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A regular meeting of City Council of the City of Charlotte, North Carolina, was held on Monday, February 1, 1971, in the Council Chamber, City Hall, at 3:00 o'clock p.m., 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.

* * * * *

INVOCATION.

The invocation was given by Reverend Edwin Neff of Pilgrim United Church of Christ.

MINUTES APPROVED.

Motion was made by Councilman Jordan, seconded by Councilman Withrow, and unanimously carried, approving the minutes of the last Council Meeting, on Monday, January 25, 1971, as submitted.

CONTRACT WITH PONTE-TRAVERS CONSULTANTS AND WOLFE ASSOCIATES FOR PROFESSIONAL SERVICES FOR CENTRAL BUSINESS DISTRICT COORDINATION AND DEVELOPMENT GUIDE, APPROVED.

Councilman Short stated during the Conference Session today, Mr. W. E. McIntyre, Planning Director, presented a report concerning implementing and coordinating and orchestrating plans for Downtown Charlotte, and recommended that Council authorize the employment of Ponte-Travers Associates and Wolfe Associates for this purpose.

Councilman Short moved approval of the contract as recommended by Mr. McIntyre, and that Council proceed as outlined in the Conference Session. The motion was seconded by Councilman Tuttle.

Mr. Graeme Keith, representing Central Charlotte Association, stated they felt it was important to appear today and to comment on the proposal. That Central Charlotte Association has devoted its primary efforts of the past eleven years towards the revitalization of the central business district. It now appears that these efforts and those of many others have begun to pay off, and 1971 will see an enormous surge in downtown development. This view is supported by Mr. Phillip Hammer who states that Charlotte has reached its critical mast. A great deal of this expansion will take place Downtown. Central Charlotte Association strongly believes that its emphasis is now switched to a qualitative position - that is, our concern should be directed to the end that Charlotte remain, in spite of its size, a city for people. That all construction, public and private, be designed with that in mind. This will require certain guidelines. That such things as pedestrain walkways, building setback and provisions for rapid transit must be coordinated by such a group in which the Ponte-Travers firm would serve very well. He stated they strongly recommend that Council approve this proposal so that Charlotte can get on with the job of building a planned people oriented community. He stated they are thoroughly familiar with Vincent Ponte and his work in Montreal. That Central Charlotte Association actually co-sponsored Mr. Ponte's last personal appearance in Charlotte in conjunction with the Charlotte section of American Institute of Architects in November of last year.

Councilman Alexander asked that the record show that funds available for this service do exist in the Urban Redevelopment funds.

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Councilman Short stated other individuals who worked on the project of hiring Ponte and Associates and Wolfe and Associates for the downtown implementation and coordination were Councilman James Whittington, Councilman Milton Short, Acting City Manager Paul Bobo, Former City Manager William Veeder, Planning Director, William McIntyre, Redevelopment Director Vernon Sawyer, Traffic Engineer Herman Hoose and Mr. Harry Wolfe and Mr. Raymond King. He stated these individuals worked on the project for the past several months.

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

PRESENTATION OF AMERICAN MANAGEMENT ASSOCIATION CERTIFICATES TO CITY EMPLOYEES.

Mayor Belk stated the City of Charlotte has the best training program of anyone who has used the American Management guidelines, and Charlotte is used as an example. That in July of this year over 200 employees will have completed the course.

Mayor Belk stated the following employees have completed the course and are present to receive a certificate:

