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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held on Monday, November 2, 1970, at 3:00 o'clock p.m., in the Council Chamber, City Hall, with Mayor John M. Belk presiding, and Councilmen Fred D. Alexander, Sandy R. Jordan, Milton Short, Jerry Tuttle, James B. Whittington and Joe D. Withrow present.

ABSENT: Councilman John H. Thrower.

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INVOCATION.

The invocation was given by Reverend E. J. Moore, Minister of First United Presbyterian Church.

MINUTES APPROVED.

Upon motion of Councilman Tuttle, seconded by Councilman Short, and unanimously carried, the minutes of the last Council Meeting, on Monday, October 26, 1970, were approved as submitted.

CONTRACT WITH PEAT, MARWICK, MITCHELL & COMPANY TO AUDIT CONSTRUCTION COSTS OF FEDERAL GRANT PROJECTS, APPROVED.

Motion was made by Councilman Tuttle, seconded by Councilman Jordan, and unanimously carried, approving subject contract with Peat, Marwick, Mitchell & Company, at a fee not to exceed \$700.00, to audit the construction costs of federal grant projects including water facilities which includes a 20 inch water distribution line from Eastway Drive to Independence Boulevard and a 1.0 million gallon elevated tank near North Tryon Street and Owen Boulevard.

AMENDMENT NO. 4 TO CONTRACT WITH DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE MUNICIPAL INFORMATION SYSTEM TO EXTEND CONTRACT, APPROVED.

Councilman Whittington moved approval of subject Amendment No. 4 to contract with Department of Housing and Urban Development for the Municipal Information System (MIS) to extend the contract until January 31, 1971 and to increase the total federal obligation from \$500,010 to \$703,210.00. The motion was seconded by Councilman Withrow, and carried unanimously.

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

Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, the subject resolution was adopted authorizing the refund of certain taxes in the total amount of \$59.19 which were levied and collected through clerical error against nine taxpayers.

The resolution is recorded in full in Resolutions Book 7, at Page 155.

ORDINANCE NO. 918-X ORDERING THE REMOVAL OF AN ABANDONED MOTOR VEHICLE LOCATED AT 647 PENNSYLVANIA AVENUE.

Motion was made by Councilman Tuttle, seconded by Councilman Withrow, and unanimously carried, adopting subject ordinance ordering the removal of an abandoned motor vehicle located at 647 Pennsylvania Avenue pursuant to Article 13-1.2 of the Code and Chapter 160 (43) of the General Statutes of North Carolina.

The ordinance is recorded in full in Ordinance Book 17, at Page 438.

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

Councilman Jordan moved adoption of the following ordinances ordering the removal of weeds and grass pursuant to Section 6.103 and 6.104 of the City Charter. The motion was seconded by Councilman Withrow, and carried unanimously.

- (a) Ordinance No. 919-X ordering the removal of weeds and grass adjacent to 700 Woodlawn Road.
- (b) Ordinance No. 920-X ordering the removal of weeds and grass at 1101 Briar Creek Road.
- (c) Ordinance No. 921-X ordering the removal of weeds and grass adjacent to 1821 Umstead Street.
- (d) Ordinance No. 922-X ordering the removal of weeds and grass adjacent to 1817 Patton Street.
- (e) Ordinance No. 923-X ordering the removal of weeds and grass adjacent to 327 Harrison Street.
- (f) Ordinance No. 924-X ordering the removal of weeds and grass at corner of Woodstream and Oakstone Drive.

The ordinances are recorded in full in Ordinance Book 17, beginning on Page 439.

PROPERTY TRANSACTIONS AUTHORIZED.

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

- (a) Acquisition of construction easement 20' x 275' at 1463 Townes Road, from Carroll J. McMullen and wife, Majorie E., at \$1,000.00 for Sugar Creek-Briar Creek Flood Control.
- (b) Acquisition of construction easement 5' x 67' at 3312 Westfield Road, from Graham M. Mallonee, widow, at \$600.00, for Sugar Creek-Briar Creek Flood Control.
- (c) Acquisition of construction easement 20' x 160' at 1454 Townes Road, from Charles M. Heidel and wife, Mary Lou, at \$800.00, for Sugar Creek-Briar Creek Flood Control.
- (d) Acquisition of construction easement 20' x 160' at 5209 Buckingham Drive, from James L. King and wife, Alene J., at \$1,025.00, for Sugar Creek-Briar Creek Flood Control.
- (e) Acquisition of 50' x 92.2' x 98' x 134.55' of property at 1028 Adams Street, from Clarence M. James and wife, Ruby Bernice at \$850.00, for Sugar Creek-Irwin Creek Open Space Project.
- (f) Acquisition of 50' x 150' of property at 617 East Eighteenth Street, from S. Frank Gay Estate, at \$650.00, for Sugar Creek-Irwin Creek Open Space Acquisition.
- (g) Acquisition of 10' x 761.92' of easement at 401 Lambeth Drive, from Edward C. Griffin and Sadie E., at \$1.00, for sanitary sewer to serve Lambeth Drive Apartments.

