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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber on Monday, December 8, 1969, at 3:00 o'clock p.m., with Mayor Pro Tem James B. Whittington presiding, and Councilmen Fred D. Alexander, Sandy R. Jordan, Milton Short, John H. Thrower, Jerry Tuttle and Joe D. Withrow present.

ABSENT: Mayor John M. Belk.

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INVOCATION.

The invocation was given by Councilman Joe D. Withrow.

MINUTES APPROVED.

Upon motion of Councilman Short, seconded by Councilman Jordan, and unanimously carried, the minutes of the last meeting, on Monday, December 1, 1969, were approved as submitted.

ENDORSEMENT OF \$36.1 MILLION BOND PACKAGE BY FORMER CITY COUNCILMAN.

Mr. Ernest Foard, former City Councilman, stated he has read in the paper where different groups have been before Council expressing their support of the upcoming bond issue on Friday. He stated as an individual he is supporting the bond election and is working for it and plans to vote for it. He stated he received a card from Mayor John Belk asking for his support, and also asked him to get five people to vote for the bonds, which he is working on, and he hopes to be able to do that. He stated bond money is the only way Charlotte has been able to move forward progressively over the years; we need to get these bonds voted so that we can use that money for the improvements as specified.

Mr. Foard stated Friday is for real, and we cannot afford to sit down on this election. He stated he is glad to be here in support of the election coming up on Friday.

Mayor pro tem Whittington thanked Mr. Foard for coming and joining with members of Council in support of this bond package; he stated Mr. Foard has rendered a great service to the city as a Councilman and in many other ways.

OPPOSITION TO BOND PACKAGE AS IT PRESENTLY STANDS EXPRESSED BY BLACK STUDENT UNION OF THE UNIVERSITY OF NORTH CAROLINA AT CHARLOTTE TOGETHER WITH REQUEST THAT CERTAIN QUESTIONS BE ANSWERED PRIOR TO THE BOND VOTE ON DECEMBER 12.

Mr. Ben Chavis, 3234 Banbury Drive, stated he is a former candidate for City Council in Charlotte; that as a registered black voter in the City of Charlotte and as a representative of a group of young politically conscious black people, he will yield to Mr. Humphrey Cummings to express their opposition to the bond issue, and to make a request of the City of Charlotte.

Mr. Cummings stated he is minister of information of the Black Student Union at the University of North Carolina at Charlotte. He stated they, the members of the Black Student Union, wish to make known their present opposition to the bond package as it now stands. The Council has said progress is our common bond. Since and prior to the last bond issue, Charlotte has not made progress in fulfilling its obligation to the black community. The proponents who advocate the passage of the bond issue say the bond issue will be of benefit to the entire Charlotte community; this they challenge.

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Mr. Cummings stated the Council tells them that an extensive survey of 100,000 persons will influence the Council's final decision as to the location sites of park facilities. This appears to be but a way out for the Council to fulfill its duty; the duty of the Council is to assure that services rendered by the City are available to all citizens on an equal basis - not the segment that happens to be most affluent. He stated they call on Council to announce prior to the December 12th vote that the new park facility will be placed where it is most needed after an extensive survey - not where it is most desired. The Council and proponents in asking the passage of the bond issue say passage of the referendum will result in the creation of approximately 2,000 new jobs. How many of these jobs will be for the black in this community? If the Council wishes to insure equal opportunities for black citizens of Charlotte, they ask that it act now to forestall any doubt as to the fairness of the city's policies. They call upon Council to announce before December 12 that the City will require from bidding construction firms a pledge to hire employees on a non-discriminatory basis for all city funded constructions and city awarded contracts. They further request the City to require a minimum of black employees reflective of the city's population ratio along the lines of the federal outlined policy announced in the Philadelphia Plan with supervisory foremen and gang leader jobs as well as the lesser ones. Mr. Cummings stated they urge every black citizen to think anew their decision in light of what they have just said. He stated they have not asked a great deal; they should not have had to ask at all. It is not too late for the City Council to re-structure the policy that goes along with the bond referendum so as to reflect legitimate progress within the black community as well as the total city. He stated for too long Council has courted the black community in time of need, and only in time of need. The Council and the powers that be even court so-called black leaders of this community in a similar manner. He stated they can remember one black leader saying if the previous bond issues passed with the support of the black community did not see promises made by its proponents come true - the building of Metropolitan High School was one of those pledges - the black community would not support future bond issues. He has endorsed the present bond package. Mr. Cummings stated Council still has time to formulate a policy that will make the bond package meaningful to the black community; they urge Council to formulate such a policy now before the December 12th vote. If the Council does not, they urge the black community to voice opposition to and vote against the bond package. They say to the Charlotte black that the reservations and reluctance with which they rationalize their vote for the bonds will not improve their lot. The minimal proposal they have outlined will. Don't settle for anything less. Any black man who votes for the bond package as currently structured is only giving more ammunition to the power elite with which to oppress black people.

