The vote was taken on the motion and carried unanimously.

ORDINANCE NO. 435-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE, CHANGING THE ZONING FROM B-1 AND I-1 TO B-2 ON PROPERTY ON THE SOUTH SIDE OF MONROE ROAD, BEGINNING 220 FEET WEST OF RICHLAND DRIVE ON PETITION OF COOK AND BOARDMAN, INC., ADOPTED.

Upon motion of Councilman Tuttle, seconded by Councilman Short and unanimously carried, the subject ordinance was adopted, as recommend by the Planning Commission. The ordinance is recorded in full in Ordinance Book 14, beginning at Page 280.

PETITION NO. 66-22 BY GUS PAPPAMIHIEL FOR CHANGE IN ZONING FROM R-9 TO B-2 ON PROPERTY ON NORTHEAST SIDE OF US 74 BEGINNING AT MCALPINE CREEK AND EXTENDING TO A POINT 355 FEET SOUTHEAST OF TARLETON DRIVE, DEFERRED FOR ONE WEEK.

Councilman Alexander moved that the subject petition be deferred for one week. The motion was seconded by Councilman Thrower and unanimously carried. The City Manager had advised that Councilman Whittington, who was absent, requested the Council to defer action on the Petition in order that he could have an opportunity to look at the property before the vote on it was taken.

CONTRACT WITH ABRAMS AERIAL SURVEYS, INC., EXTENDED FOR FURNISHING EIGHTEEN ADDITIONAL TOPOGRAPHIC MAPS OF MCALPINE CREEK DRAINAGE AREA.

Councilman Thrower moved approval of the extension of the contract with Abrams Aerial Surveys, Inc., for furnishing eighteen additional topographic maps of the McAlpine Creek Drainage Area, at a fee not to exceed \$3,465.00. The motion was seconded by Councilman Jordan and unanimously carried.

LAW ENGINEERING TESTING LABORATORY RETAINED TO MAKE NECESSARY INVESTIGATION OF CONDITION OF SOIL UNDERLYING THE BASE OF THE SEDIMENTATION BASIN AT HOSKINS FILTER PLANT.

Councilman Tuttle moved that Law Engineering Testing Laboratory be retained, at a fee not to exceed \$800.00, to make the necessary investigation of the condition of the soil underlying the base of the existing sedimentation basin at Hoskins Filter Plant, due to the wall of the basin having shifted and an examination of the soil being deemed advisable to prevent damage to the basin. The motion was seconded by Councilman Alexander.

Councilman Thrower asked the City Manager if the contract has been let for the construction of the new sedimentation basin, and Mr. Veeder advised that it was awarded last November. Councilman Thrower stated that theoretically he knows there are some 800 piling under the present plant because of soil conditions; now, are they going to come back to Council with an extra for additional piling? Mr. Veeder replied that he cannot answer that at this

stage of the work. That there is a possibility that the plans as bid may have to be altered to accommodate conditions brought about by the condition of the soil. Councilman Thrower remarked further that the Hoskins Plant was built in 1954 and the condition of the soil certainly has not changed in these twelve years, and if the soil conditions were the same then, he does not want them to come back for an extra \$50,000.00 for foundation supports which should have been counted on in the first place. The City Manager advised that what we are concerned with here is not the soil conditions as it relates to something to be constructed, but as it relates to something already constructed, and the nearness of that existing facility to the new one that is covered in the new contract. We want to make sure that by excavating too close to the existing structure we do not do something that would be improper for that structure.

The vote was taken on the motion and unanimously carried.

CONTRACT AUTHORIZED WITH D. A. STOUT FOR APPRAISAL OF PROPERTY IN CONNECTION WITH THE NORTHWEST EXPRESSWAY.

Councilman Short moved approval of a contract with D. A. Stout for the appraisal of one parcel of land at 609 East 11th Street in connection with the Northwest Expressway. The motion was seconded by Councilman Jordan and unanimously carried.