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SETTLEMENT IN CASE OF W. HASKELL PORCHER VS. THE CITY OF CHARLOTTE,
AUTHORIZED.

Motion was made by Councilman Tuttle, seconded by Councilman Whittington, and unanimously carried, approving settlement, in the amount of \$4,250, in the case of W. Haskell Porcher vs. the City of Charlotte, et al, for damages to property caused by open fire line flooding his building located on West First Street.

CLAIM BY EDWARD E. THOMPSON FOR AUTOMOBILE DAMAGES, DENIED.

Councilman Tuttle moved subject claim of Edward E. Thompson for damages to automobile in the amount of \$2,486.17 be denied as recommended by the City Attorney. The motion was seconded by Councilman Whittington, and carried unanimously.

TRANSFER OF CEMETERY DEED.

Upon motion of Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, the Mayor and City Clerk were authorized to execute a deed with Mrs. Mae E. Falkner for Grave No. 2, in Lot No. 741, Section 6, Evergreen Cemetery, at \$80.00.

SPECIAL OFFICER PERMITS AUTHORIZED.

Motion was made by Councilman Jordan, seconded by Councilman Short, and unanimously carried, approving the following Special Officer Permits for a period of one year:

- (a) Renewal of permit to Luke F. Quinn for use on the premises of the Southern Railway Company C. D. Yard.
- (b) Renewal of permit to Frank O. Hancock for use on the premises of the Carolina Golf & Country Club.
- (c) Renewal of permit to David M. Riddle for use on the premises of K-Mart, 2701 Freedom Drive.

AMENDMENTS TO PRESENT OPERATING CONTRACTS WITH CHARLOTTE AREA FUND, CHARLOTTE CITY COACH LINES, COMMUNITY HEALTH ASSOCIATION, MECKLENBURG COUNTY HEALTH DEPARTMENT, NORTH CAROLINA BLUE CROSS-BLUE SHIELD, INC. AND THE OIC - CHARLOTTE BUREAU, APPROVED.

Councilman Alexander moved approval of amendments to present operating contracts the Model Neighborhood Commission has with the Charlotte Area Fund, Charlotte City Coach Lines, Community Health Association, Mecklenburg County Health Department, North Carolina Blue Cross-Blue Shield, Inc., and the OIC-Charlotte Bureau. The motion was seconded by Councilman Whittington, and carried unanimously.

Mayor Belk recognized Mr. Preston Wiley, Acting Director of Model Cities and thanked him for the fine job he is doing.

Mayor Belk stated during the Conference Session today, Council discussed improvements in the Model Neighborhood Area which were presented by Mr. Carstarphen, Assistant City Manager. He stated Council appreciates the efforts that are being made to make this a better program.

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CONTRACT AWARDED THE AMITY CORPORATION FOR SANITARY SEWER CONSTRUCTION TO SERVE GRIFFIN REALTY COMPANY APARTMENTS.

Upon motion of Councilman Short, seconded by Councilman Jordan, and unanimously carried, the subject contract was awarded the low bidder, The Amity Corporation, in the amount of \$51,234.90, on a unit price basis, for sanitary sewer construction to serve Griffin Realty Company Apartments.

The following bids were received:

The Amity Corporation	\$51,234.90
Joe R. Abernethy Const. Co.	56,248.50
Thomas Structure Company	57,940.60
Ben B. Propst	58,462.50
Dickerson, Incorporated	61,396.00
Sanders Brothers, Inc.	62,781.20

CONTRACT AWARDED BRADLEY-JENKINS, INC. FOR SITE IMPROVEMENTS IN BROOKLYN URBAN RENEWAL AREA NO. 2.

Motion was made by Councilman Jordan, seconded by Councilman Withrow, and unanimously carried, awarding contract to the low bidder, Bradley-Jenkins, Inc., in the amount of \$26,936.00, on a unit price basis, for site improvements in Brooklyn Urban Renewal Area No. 2.