Later in the meeting, Councilman Alexander stated he would like to comment briefly on the presentation made by Mr. Chavis and Mr. Cummings. He stated he holds a certain type of sentiment for some of their feelings, but he thinks Council is not in a position to give an intelligent answer based on some of the requests as he understood them. He stated he is making this statement because he does not want them to think they have been ignored. That he feels when they speak of ratios and buildings that a lot of things will have to be determined, plus he does not know the legal expense to which the City operates in construction now. That if he would have to consider it, he would want enough factual knowledge based on the proposals submitted.

In answer to the question of someone in the audience if this information would be available prior to the election, Councilman Alexander replied he has no way of knowing as this is the first time he has heard this request; that he does not know how fast he can come to a determination - that he is talking about himself, not Council - or how fast he can get enough factual information to arrive at a sensible decision on a matter as important as what this group has brought before Council; that they are not bringing before Council a situation that does not pose an important problem; that this is not a callous statement and this group has not presented it as a callous statement.

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Mr. Veeder, City Manager, stated he can comment on some of the questions raised by Mr. Cummings and can comment on them positively; some of the requests he made appear to him to coincide exactly with existing city policies. He stated concerning park facilities, the action of the Mayor and City Council is a clear indication that Council is interested in facilities being selected and built on the basis of need; the questionnaires are going to be helpful towards Council determining what the need is; the need is the primary factor that Council and others will consider when decisions have to be made.

He stated on non-discrimination in the construction as it relates to projects to be built with bond funds that the City is on record and in fact in June of 1968 Council formally made it a requirement for all construction funded with city money to in fact have assurance from each and every contractor that bids on such work that there shall be no discrimination. In essence this parallels a requirement the City is involved in whenever it shares the cost of construction with the federal government. That regardless of the source of funding the city government requires the same criteria. He stated regarding the comments of employing more blacks in city jobs, the city is in complete concurrence.

Mr. Cummings stated the literature put out on the bond package makes no reference to this at all; and if the city has had this position before, the fact remains there is discrimination in every building construction company and there are very few black supervisors, foremen or gang leaders on projects constructed within the city. The fact the city does have this policy buried is of little value. That in reference to parks, the City Council has made the statement in concurrence with the brochures that a survey will be made and the desires of 100,000 people will be made known and then a decision rendered. This, in his opinion, is not in concurrence or inducive of putting a park where it is most needed.

Mr. Veeder replied the Council is interested in knowing what the people want; this is participation. In this case they are using the device of an extensive survey; this is to get an indication of what the people want. The need is the basic factor that he is satisfied that will be considered by those who have to make the decision.

Mr. Veeder stated when he referred to the city's firm contractual requirement of non-discrimination in construction involving city funds, he was not commenting on private construction firms and who they employ on what jobs; that he is talking as far as city government is concerned in terms of non-discrimination and the city's desire to upgrade individuals already in its employ. Mr. Cummings stated he is speaking specifically to construction as a result of the bonds. Councilman Withrow stated in all government contracts there is a non-discriminatory clause. Councilman Tuttle stated the city has this same clause in its contracts. Mr. Cummings stated the government has realized their policy is not completely satisfactory and they have revised this clause along the line of the so-called "Philadelphia" plan; that is what he is suggesting to the City Council.

Mayor pro tem Whittington requested the City Manager to get a copy of this plan. Councilman Alexander stated that is the reason he made the statement he did because he was aware of the fact there are many ramifications growing out of the proposal this group submitted which Council does not have the facts to make a firm decision that would make sense. That he did not want them to think that they were being ignored, but Council does not have enough facts on what they presented to make a wise decision in this matter.