STREETS TAKEN OVER FOR CONTINUOUS MAINTENANCE.

Upon motion of Councilman Albea, seconded by Councilman Thrower and unanimously carried, the following streets were taken over for continuous maintenance:

<u>STREET</u>	<u>FROM</u>	<u>TO</u>
Barrington Drive	Plaza Road	200' N. of Somersworth Drive
Craftsbury Drive	Bridgeport Road	Barrington Drive
Craftsbury Drive	100' N/W of Kelsey Dr.	150' N/W of Somersworth Drive
Somersworth Drive	Craftsbury Drive	Barrington Drive
Charing Place	Rama Road	155 Redcoat Drive
Redcoat Drive	Charing Place	100' S. of Lynbrook Drive
Barbury Court	Redcoat Drive	End at cul-de-sac
Wheeler Drive	Redcoat Drive	130' east
Lynbrook Drive	Rama Road	130' E. of Redcoat Drive

CONTRACT WITH NANCE-TROTTER REALTY, INC., FOR INSTALLATION OF WATER MAIN TO SERVE KINGS PARK APARTMENTS.

Motion was made by Councilman Albea, seconded by Councilman Thrower and unanimously carried, authorizing contract with Nance-Trotter Realty, Inc., for the installation of 800 feet of water mains and one hydrant, to serve Kings Park Apartments, at an estimated cost of \$3,150.00. The City to finance all construction costs and the Company to guarantee an annual gross water revenue equal to 10 per cent of the total construction cost.

TRANSFER OF CEMETERY LOT.

Upon motion of Councilman Jordan, Seconded by Councilman Albea and unanimously carried, the Mayor and City Clerk were authorized to execute a deed with Mr. Walter H. Brown, for Graves No. 3 and No. 4 in Lot 173, Section 2, Evergreen Cemetery, at \$160.00.

CONTRACT AWARDED DINNER BELL COMPANY FOR SANDWICHES FOR PRISONERS.

Councilman Jordan moved the award of contract to The Dinner Bell Company, the low bidder, for 33,000 commercial counter type sandwiches, as specified, in the amount of \$3,997.22, on a unit price basis. The motion was seconded by Councilman Tuttle and unanimously carried.

The following bids were received:

The Dinner Bell Company	\$ 3,997.22
Carolina Foods, Inc.	4,418.70

CONTRACT AWARDED MOUNT GILEAD BRICK COMPANY FOR CLAY BRICK.

Upon motion of Councilman Thrower, seconded by Councilman Tuttle and unani-
mously carried, contract was awarded Mount Gilead Brick Company, the low
bidder, for 450,000 Clay Brick, as specified, in the amount of \$13,230.00,
on a unit price basis.

The following bids were received:

Mount Gilead Brick Company	\$13,230.00
Isehour Brick & Tile Co.	13,230.00
Kendrick Brick & Tile Co.	14,994.00

BIDS REJECTED FOR CONSTRUCTION OF STEEL BUILDING AT MOTOR TRANSPORT DEPART-
MENT.

Councilman Tuttle moved that all bids received for the construction of a
Steel Building at the Motor Transport Department be rejected, and the
specifications be revised. The motion was seconded by Councilman Jordan,
and unanimously carried.

The following bid was received:

Laxton Construction Company	\$16,130.00
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Other Bid Received Not Meeting Specifications:

Frank H. Conner Company	\$14,438.00
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CONTRACT AWARDED ROSS & WITMER, INC., FOR CENTRALIZED COMBINATION AIRCON-
DITIONER AND HEATING UNIT.

Upon motion of Councilman Albea, seconded by Councilman Thrower and unani-
mously carried, contract was awarded Ross & Witmer, Inc., the low bidder,
for a Centralized Combination Airconditioner and Heating Unit for the
second floor of the City Hall, as specified, in the amount of \$10,200.66.