The following bids were received:

Bradley-Jenkins, Inc.	\$26,936.00
Crowder Construction Co.	34,100.00
F. T. Williams Co., Inc.	35,000.00
T. A. Sherrill Const. Co.	35,100.00

CONTRACT AWARDED VULCAN SIGN & STAMPINGS, INC. FOR 430 SHEETS OF ALUMINUM.

Councilman Withrow moved award of contract to the low bidder, Vulcan Sign & Stampings, Inc., in the amount of \$5,590.00, on a unit price basis, for 430 sheets of Aluminum. The motion was seconded by Councilman Whittington, and carried unanimously.

The following bids were received:

Vulcan Signs & Stampings, Inc.	\$ 5,590.00
Municipal Street Sign Co., Inc.	6,123.20
Reynolds Metals Company	6,127.50
D. H. Smith & Assoc., Inc.	6,364.00
Olin Corporation	6,432.80
Southeastern Safety Supplies	6,596.20

ACQUISITION OF ADDITIONAL LAND FOR YORK ROAD LANDFILL, AUTHORIZED.

Mr. Robert Hopson, Public Works Director, stated the York Road Landfill situation is critical and it needs to be expanded. He stated they are presently operating with 105 acres which was purchased in 1968, and they are recommending that the City purchase another 90 acres up against the creek which will give them a chance to fill in the area at the bottom. He stated there is about 400 feet of frontage along York Road; they will continue the access road at its present location. With certain aesthetics and beautification conducive to a sanitary landfill, they hope it will be modified around Christmas time and will be something to be proud of.

Mr. Hopson stated the 90 acres has been offered to the City at \$150,000 which is \$1,666 an acre. The original site was purchased for something over \$2,100 an acre.

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He stated the property is badly needed and it is critical to the city's operations to get additional space. He stated he does not see how it can get much more critical. The Statesville Road landfill is substantially complete and should be closed out with the exception of minor operations. The Holbrook Road landfill is too far away and the county is operating it as a reasonable good landfill, but it is too far for the city to haul to it at present. The county is cooperating in allowing the City to use the Monroe Road site with about 10 trucks per day. He stated at the most the City has only about 18 months of space left in order to operate a landfill.

Councilman Withrow stated he has received a number of calls about people dumping trash along the road at the York Road site. He asked what plans are being made to stop this dumping along the road? Mr. Hopson replied they intend to patrol this area more heavily; they will work with the police department in patrolling the area. Also, they will establish, sometime this winter, a place where a housewife can bring her trash and deposit it so that she will not have to go clear back into the landfill itself; containers will be located along the frontage of the operation. He stated he will give a more detailed report when he presents his report on the overall refuse collection.

Councilman Jordan asked if they plan any beautification on the main road? Mr. Hopson replied they have \$6,000 in the landscape budget which they can use and will use between now and Easter to help on this problem.

Mr. Veeder, City Manager, suggested that every member of Council should go out and take a look at the new equipment in operation as it does make a difference.

Mr. Minor, a resident of the area, asked if there are any provisions being made to control the insects such as fruitflies which are being transported back and forth from the city; that has been one of their bad problems. Mr. Hopson replied once this is in operation there will not be any as the compacting equipment kills everything; this should be in operation by the first of the year. Mr. Minor stated he has been living out there over 32 years and he knows from experience what is happening; that the city has been notified about this condition for at least two years. He stated if it is so sanitary why move it out there; why not get some land and put it inside the city?

Councilman Tuttle stated in paying more than the appraised price, it should be emphasized that this is a seller's situation; the city has no right of eminent domain, and the city is in a critical situation and this is the only way the land can be purchased.

Motion was made by Councilman Whittington, and seconded by Councilman Tuttle, to purchase the land for the York Road Landfill, as follows:

33.456 acres from Carl C. Allison and wife, Catherine M. Allison,
at \$65,250.00.
29.215 acres from Lulu B. Austin at \$44,850.00.
26.912 acres from Furman M. Locke, Sr., and wife, Sue B. Locke and
Furman M. Locke, Jr. and wife, Mabel D. Locke, at \$39,900.00.

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

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

Councilman Short read the following article from the Municipal News Publication:

"One of the officials, Clyde H. Doyle of Pasedena, served scrambled eggs, sausage and biscuits to guests atop a week's deposit of garbage to demonstrate the cleanliness of the city's new landfill."