Councilman Short stated the mailer concerning parks asked the public to give various characteristics they would like to have in parks; but is not a straw vote asking where the parks would be located for the simple reason the mailer does not ask where the parks should be located; it asks only other factors about parks, not where they would be located.

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STATEMENT BY W. J. ELVIN REGARDING APPOINTMENTS TO COMMITTEES.

Mr. W. J. Elvin stated he would like to discuss the subject of "Appointments to Committees"; that this is not original with him, having been brought up by Councilman Withrow some weeks ago. That it is self evident in many cases that very few appointments are made from voters in industries such as Celanese Fibres where there is available many willing and very active professional and practical people, ready to furnish information on almost any field of endeavor, at no charge. In addition, there is also available many very capable retired professional and practical people also ready and willing to serve their city or county. The selection is frequently and unfortunately made from a limited group, generally associated with the Chamber of Commerce and often very busy people - busy making money - without either the time, the inclination or in many cases, the background for the subject under study. To be specific, he strongly recommended to ex-Mayor Stan Brookshire that if Gib Smith should be defeated in the Mayor's race, he should be considered for a position on the city Consolidated Committee, since his contribution to Brodie Griffith's Committee had been outstanding, also his great contribution as a member of this Council. He stated he also recommended to ex-Mayor Brookshire at least three other candidates defeated in the last city election, but to no avail.

Mr. Elvin stated on Brodie Griffith's Committee on Consolidation there was a very successful banker as Vice-President; this gentleman attended three of nine called meetings - he made a 33-1/3 percent attendance. The minutes of the three meetings he attended did not indicate he had contributed anything worthwhile. In the same bank are two outstanding gentlemen and scholars, both of whom have and are contributing substantially of their time and talents as conditions demand.

He stated he brings this matter before Council since we should not appoint anyone to a committee but the best amongst the voters available; this has hardly ever been done - hence the reason for his suggestion.

He stated it happens in the County Commission and other places as well.

Mr. Elvin stated on many occasions during the past ten years he has stated in his opinion the answer is evening meetings; this would not only allow many voters with original and sound ideas to run for office but in many cases would prevent the election of candidates whose only recommendation is their ready availability since some of them have not been very successful in their chosen vocation.

He stated night meetings are being held in Columbus, Ohio, Baltimore, Maryland and other cities and should be investigated further and studied.

He stated to the Mayor that while he has no specific objections to any appointments he has made to date, he hopes he will consider Councilman Withrow's suggestion and the comments offered today by him for the benefit of our city and all its citizens; our voters should be instructed on the importance of electing to office only candidates who can provide the leadership demanded today.

RESOLUTION ADOPTING THE FINAL REPORT OF TOPICS PROGRAM.

Councilman Thrower moved adoption of the resolution adopting the final report of Topics Program as requested by the State Highway Commission. The motion was seconded by Councilman Jordan, and carried unanimously.

The resolution is recorded in full in Resolutions Book 6, at Page 469.

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CONTRACT WITH WILLIAM TROTTER DEVELOPMENT COMPANY FOR THE CONSTRUCTION OF SANITARY SEWER TRUNK TO SERVE UNIVERSITY COMMERCIAL CENTER.

Upon motion of Councilman Short, seconded by Councilman Tuttle, and unanimously carried, the subject contract was approved with William Trotter Development Company for the construction of 370 feet of 8-inch sanitary sewer trunk to serve University Commercial Center, inside the city, at an estimated cost of \$2,400.00, with the cost of construction to be borne by the applicant whose deposit in the full amount has been received and will be refunded as per terms of the agreement.

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

Councilman Tuttle moved adoption of the subject resolution authorizing the refund of certain taxes in the total amount of \$342.95 which were levied and collected through clerical error. The motion was seconded by Councilman Jordan, and carried unanimously.

The resolution is recorded in Resolutions Book 6, at Page 470.

LEASE BETWEEN THE CITY OF CHARLOTTE AND HOME REALTY AND MANAGEMENT COMPANY FOR SPACE IN EXECUTIVE BUILDING, APPROVED.

Motion was made by Councilman Jordan, seconded by Councilman Thrower, and unanimously carried, approving a lease between the City of Charlotte and Home Realty and Management Company for 1,160 square feet of space in the Executive Building for the offices of the Charlotte-Mecklenburg Community Relations Committee with the lease to be for a term of one year, effective January 1, 1970 at \$4.00 per sq. ft., or \$4,640.00 per year with an option to renew at the same price for two additional years.