The following bids were received:

Ross & Witmer, Inc.	\$10,200.66
A. Z. Price & Associates, Inc.	10,581.00
Air Masters Heating & A/C Co.	10,642.00

NOMINATION OF ERNEST SIFFORD, DANIEL MARTIN AND WALTER S. TUCKER FOR
APPOINTMENT TO PARK AND RECREATION COMMISSION.

The Council was advised that the terms of Mr. Ernest Sifford and Mr. Daniel
Martin as members of the Park and Recreation Commission will expire on
March 21st.

Councilman Jordan nominated Mr. Ernest Sifford for reappointment to the Commission, and he stated that Mr. Sifford has been a member of this Commission since his original appointment in 1947; this is a full-time job with him, and he has made a big contribution to the work of the Commission.

Councilman Alba nominated Mr. Daniel Martin to succeed himself on the Commission. He advised that he has been on the Commission for some time, and his information and observation is that he has done a splendid job, and he would like to see him reappointed.

Councilman Alexander placed in nomination Mr. Walter S. Tucker, Secretary to the Mechanics & Farmers Bank, for appointment to the Commission.

Mayor Brookshire stated that these nominations will remain on the table for one week.

ORDINANCE NO. 432-X TO AMEND ORDINANCE NO. 360-X, THE 1965-66 BUDGET ORDINANCE, AUTHORIZING THE TRANSFER OF A PORTION OF THE GENERAL FUND UNAPPROPRIATED SURPLUS ACCOUNT, ADOPTED.

The subject ordinance was introduced and read, and upon motion of Councilman Jordan, seconded by Councilman Alexander, was unanimously adopted transferring \$300.00 to the Police Department Budget Account, for the employment of a School Crossing Guard for the remainder of fiscal year at Northwest Junior High School. The ordinance is recorded in full in Ordinance Book 14, at Page 277.

ACQUISITION OF PROPERTY FOR RIGHT OF WAY FOR NORTHWEST EXPRESSWAY AND OF EASEMENTS FOR SANITARY SEWER LINES TO SERVE BRIAR CREEK AND IRWIN CREEK SEWER OUTFALL.

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

- (a) Acquisition of 5,000 square feet of property at 617-19 North Stevens Street, from Cleola H. Myers, at \$5,150.00, for the Northwest Expressway.
- (b) Acquisition of 18,237 square feet of property at 544 North Independence Boulevard, from Life & Casualty Insurance Company, at \$65,000.00, for the Northwest Expressway.
- (c) Acquisition of 15' x 134.26' easement over the property at Commonwealth Avenue and Morningside Drive, from Neal C. Fowler and wife Florence, at \$134.26, for sanitary sewer line to serve Briar Creek.
- (d) Acquisition of 10' x 51.63' easement over the property off Briar Creek Road, from D. W. Phillips, at \$1.00, for sanitary sewer line to serve Briar Creek.
- (e) Acquisition of 10' x 111.86' easement over the large tract of land contiguous to Fairfield Park, from Marsh Realty Company, at \$1.00 for the Irwin Creek Sanitary sewer Outfall line.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY OF MITCHELL KANNON, LOCATED AT 901-03 NORTH BREVARD STREET FOR NORTHWEST EXPRESSWAY.

The subject resolution was introduced and read, and upon motion of Councilman Short, seconded by Councilman Tuttle, was unanimously adopted. The resolution is recorded in full in Resolutions Book 5, beginning at Page 219.

SETTLEMENT AUTHORIZED WITH MRS. EDNA G. LIVINGSTON IN THE CONDEMNATION ACTION FOR PROPERTY IN THE EASTWAY DRIVE WIDENING PROJECT.

Councilman Short moved that the City enter into a Consent Judgment in the amount of \$1,350.00 with Mrs. Edna G. Livingston in a condemnation action for property in the Eastway Drive Widening Project. The motion was seconded by Councilman Tuttle and unanimously carried.