- Murdies R. Arnold, Administrative Assistant I, Community Relations
- Alfred E. Baker, Sewerage Systems Supervisor, Public Works-Sewer Division
- Charles W. Baker, Treatment Plant Foreman, Water-Sugar Creek Plant
- James C. Brown, Deputy Fire Chief, Fire Department
- Gilbert W. Cole, Civil Engineer I, Water-Distribution Division
- Jesse W. Greene, Labor Foreman I, Public Works-Sanitation Division
- Edgar Hurd, Senior Animal Control Officer, Pet Department
- William Keith Little, Systems Analyst Program Supervisor, MIS-Data Processing Division
- Clifton C. Link, Assistant Radio Engineer, Traffic Engineering
- P. J. Manley, Administration Assistant I, Public Works-Sanitation Division
- George G. Owen, Water Construction Foreman, Water-Distribution Division
- Thomas B. Perrone, Equipment Service Supervisor, Public Works-Motor Transport Division
- F. Gordon Pierpont, Model City Fiscal Officer, Model Cities
- Hal L. Price, Civil Engineer II, Public Works-Landscaping Division
- George Belton Reid, Labor Foreman I, Public Works-Sanitation Division
- William B. Richardson, Painter, Public Works-Central Services Division
- Ted Roberts, Streets Supervisor, Public Works-Street Division
- James E. Rogers, Streets Supervisor, Public Works-Street Division
- Thomas W. Russell, Treatment Plant Foreman, Water-Hoskins Plant
- Albert H. Scott, Accountant III, Finance-Accounting Division
- Thomas A. Stafford, Traffic Controls Supervisor, Traffic Engineering
- Harry A. Taylor, Civil Engineer II, Public Works-Sanitation Division
- Harold G. Thrower, Labor Foreman I, Public Works-Sanitation Division
- Harold E. Ward, Labor Foreman I, Public Works, Sanitation Division
- Dozier L. Wilson, Traffic Signal Construction Foreman, Traffic Engineering
- Kent G. Winslow, Assistant Airport Manager-Properties, Airport

The Mayor and Council congratulated each, and Mayor Belk stated he and Council are very proud of these city employees.

PROPOSALS BY ELLIOT L. MARTIN, REPRESENTING SANITATION WORKERS, REFERRED TO CITY MANAGER AND STAFF FOR CONSIDERATION FOR COUNCIL.

Mr. Elliot L. Martin stated he is present today on behalf of the City's Sanitation Workers; that he has communicated with Mr. Bobo, Acting City Manager, and has presented him with some proposals. He stated he would like to have Council's reactions to the proposals. Copies of the proposals were given to Council.

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Mr. Bobo stated in line with the procedure set up in the City's personnel policies, any group or individual must present their proposals to the City Council in writing, not later than February 1 of each year. That Council can then receive them and handle them or they may refer the proposals back to the City Manager for consideration.

Councilman Whittington moved that the proposals be referred to the City Manager and his staff for consideration for Council. That the City has a policy procedure which has been set down by Council and the Personnel Department that all requests as it relates to salaries, wages and benefits must go through the City Manager and the Personnel Department and Council will then review all of the proposals at the proper time during budget consideration. The motion was seconded by Councilman Short, and carried unanimously.

Councilman Alexander stated the majority of this request appears to be proposals dealing with what will eventually be a matter of budget consideration. He asked if this does not mean that an answer cannot be given until budget time? Mr. Bobo replied that is right; the City cannot give an immediate answer; it is something that will have to be taken into consideration at budget time. Councilman Alexander stated he would like Mr. Martin to know that we cannot give him an immediate answer.

PETITION REQUESTING CITY TO REDUCE THE RATES FOR WATER AND SEWER SERVICE CHARGED TO RESIDENTS OF STARMOUNT NO. 10.

Mr. Lou Wetmore stated he lives in the area outside the City of Charlotte, known as Starmount No. 10. That he, along with the neighbors in this area, use the Charlotte City water and sewer service. That they have gathered a petition which he filed with the City Clerk, which reads as follows:

"We, the undersigned, all residents of Starmount No. 10 Subdivision, do hereby state our belief that we, individually and collectively, have and are being charged excessive rates by the Charlotte Water Department for sewer and water services.

We further state our belief that the double rate charged us is arbitrary, and is not justified by actual costs to the City of Charlotte for providing sewer and water service.

We, therefore, petition the City Council, City of Charlotte, to reduce the rates for water and sewer service charged the residents of Starmount No. 10 Subdivision by 50%."

Mr. Wetmore stated there are 120 families in the area, and there are 236 signatures on the petition. He asked Council to take their positions and review it.