ORDINANCE NO. 466 AMENDING CHAPTER 4, ARTICLE II, AIRPORT RULES AND REGULATIONS, BY ADDING A NEW SECTION 4-41 ENTITLED: "LANDING AND AIRPORT USE FEES FOR AIR CARRIER AIRCRAFT", ADOPTED.

Councilman Tuttle moved adoption of subject ordinance amending Chapter 4, Article II, Airport Rules and Regulations, by adding a new Section 4-41, entitled: "Landing and Airport Use Fees for Air Carrier Aircraft" with sub-sections (a) and (d) effective immediately and sub-sections (b) and (c) to become effective on January 1, 1970.

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

The ordinance is recorded in full in Ordinance Book 16, beginning on Page 447.

LEASE BETWEEN THE CITY OF CHARLOTTE AND AIRLINE LIMOUSINE COMPANY, INC., FOR RENTAL OF SPACE IN THE AIRPORT TERMINAL BUILDING, APPROVED.

Councilman Jordan moved approval of the subject lease for the rental of approximately 143 square feet of space in the Airport Terminal Building, for a term of two years commencing December 1, 1969, with the Company to pay the City \$44.69 per month at \$3.75 per square foot per annum, plus five percent of the total gross revenues payable monthly. The motion was seconded by Councilman Tuttle.

Councilman Thrower asked if this will not be in conflict? Mr. Veeder, City Manager, replied this only applies for the service between the airport and Charlotte if the reservations are made from another point outside Charlotte; there is no competition with the existing service we now have provided. Mr. Knight, Airport Manager, stated this is definitely not a limousine service between the City and the Airport.

The vote was taken on the motion and carried unanimously.

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RESOLUTION FIXING DATE OF PUBLIC HEARING ON MONDAY, DECEMBER 22, 1969, ON REQUEST FOR TRANSFER OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

Motion was made by Councilman Jordan, seconded by Councilman Thrower, and unanimously carried, adopting subject resolution fixing date of public hearing on Monday, December 22, 1969, on request for transfer of a certificate of public convenience and necessity from Gertrude C. Robinson to Leonard E. Crump to operate a taxicab.

The resolution is recorded in full in Resolutions Book 6, at Page 471.

CONTRACT WITH BOWLES & TILLINGHAST AUTHORIZED FOR ACTUARIAL STUDY OF THE FIREMEN'S RETIREMENT SYSTEM.

Upon motion of Councilman Thrower, seconded by Councilman Jordan, and unanimously carried, a contract was authorized with Bowles & Tillinghast for an actuarial study of the Firemen's Retirement System with the expenditures not to exceed \$6,500.00.

PETITION NO. 69-72 BY JOHN P. AND WALTER H. TODD, FOR A CHANGE IN ZONING OF A TRACT OF LAND AT THE NORTHEAST CORNER OF BEATTIES FORD ROAD AND SUNSET ROAD, DENIED.

Councilman Alexander moved the subject petition for a change in zoning from B-1 to B-2 be denied as recommended by the Planning Commission. The motion was seconded by Councilman Thrower and carried unanimously.

PETITION NO. 69-100 BY DAVID WESLEY THOMPSON, ET AL, FOR A CHANGE IN ZONING OF PROPERTY ON THE EAST SIDE OF PARK ROAD, DENIED.

Motion was made by Councilman Jordan and seconded by Councilman Withrow, to deny the subject petition by David Wesley Thompson, et al, for a change in zoning from O-6 to B-1 of property on the east side of Park Road, as recommended by the Planning Commission.

Mayor pro tem Whittington asked if Mr. Thompson and the other petitioners understand the reason for the denial on this petition? Mr. Fred Bryant, Assistant Planning Director, replied they are aware and recognize the fact they did not have a permit to do what they had wanted to do; that he has not had any discussion with them since the Planning Commission actually made its recommendation. Councilman Thrower stated he understands they have adequate parking space in the rear and this parking in the front is just a matter of convenience. Mr. Bryant stated the permit was issued on the basis of rear yard parking which meant they had enough space to meet the requirements of the ordinance.