REQUEST FOR PROPER INVESTIGATION AND REPORT OF THE POSSIBILITY OF EXTENDING BUS SERVICE IN THE BARCLAY DOWNS AREA, AND THE POSSIBILITY OF EXTENDING THE SERVICE TO A FULL SCHEDULE IN LIEU OF THE PRESENT PEAK-HOUR SERVICE.

Councilman Tuttle stated that he asked for a study of the possibility of extending bus service in the Barclay Downs area, and, also, the possibility of extending this service to a full schedule, as it is presently operating only at peak hours in the morning and afternoon. He stated that bus service is certainly something that this Council is vitally interested in as the public uses it, and the Council is responsible to the public. That in answer to his request, he has a letter addressed to Mr. Hoose, signed by Mr. Roy Stevens, Superintendent of Charlotte City Coach Lines, and the substance of the investigation as stated in the letter is - "We have checked this area, and we do not believe there is sufficient patronage for off-peak service at this time." Councilman Tuttle said that this is not a satisfactory answer to his request at all; this is not an investigation to him, it is simply a denial by the City Coach Line. He requested the City Manager to have a proper investigation and report made.

METHOD SUGGESTED TO SECURE THE COOPERATION OF CITIZENS IN CRIME PREVENTION PROGRAM.

Councilman Alexander remarked that while he was in Chicago the other day, he had an opportunity to talk with one of the Police Inspectors, and he said they have prevailed upon the Vending Companies to work with them in their crime prevention program. That these Companies have printed on one side of Book Matches, which their machines give out with cigarettes, "If you see anything or anybody doing anything suspicious, call your Police Department - Telephone No. _____." Councilman Alexander stated the thing that impressed him was that the Inspector said that out of 1,000 calls made by citizens, 600 arrests were made, which is certainly a good percentage. He remarked that perhaps we could work out something in Charlotte along this line. That the idea is that many people do not care to become involved in arrests, and this will encourage them to call the Police Department, and the Police can arrive on the scene quickly; and it is paying off.

Mayor Brookshire asked Councilman Alexander to put the suggestion in a memo to the City Manager, and he could pass it on to the Police Department.

Councilman Jordan commented that they have been doing some radio, T. V. and newspaper publicity in Chicago, also, in an effort to get all the citizens to cooperate with the Police Department in things of this type.

CITY MANAGER DIRECTED TO PREPARE APPLICATION FOR FEDERAL FINANCIAL ASSISTANCE FOR LOCAL CODE ENFORCEMENT PROGRAM IN REID PARK.

A Report on the Federal Financial Assistance for Local Code Enforcement Program was made by Mr. William H. Carstarphen, Administrative Assistant, who stated that basically the purpose of the Report is to review those portions of the 1965 Housing and Urban Development Act as it relates to the Concentrated Code Enforcement Program and to point out some areas in the city which might be available for improvement under that Program.

He stated that the General Financial Assistance Program makes available federal financial assistance and direct grants to cover parts of the cost of the Concentrated Code Enforcement Programs in cities.

The policies and requirements for these Programs are: (1) the city must have a workable program and a comprehensive system of codes; (2) the city must agree to maintain a level of service outside these areas that is comparable to that in operation prior to the agreements made; (3) they must have a satisfactory program for providing the necessary public improvements within the program area; (4) the areas must be of a size and the work load of a level that would allow the completion of the program in three years; and (5) the city would have to assure that the individuals or families in the area who are displaced would be relocated in decent, safe and sanitary housing.

He stated that the area eligibility requirements under the program are: (1) the area is predominantly residential; (2) at least 20 per cent of the existing structures has some code violation; and (3) the program would be such that it would provide adequate treatment to eliminate these violations and arrest the crime in the area.