Councilman Short stated this rate is needed to pay off the mortgage on a number of water lines that have been run out into the perimeter area in the last three or four years. This matter was very heavily debated from approximately 1965 to 1969 and we have now run a line out to the University and a line out 49 and a line out to Matthews and with others being planned and with lines running off these lines, we have had more water line activity, big and little, in the last several years and in the last three years than over several decades. These lines were built as a result of a public outcry for the lines. This water rate is a necessity to pay off the mortgage on these lines that are bringing service out to the areas such as Starmount No. 10.

Mr. Wetmore stated according to the petition filed by the Ervin Industries, who built their area, to the State Utilities Commission, the water lines in the area were installed and paid for by Ervin which would indicate a low, if any expenditure, on the part of the City to service that specific area. Councilman Short asked if he is recommending that the City have a variable policy that would be doubled in some places outside the City and not in other places? Mr. Wetmore replied not at all. That they would prefer a rate based on the cost required to provide that service.

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Mayor Belk requested the Acting City Manager to investigate this request and give Mr. Wetmore a reply.

Councilman Withrow asked Mr. Wetmore if he would object to being annexed into the City? Mr. Wetmore replied he cannot speak for the Association, but in his opinion, this would be very good, and he would like for this to happen; at this point, they are concerned with the water rates; that if they could entertain a serious proposal to be taken into the city he would be very happy to take this back to the residents.

Councilman Withrow stated he would suggest that the residents petition to be taken into the City Limits.

RESOLUTION CALLING FOR A PUBLIC HEARING ON AMENDMENT NO. 4, REDEVELOPMENT PLAN FOR REDEVELOPMENT SECTION NO. 2, BROOKLYN RENEWAL AREA, PROJECT NO. N. C. R-24.

Councilman Tuttle moved adoption of the subject resolution calling for a public hearing on Monday, February 22, 1971. The motion was seconded by Councilman Jordan, and carried unanimously.

The resolution is recorded in full in Resolutions Book 7, beginning at Page 235.

MAYOR BELK LEAVES MEETING.

Mayor Belk left the meeting at this time and Mayor Pro Tem Whittington presided for the remainder of the Session.

RESOLUTION PROVIDING FOR A PUBLIC HEARING ON PETITION NO. 71-12 FOR ZONING CHANGE.

Motion was made by Councilman Withrow, seconded by Councilman Alexander, and unanimously carried, adopting the subject resolution calling for a public hearing on Monday, February 22, 1971, for zoning change.

The resolution is recorded in full in Resolutions Book 7, at Page 237.

RESOLUTION EXTENDING THROUGH FEBRUARY 28, 1971 THE CURRENT OPERATING CONTRACTS BETWEEN THE CITY OF CHARLOTTE MODEL CITIES PROGRAM AND AGENCIES AND/OR PUBLIC BODIES.

Motion was made by Councilman Alexander, and seconded by Councilman Jordan, adopting the subject resolution extending through February 28, 1971, the current operating contracts between the City of Charlotte Model Cities Program and the following agencies and/or public bodies:

- (a) Charlotte Area Fund, Incorporated.
- (b) Charlotte City Coach Lines, Inc.
- (c) Charlotte-Mecklenburg Board of Education.
- (d) Community Health Association, Inc.
- (e) Health Services Research Center.
- (f) Legal Aid Society of Mecklenburg County, North Carolina
- (g) Mecklenburg County Health Department.
- (h) MOTION, Incorporated.
- (i) North Carolina Blue Cross-Blue Shield, Incorporated.
- (j) Opportunities Industrialization Center - Charlotte Bureau Training Programs, Incorporated.

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

The resolution is recorded in full in Resolutions Book 7, beginning at Page 238.

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LEASE BETWEEN THE CITY OF CHARLOTTE MODEL CITIES DEPARTMENT AND THE CHARLOTTE-MECKLENBURG BOARD OF EDUCATION FOR ALEXANDER STREET SCHOOL.

Councilman Jordan moved approval of the subject lease for a period of one year at an annual rent of \$1.00 to house the Alexander Street Neighborhood Center. The motion was seconded by Councilman Short, and carried unanimously.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO MARGARET C. MCNEELY AND SAM S. MCNEELY, JR. ON THE EAST SIDE OF ALLEGHANY STREET, BETWEEN WILKINSON BOULEVARD AND HAVELOCK AVENUE FOR THE ALLEGHANY STREET WIDENING PROJECT.