The vote was taken on the motion and carried unanimously.

CLAIM BY BILLY RAY ROGERS IN THE AMOUNT OF \$129.90 FOR DAMAGES TO AUTOMOBILE, DENIED.

Motion was made by Councilman Tuttle to deny the claim of Billy Ray Rogers in the amount of \$129.90 for damages to automobile. The motion was seconded by Councilman Thrower.

Councilman Short stated he has some reservations about denying this claim because of the 15 days right to reclaim the car that has been towed in; this seems to imply some minimum effort to protect the property during the 15 days; if the damages had not occurred prior to the time the car was picked up and occurred afterwards, he is of the notion that equity demands the claim be paid as you cannot give someone the 15 day reclaim period and then take the attitude that any vandalism or destruction that occurs during this period is not our fault. Once we assume the control of the car and put in

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within the legal process and have it within a place which is under the city's control under a promise if a man can get there and pay the charges within 15 days, it seems to change the character a little; we have assumed a certain responsibility to see that his car is not vandalized while it is under our control regardless of what might have been the situation while it sat on the street. That he does not deny this is apparently properly classified as an abandoned vehicle and a junk vehicle, but the 15 day period seems to imply to him that we have a certain duty to afford the minimum protection during that period.

Mr. Veeder, City Manager, asked if he is assuming the damage to the car occurred after it was picked up? Councilman Short replied he is, but he does not have that information and he would like to know. Mr. Underhill, City Attorney, stated the garage owner said nothing was done to the vehicle from the time it was towed to his facility until the time the owner came by to pick it up; at the time the automobile was towed in, it had two flat tires and the doors were jammed so they could not be opened, plus the rear end of the car had been in a wreck and was smashed in; the garage people say no vandalism took place while the car was in their possession.

Councilman Alexander asked if the ordinance under which this car was towed in carried any guarantee of protection to the vehicle within the 15 days? Mr. Underhill replied it does not; this service is contracted to at least two or three garage owners in Charlotte to dispose of the vehicles so the city would be relieved of this responsibility; they are required under ordinance to provide adequate fence and lots to protect whatever property they are storing in behalf of the city or automobiles towed from the city streets in violation of the city ordinance; there is nothing in the ordinance that places the responsibility on the city to see that something like what is alleged is prevented. Councilman Alexander stated if there is any responsibility here, in his opinion, it is the responsibility of the garage. Mr. Underhill replied he expressed the same information to Mr. Rogers and he is pursuing the matter through the Legal Aid Society, with the intent of attempting to recover from the garage owner.

The vote was taken on the motion to deny the claim and carried unanimously.

CLAIM BY RALPH LITTLE FOR DAMAGES TO AUTOMOBILE, AUTHORIZED PAID.

Councilman Tuttle moved that the subject claim by Ralph Little, in the amount of \$210.87, for damages to automobile by a city employee, be paid as recommended by the City Attorney. The motion was seconded by Councilman Thrower, and carried unanimously.

PROPERTY TRANSACTIONS AUTHORIZED.

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

- (a) Acquisition of 30' x 999.69' of easement in the 2100 block of Runnymede Lane, from James J. Harris and wife, Angelia M., at \$2,500.00, for the Briar Creek Outfall.
- (b) Acquisition of 30' x 1,035.191' of easement in the 3300 block of Barclay Downs Drive, from James J. Harris and wife, Angelia M., at \$1,650.00 for the Briar Creek Outfall.
- (c) Compromise settlement in the amount of \$2,500.00 with Wachovia Bank and Trust Company, for acquisition of 5.74' x 82.74' x 5.69' x 82.88' at the northwest corner of New Bern Street at South Boulevard, for South Boulevard Intersections Project.

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ORDINANCE NO. 467-X ORDERING THE REMOVAL OF WEEDS AND GRASS AT 1103 KARENDALE AVENUE PURSUANT TO SECTIONS 6.103 AND 6.104 OF THE CITY CHARTER, CHAPTER 10, ARTICLE I, SECTION 10-9 OF THE CITY CODE AND CHAPTER 160-200 OF THE GENERAL STATUTES OF NORTH CAROLINA.

Motion was made by Councilman Tuttle, seconded by Councilman Jordan, and unanimously carried, adopting the subject ordinance ordering the removal of weeds and grass at 1103 Karendale Avenue.