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CITY MANAGER REQUESTED TO INVESTIGATE THE NEED FOR PIPES IN DITCHES OR SIGNS TO NOTIFY MOTORISTS OF DEEP DITCHES ALONG WEST TRADE STREET BEYOND SELDON AVENUE.

Councilman Alexander stated on West Trade Street, going into the Smallwood Section, there are ditches on both sides of the street; that it is a dangerous situation and the ditches run the length of the road and cars are running off the road into the ditches; it is very difficult to see these ditches at night; that trash and everything is deposited in the ditches. He stated it should be piped. Councilman Alexander requested the City Manager to have this investigated to see if there is anything that can be done about this situation.

Mr. Bobo, Assistant City Manager, stated improvements were proposed in this year's capital improvement budget at an estimated cost of \$10,000 but because of the tight budget, it was postponed for a year.

Councilman Alexander asked if a car runs off the road into the ditch would there be any responsibility of the city? Mr. Underhill, City Attorney, replied that would depend to a large extent on whether the ditches are within or outside the city's right of way.

Councilman Alexander suggested that perhaps some type of signs could be placed along the road to warn the motorist of the condition.

BEAUTIFICATION AND LANDSCAPE DIVISION REQUESTED TO INVESTIGATE SUGGESTION FOR PLANTING AROUND OVENS AUDITORIUM POOL.

Councilman Short stated a citizen mentioned to him that perhaps a planting of low shrubs or flowers could be placed close around the large reflecting pool in front of Ovens Auditorium. That it is true this is completely bare and a better advantage could be made of the fountain if some plantings were placed around the pool. He requested the City Manager to have the Beautification and Landscaping Division look into this suggestion.

Councilman Alexander suggested that something be done about the water direction flow also.

REPORT ON PROJECTS INVOLVING FEDERAL GOVERNMENT.

Mr. Veeder, City Manager, stated last week the City received approval on five different projects involving the federal government. Three projects involved the Federal Water Pollution Control Administration, one involved Department of Transportation and another involved HUD. These projects have a total valuation of \$1,825,000.00.

Mr. Veeder stated Congress has not approved a HUD budget this fiscal year. In part, the extension of the MIS project through January 31, is in response to this situation. As there is not a federal budget, this poses financial problems in various ways.

He stated the Housing Authority was notified last month to halt all housing development projects not currently under contract. As a result of this notification, the Housing Authority has been required to discontinue its activities on two turn-key projects recently approved - the Independence Boulevard and McAlpine Creek Project and Hickory Grove Road and Craighead Drive Project. Efforts to locate suitable sites for two turn-key one projects have also been interrupted.

Mr. Veeder stated four projects are under contract and not affected. These are the Dillehay Courts, Strawn Apartments, Pine Valley and Windsong Trail Projects.

He stated he would think the moratorium would be lifted when a budget is adopted for HUD.

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REPORT OF LITTER COMMITTEE.

Councilman Jordan, Chairman of the Litter Committee, stated the Committee met with Mr. Bobo and the different department heads concerned with litter problem. He stated the Committee is receiving letters, and one is as follows:

"As a representative of a glass container manufacturer, I am much concerned about the litter problem locally and nationally. More importantly, Owens-Illinois has done much work all over the United States aimed at the beautification of the landscape and reclamation of glass. We have gained a great deal of experience over the past several years and feel that we may be able to contribute to your efforts. I would be most happy to work with the Anti-Litter Committee and trust that you will call on me to assist you in your efforts.

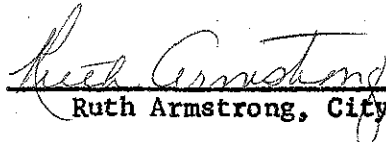
We realize that the litter problem is not created by packaging materials and other inanimate objects, but rather by thoughtless and careless individuals. We feel that strong anti-litter education is essential if the problem is to be eliminated."

Councilman Jordan stated the letter is from Mr. J. H. Horner, Owens-Illinois Glass Container Division. He requested Mr. Bobo, Assistant City Manager, to ask Mr. Horner to attend the next committee meeting.

Councilman Tuttle stated several years ago there was a meeting at the Red Carpet Inn put on by one of the beer companies and they were very much concerned. This company had a quantity of large litter boxes. At that time they said they would be glad to cooperate with the city in special events. He stated he sees no reason why the city should not take advantage of this sort of thing when we have the Festival in the Park and the Sing Outs, and this type of program.

ADJOURNMENT.

Upon motion of Councilman Whittington, seconded by Councilman Alexander, and unanimously carried, the meeting was adjourned.


Ruth Armstrong, City Clerk