Motion was made by Councilman Short and seconded by Councilman Alexander to adopt the subject resolution authorizing condemnation proceedings for the acquisition of 398.67' x 39.72' x 31.13' x 358.66' x 31.70' x 40.29' of property at a condemnation price of \$7,000.00.

Councilman Withrow asked why the property is being taken from one side only; is there a turn in the street? Mr. Underhill, City Attorney, replied the property on which we intend to take the 20 feet is vacant and undeveloped at this time; the property on the other side of the street is developed and would necessitate the moving of a fence and the relocation of an unloading ramp that is used for vehicles. That in their best judgement taking it all off one side would be more economical than taking a portion off each side. Second, according to the best engineering designs that we can come up with, taking it all off this side of the street would give a better intersection at Alleghany and Havelock; it would eliminate a slight curve by taking it off this side.

Mr. Hopson, Director of Public Works, presented a map and explained the project to the City Council. He stated the main thing is the economic determination. He pointed out on the map the piece of property under discussion and stated it will make a nice straight transition.

Councilman Withrow asked how much more would it cost if some was taken from the other side? Is there a considerable amount of difference? Mr. Underhill replied he does not recall the exact figures; that the matter have been litigated before, and the City looked into the possibilities of taking 10 feet off each side, and because of the fence relocation and because of having to remove an unloading ramp and to severely limiting the use of the property on the other side of the street, it was a fairly substantial amount of money.

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

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

The resolution is recorded in full in Resolutions Book 7, at Page 239.

PROPERTY TRANSACTIONS AUTHORIZED.

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

- (a) Acquisition of 15' x 91' of easement on Arlington Avenue right-of-way at Euclid Avenue, from the Housing Authority of the City of Charlotte, at \$1.00 for sanitary sewer to serve Dilworth Urban Renewal Area.
- (b) Acquisition of 10' x 115' x 15' x 639.25' of easement on undeveloped subdivision on US 21, approximately 1,100 feet south of US 21 and Old Pineville Road Intersection from Tomrick Corporation, at \$1.00, for sanitary sewer to serve Pine Valley.

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- (c) Acquisition of 25,550 square feet at 4351 Central Avenue, from C. Morris Newell, agent for Heirs of Pattie Morris Cole, at \$53,000.00, for Kilborne Road and Central Avenue Intersection.
- (d) Acquisition of 22' x 614' and turn radius at 4400 Sharon Road from Belk Brothers Company and J. B. Ivey and Company, at \$1.00, for Sharon Road Widening.
- (e) Acquisition of 20.26' x 726.87' x 20.23' x 726.66' and 21.85' x 202.13' x 21.93' x 202.20' at 4400 Sharon Road, from Belk Brothers Company and J. B. Ivey and Company, at \$1.00, for Sharon Road Widening.
- (f) Acquisition of 21.85' x 439.77' x 21.06' x 438.44' at 4400 Sharon Road, from Belk Brothers Company and J. B. Ivey and Company, at \$1.00, for Sharon Road Widening.
- (g) Acquisition of 12,976 square feet at 4400 Sharon Road, from Belk Brothers Company and J. B. Ivey and Company, at \$1.00, for Sharon Road Widening.
- (h) Acquisition of 1,354 square feet at 4400 Sharon Road, from Belk Brothers Company and J. B. Ivey and Company, at \$1.00, for Sharon Road Widening.

ORDINANCE NO. 12 AMENDING CHAPTER 10A, SECTION 10A-12(b) OF THE HOUSING CODE OF THE CITY OF CHARLOTTE.