The ordinance is recorded in full in Ordinance Book 16, at Page 449.

ORDINANCE NO. 468-X ORDERING THE REMOVAL OF AN ABANDONED MOTOR VEHICLE LOCATED AT 2612 ROSLYN AVENUE PURSUANT TO ARTICLE 13-1.2 OF THE CODE AND CHAPTER 160-200(43) OF THE GENERAL STATUTES OF NORTH CAROLINA.

Councilman Thrower moved adoption of the subject ordinance ordering the removal of an abandoned motor vehicle located at 2612 Roslyn Avenue. The motion was seconded by Councilman Tuttle and carried unanimously.

The ordinance is recorded in full in Ordinance Book 16, at Page 450.

TRANSFER OF CEMETERY LOTS, AUTHORIZED.

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

- (a) Deed with J. H. Morehouse for Lot No. 304, Section 6, Evergreen Cemetery, at \$350.00.
- (b) Deed with Miss Virginia Gay Black for Graves 1 and 2, in Lot No. 738, Section 6, Evergreen Cemetery, at \$160.00.
- (c) Deed with C. George Henderson for Lot No. 305, Section 6, Evergreen Cemetery, at \$320.00.
- (d) Deed with Lloyd Veazey for Graves 1, 2 and 3, in Lot No. 16, Section 2, Evergreen Cemetery, at \$240.00.
- (e) Deed with Mrs. Vera Schmidt for perpetual care on the West 1/2 of Lot No. 52, Section W, Elmwood Cemetery, at \$84.00.

RESOLUTION APPROVING AND PROVIDING FOR THE EXECUTION OF A PROPOSED CONTRACT FOR NEIGHBORHOOD FACILITIES PROJECT UNDER SECTION 703 OF THE HOUSING AND URBAN DEVELOPMENT ACT OF 1965, NUMBERED CONTRACT NO. N. C. N-13(G) BY AND BETWEEN THE CITY OF CHARLOTTE, NORTH CAROLINA AND THE UNITED STATES OF AMERICA FOR THE FIRST WARD NEIGHBORHOOD CENTER.

Upon motion of Councilman Short, seconded by Councilman Tuttle, and unanimously carried, the subject resolution was adopted approving and providing for the execution of a proposed contract for neighborhood facilities project under Section 703 of the Housing and Urban Development Act of 1965.

The resolution is recorded in full in Resolutions Book 6, at Page 472.

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RESOLUTION APPROVING AND PROVIDING FOR THE EXECUTION OF A PROPOSED CONTRACT FOR NEIGHBORHOOD FACILITIES PROJECT UNDER SECTION 703 OF THE HOUSING AND URBAN DEVELOPMENT ACT OF 1965, NUMBERED CONTRACT NO. N. C. N-14(G), BY AND BETWEEN THE CITY OF CHARLOTTE, NORTH CAROLINA AND THE UNITED STATES OF AMERICA FOR THE GREENVILLE NEIGHBORHOOD CENTER.

Councilman Jordan moved adoption of subject resolution approving and providing for the execution of a proposed contract for Neighborhood Facilities Project under Section 703 of the Housing and Urban Development Act of 1965, Numbered Contract No. N. C. N-14(G) by and between the City of Charlotte, North Carolina and the United States of America for the Greenville Neighborhood Center. The motion was seconded by Councilman Thrower and carried unanimously.

The resolution is recorded in full in Resolutions Book 6, at Page 473.

ORDINANCE NO. 469-X AMENDING ORDINANCE NO. 255-X, THE 1969-70 BUDGET ORDINANCE AUTHORIZING THE TRANSFER OF PORTION OF UNAPPROPRIATED GENERAL FUND BALANCE TO THE PARK AND RECREATION COMMISSION TO BE DEPOSITED IN ENGINEERING DEPARTMENT ACCOUNT.

Motion was made by Councilman Tuttle, seconded by Councilman Thrower, and unanimously carried, adopting the subject ordinance amending the 1969-70 Budget Ordinance authorizing the transfer of \$5,040.00 of unappropriated general fund balance to the Park and Recreation Commission to be deposited in Engineering Department Account No. 512.02 to be used to construct a footbridge across Sugar Creek in Huntingtown Farm Park, until such time as the federal government reimburses the City for its share of the cost.