That Federal financial assistance is available through (1) a Federal Grant to assist in planning and carrying out the program, including certain eligible public improvements. Based on Charlotte's population, 2/3 financing by the Federal Government is available for such program; (2) Federal relocation grants to cover the entire cost of relocating eligible families and individuals within the areas; (3) direct 3 percent Federal loans to eligible property owners or tenants for financing rehabilitation improvements necessary to make the property conform to local codes; (4) direct Federal rehabilitation Grants not exceeding \$1,500.00 to eligible families and individuals for repairs and improvements; and (5) Federal Housing Administration mortgage insurance for eligible property in the area.

The eligible program costs are (1) the General Administrative cost; (2) the cost of Code Administration in the area; (3) certain Public Improvements, including streets other than expressways, freeways and connector streets - curbs, gutters and public sidewalks, traffic lights and plans, street name signs, publicly owned street lighting and stationary police and fire communication systems, and street tree planting.

That the four areas which the city has studied are Hoskins-Thomasboro, Reid Park, Cherry and Griertown, with the most extensive study being in the Reid Park Area.

Mr. Carstarphen reviewed some of the improvements that might be carried out in the Reid Park area under the program. He advised that the Reid Park Area is located astride West Boulevard, and is traversed by Wilmount Road and Steele Creek Road, and is adjacent to the city limits in the general direction of Douglas Airport. That the area contains 578 acres and is predominantly residential; of the 837 structures in the area, 825 are residential

Thus the Reid Park Project breaks down to approximately \$715,000 for the Federal Government over a three-year period, and approximately \$358,000 for the City of Charlotte over the same three-year period, which breaks down to approximately \$120,000 per year.

Mr. Carstarphen stated that he thinks it is appropriate to bring out that in the 1/3 of the project cost which will be required of the City, generally, anything which is not a Federal expenditure in the area will go toward the local share, and we have good reason to believe that we will see some significant improvements on that part of West Boulevard that traverses the Reid Park area. Mayor Brookshire asked what is the length of West Boulevard traversing the area, and the City Manager advised that it is a distance of about a half mile, maybe 3/8 of a mile. Mr. Carstarphen advised that the estimate by our Engineering Department on the expenditures on that portion of West Boulevard within the area is approximately \$260,000, and we assume that it would count as a portion of the local share, which is 1/3 of the total project cost.

Councilman Short asked if, in effect, the State Highway funds that were mentioned by Mr. George Broadrick about a week ago could be a part of the local share for which we would get Federal funds, and Mr. Carstarphen stated that is correct.

Councilman Tuttle asked if Mr. Carstarphen would say that an expenditure of approximately \$100,000 now might save us a \$1,000,000 ten years from now, assuming that if we do not bring this area up to local codes, it will go to slums? Mr. Carstarphen replied that the basic thought behind this program is certainly that. In a remedial and preventive type of treatment, a city is allowed to spend preventive money at an early date and prevent a more radical treatment of the area in the future. Council Thrower asked if the \$100,000 expenditure now would not prevent a \$1,000,000 expenditure now, not ten years from now? Mr. Carstarphen replied that is the general gist of it.

Councilman Short asked if we had a concentrated effort in a concentrated area such as this before urban renewal and urban rehabilitation were created? Mr. Carstarphen replied there was some type of program available but nothing to compare with this.

Councilman Tuttle asked if we could do any one of these projects without doing all four or five of them designated? The City Manager advised that we could. That what he would suggest to Council is if they see merit in the Program as outlined, give him the green light to prepare an application for the Reid Park area. The other areas designated are areas they think meet the criteria as established in the Act, and they are areas they are in the process of studying, as to the dollars involved among other things. He stated that he thinks the Reid Park area meets the criteria at least as well as any other area in Charlotte at this time, and he would suggest that if we are going to enter into this Program, we use the Reid Park area as the first try at it.