The ordinance is recorded in full in Ordinance Book 16, at Page 451.

CONTRACT AWARDED CROWDER CONSTRUCTION COMPANY FOR CONSTRUCTION OF THE HUNTINGTOWN FARMS PEDESTRIAN BRIDGE ACROSS SUGAR CREEK.

Upon motion of Councilman Thrower, seconded by Councilman Jordan, and unanimously carried, contract was awarded the low bidder, Crowder Construction Company, in the amount of \$17,040.00, for construction of the Huntingtown Farms Pedestrian Bridge across Sugar Creek.

The following bids were received:

Crowder Construction Company	\$17,040.00
T. A. Sherrill Construction Co., Inc.	19,435.00
Wilson Construction Co., Inc.	21,402.50

CONTRACT AWARDED TELE-TRIP COMPANY FOR THE EXCLUSIVE INSURANCE CONCESSION RIGHTS AND PRIVILEGES AT DOUGLAS MUNICIPAL AIRPORT FOR A TERM OF FIVE YEARS.

Councilman Thrower moved award of contract to Tele-Trip Company in the amount of \$183,000, for the exclusive insurance concession rights and privileges at Douglas Municipal Airport for a term of five years commencing December 23, 1969. The motion was seconded by Councilman Jordan.

Mr. Knight, Airport Manager, advised this is some \$30,000 more in the next five years than was guaranteed by Tele-Trip in the previous five year period; the old contract was 25% against a \$32,000 guaranteed annual minimum; the old contract always came back to the \$32,000 not the 25% of gross.

Councilman Short asked what legal background allows us to accept this kind of money for this type of concession? Mr. Underhill, City Attorney, replied this is the leasing of space only.

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The following bids were received:

	<u>The Fidelity & Cas. Co.</u>	<u>Tele-Trip Company</u>
<u>Min. Guar. Per Yr.</u>		
1st Yr.	\$ 26,242.00	\$ 26,000.00
2nd Yr.	\$ 26,242.00	\$ 29,000.00
3rd Yr.	\$ 26,242.00	\$ 35,000.00
4th Yr.	\$ 26,242.00	\$ 42,000.00
5th Yr.	<u>\$ 26,242.00</u>	<u>\$ 51,000.00</u>
<u>Min. Guar. 5 Yrs. -</u>	\$131,210.00	\$183,000.00

MAYOR PRO TEM WHITTINGTON ADVISES ATTORNEY FOR PLUMBERS' TRADE UNION THAT COUNCIL WILL HEAR THEM AT ITS MEETING ON NEXT MONDAY.

Mayor pro tem Whittington stated in the Conference Session today, Mr. Jamison, Superintendent of Building Inspection Department, discussed the proposed ordinance combining inspections and Council agreed it would not make a decision until the plumbers could be heard. He stated Council does not want to delay this for two weeks and would like to have this meeting with the members of the Plumber's Trade Union next Monday.

Mr. Hugh Casey, Attorney for the Plumbers, stated they will abide by the wishes of the Council; the reason they asked for the extension of time for two weeks was in order for the members to get together among themselves and then be able to present a well reasoned argument, and the reasons why they are against this change in the ordinance; also there is now pending before the Superior Court on the 18th a hearing concerning a writ of mandamus on this question. For those reasons they had asked for the extension of time for at least two weeks. Of course, they will abide by Council's decision.

Mayor pro tem Whittington advised that Council would like to hear this group next Monday.

COUNCILMAN ADVISED THAT COMPLAINT AGAINST NEIGHBORS HAVING MERCURY VAPOR LIGHTS WHICH ILLUMINATE HOME IS A PRIVATE MATTER BETWEEN THE PROPERTY OWNERS.

Councilman Thrower stated two people share a back property line and they rent two power poles from Duke Power and put up a lot of light; the person in the middle has no way of sheltering his home from this light, although he does not want it. This is a case where a man has a home between two of these mercury vapor lamps - one in the front and one on each side in the back - and his house is illuminated all the time, and he has no legal recourse other than to go to court, and go through some civil court. Mr. Underhill, City Attorney, replied that is correct; there is no city ordinance which prohibits this type of activity; this would be a private matter between the man in the middle and his neighbors who have the lights.

STATEMENT ON TABULATION OF PORTION OF QUESTIONAIRES RECEIVED REGARDING PARKS.

Mayor pro tem Whittington stated Mr. George Seldon, Chairman of the Mayor's Committee on Urban Renewal and Community Improvements, has just finished a tabulation of 2100 of the approximately 5,000 questionnaires which the City Council sent out regarding the park problem. This preliminary report shows a substantial need for both neighborhood parks and outlying park areas. Council in its deliberation to try to involve the community and the people who live within the community as to where these parks should go is an indication of Council's sincerity in what it is trying to do as far as location is concerned. Five thousand questionnaires were sent out and as of today 2100 answers have been received; this clearly is local government and citizens participating together. AS the information is received it will be further compiled and made a matter of public record as it relates to the parks.

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STATEMENT REGARDING BOND ELECTION TO BE HELD ON FRIDAY, DECEMBER 12.

Mayor pro tem Whittington stated he is making the following statement on behalf of the Mayor and Council:

"The December 12th package totals \$36.1 million. Your City Council arrived at that figure after trimming almost \$20 million off the well supported needs listed by the city's various agencies. The package is balanced-public buildings, water and sewer, streets, recreation, redevelopment, and landfill. It is a balanced financial package too. The water and sewer bonds - a third of the total - a self retiring systems revenue will pay them off. So are another third - the Civic Center bonds. The \$50.0 million in private investment now committed by hard nose business men provided the center is built, will produce \$1.3 million annually in tax revenues based on our existing structure. An additional \$240,000 will be produced annually in parking revenues. That is over \$1.5 million annually in new public revenues of which about \$800,000 will be used to retire the Civic Center bonds. The annual operating expenses of the Center will be offset by its annual income. The remaining \$700,000 of new revenue can be used to retire other bonded indebtedness. That is simply arithmetic.

The Civic Center, because it is a catalyst and because it will be located in the central business area of the City which now produces more than 25% of our tax revenues, will produce adequate revenue not only to retire its own debt but to assist in the retirement of other debts as well. It is a good investment for every Charlottean because it will pay off not only as a beautiful, vibrant new business and cultural activity for our city, but as a generator of new and much needed public revenues to pay the cost of other government operations. When I use the word "generator" I think this is the key to the whole thing because people in this city, like myself, are either paying for their homes or own their home as their only investment. The reason we use bond financing as we do is to lighten that burden on that particular city resident and help spread the tax burden to everyone. When we get a new building with new revenues, this is a generator and a help to all of us concerned.

To those of you in the audience and television viewers and our citizens who will read parts of this statement in our newspapers, we need your support. We urge you to study the bond package; understand what this election will do for Charlotte and its citizens. We need each other in this election - citizens, private enterprise and government working together for projects that stand out as an excellent investment for all our citizens.

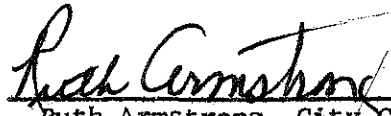
Charlotte is a proud city. Its greatest asset is its people. We hope the citizens do not miss this opportunity to grow and prosper on December 12."

Councilman Tuttle stated he has some information taken from a letter sent by one of the largest real estate brokers in Charlotte to most of his clients. He has reminded these people that since 1960 the population of Charlotte has increased 34%; retail sales has increased 68%; wholesale sales 101%; schools 74%; air passengers out of Charlotte 138%; construction dollars 201% and higher education 342%. The cost of living has increased dramatically; yet the combined city-county tax rate in Charlotte-Mecklenburg in 1960 was \$3.19 per hundred; today it is \$3.24 per hundred or an increase of 1-1/2%. During this nine years, the city and county have issued over a hundred million dollars in bonds; this is evidence of the fact that bonds stabilize the tax rate because during these nine years there have been many expenditures where we would have been hit in one year and the tax rate may have been increased 20-30 cents. The purpose of bonds is to stabilize the tax rate and spread the load out over the years.

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ADJOURNMENT.

Motion was made by Councilman Alexander, seconded by Councilman Jordan, and unanimously carried, adjourning the meeting until 10:00 o'clock a.m., on Monday, December 15th to Court Room 2, in Mecklenburg County Courthouse, for the purpose of canvassing the returns of the special bond election held on December 12, 1969.



Ruth Armstrong, City Clerk