Councilman Short remarked that he does not see how we could come out any way but on top with such a Program as this, particularly with the State money; therefore, he moved that Council ask the City Manager to begin the preparation of the application for Federal financial assistance on the Reid Park Project and have drawn the necessary document for presenting to Council next week to effectuate this Program. The motion was seconded by Councilman Thrower.

Councilman Tuttle remarked that he concurs in the motion, and he thinks this is certainly the answer. Of all the Federal programs he has seen, this makes more sense to him than many of them.

Councilman Alexander commented that this area is on the verge of becoming a slum area now, and he thinks this is the right time for the project.

Councilman Short remarked that he thinks it most appropriate that on the very day on which we had the opening of our first private enterprise operation in the original Urban Renewal area, that we begin Code Enforcement and Rehabilitation in Charlotte.

Mayor Brookshire asked the City Manager what this \$175,000 Administrative Program covers, and Mr. Veeder replied this program is heavily orientated among other directions towards providing detailed assistance to residents in the area by assisting them in the preparation and processing of loan applications, as well as community related services.

And Mr. Carstarphen stated that the \$175,000 covers organization, supervision, legal cost and related staff. A Loan Officer will aid the property owners in securing the necessary loans and grants to make improvements. The Code Inspectors will also be in there, and there will be a Project Manager in an office located in the area so that he will be immediately available to the residents.

That the new staff that would be required would be: A Project Manager who would coordinate the entire operation; a Loan Officer who would aid the property owners in securing the necessary loans and grants to make improvements; Two Code Inspectors, one for a three-year period and one for approximately 1 1/3-year period to carry the work load of the area; a Community Organization Specialist who would move into the area and encourage residents participation, which can make such type program a real success; Secretarial positions necessary to support the operation. He stated the heaviest load of detail work would be on the Loan Officer, particularly. That the only two that would probably work out of our Code office would be the Code Staff, who would probably spend a good bit of time in conversation with the individual property owners.

Mayor Brookshire asked about the \$43,500 for Code Enforcement, and Mr. Carstarphen stated it is for Code Inspectors, and includes whatever assistance is required to demolish and remove the structures that are unsound.

Mr. Veeder, City Manager, remarked that his thinking on this Program, as far as administration is concerned, is it would be a program administered by the Redevelopment Commission staff; the program has some relationship to the activities of the Redevelopment Commission in terms of dealing with people, relocation, et cetera.

Councilman Alexander stated that one of the elements of the new program is to give employment to as many of the people in the area as we can; it is one of those self-uplifting by your own boot straps program. The City Manager replied that there is no employment connected with this Program as such; the relationship to the people in the area would be in terms of advice and assistance, what they need to do and helping them do it, such as processing of loans, et cetera.

Councilman Thrower stated that he believes if the program offers no more than to permit these people to get 3 percent loans to improve their homes themselves now, rather than running into slums ten years from now, it in itself is well worth the \$100,000 it might cost the City.

The City Manager stated that another thing he thinks should be said and that his comments might apply even more so to additional areas as we stake them out and the Council might want to consider. The dollars involved in this particular area look very favorable because of the planned improvement of West

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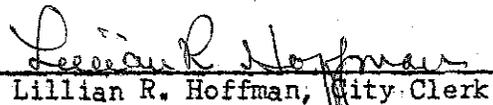
Boulevard, and he believes we can take credit for these dollars towards our 1/3-project cost. It will still cost us some money, and certainly any other projects will cost some money if Council sees fit to consider any additional ones. That his whole point here is not to lose sight of the fact that the dollars involved for this particular area, and other areas, will require some balance in terms of consideration in the overall up-coming budget, not only this year but the years coming up. It involves some dollars here, and there will be a day of reckoning in terms of dollars.

Mayor Brookshire asked how many of the homes in the area are perhaps beyond the feasibility of up dating, and Mr. Carstarphen replied somewhere around ten homes.

The vote was taken on the motion and carried unanimously.

ADJOURNMENT.

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


Lillian R. Hoffman, City Clerk