Council was advised that based on the decision handed down by the North Carolina Supreme Court recently which basically requires that a property owner be given the opportunity to repair a dwelling bringing it into conformance with the minimum standards of fitness, regardless of its condition, the City Attorney has prepared an amendment to the Housing Code which would bring the City Code into compliance with this ruling by establishing the following procedures:

- (1) In the event the Superintendent determines that a dwelling may not be repaired for less than 50% of its value, i.e., dilapidated, and issues an order requiring demolition of the dwelling, the owner, within ten (10) days from the date of the order, may notify the Superintendent, in writing, of his intent to make the repairs necessary to the dwelling so as to comply with the standards of fitness.
- (2) Upon receipt of the owner's written intent to repair the dwelling, the Superintendent shall issue a supplemental order directing the owner to begin and complete the necessary repairs.
- (3) The Superintendent shall allow a reasonable period of time for the owner to make the necessary repairs, but it shall not be less than thirty days nor more than 90 days.
- (4) If the owner fails to give notice of his intent to repair or does not appeal the decision of the Superintendent to the Housing Appeals Board, the Superintendent proceeds with obtaining Council authorization to demolish the dwelling.

Councilman Withrow stated to be sure that the property owner receives the notice, how are they notified? Mr. Underhill, City Attorney, replied the property owner is notified orally at the time of the hearing that he has those options available to him; the Inspector will spell them out to him. After a decision has been made that the dwelling in question is dilapidated the law requires that the findings of facts and the ordering it to be demolished must be sent by certified mail to the owner. In the order will be a statement to the effect that if the property owner desires to repair the dwelling, notice, in writing, must be received by the Superintendent within ten days from the date of the service of the order.

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Councilman Withrow stated a number of people who have made repairs do not feel that the Inspectors are fair with them. He asked if there is an Appeal Board for these people to go to if they do not agree with the Inspector? Mr. Underhill replied the owner has three options: (1) He can comply with the order. (2) He can undertake to repair the dwelling to bring it up to the standards regardless of the cost as long as he follows the procedure as outlined. (3) If he feels that the Superintendent's decision was incorrect, he has the right, within ten (10) days, to appeal the Superintendent's decision to the Housing Appeals Board. This Board has the right to review the Superintendent's decision. If the owner is dissatisfied with the Board's decision, he has the further right to appeal the matter to the North Carolina Superior Court, and have it reviewed.

Mr. Underhill stated he believes this amendment will bring the City's code into conformance with the Court's ruling.

Upon motion of Councilman Alexander, seconded by Councilman Short, and unanimously carried, the subject ordinance amending Chapter 10A, Section 10A-12(b) of the Housing Code was adopted.

The ordinance is recorded in full in Ordinance Book 18, at Page 77.

ORDINANCE NO. 7-X ORDERING THE DEMOLITION AND REMOVAL OF DWELLING AT 900 HARRILL STREET, PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE, AND ARTICLE 15, CHAPTER 160 OF THE GENERAL STATUTES OF NORTH CAROLINA.

Councilman Tuttle moved adoption of the subject ordinance ordering the demolition and removal of dwelling at 900 Harrill Street. The motion was seconded by Councilman Short.

Council was advised that the property owner would not contest the demolition.

A vote was taken on the motion and carried unanimously.

The ordinance is recorded in full in Ordinance Book 18, at Page 72.

ORDINANCE NO. 8-X ORDERING THE REMOVAL OF WEEDS AND GRASS ON PROPERTY ACROSS FROM 716 KENNEDY STREET, 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.

Motion was made by Councilman Jordan, seconded by Councilman Withrow, and unanimously carried, adopting the subject ordinance.

The ordinance is recorded in full in Ordinance Book 18, at Page 73.

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

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

- (a) Ordinance No. 9-X ordering the removal of vehicle at 4513 Wildwood Avenue.
- (b) Ordinance No. 10-X ordering the removal of vehicle at 1352 Downs Avenue.
- (c) Ordinance No. 11-X ordering the removal of vehicle at 411 North Poplar Street.

The ordinances are recorded in full in Ordinance Book 18, beginning at Page 74.

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APPRAISAL CONTRACTS, APPROVED.

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

- (a) Contract with William W. Finley for appraisal of four parcels of land, at a fee of \$70.00 each, for Irwin Creek-Sugar Creek Open Space, N. C. OSC-73.
- (b) Contract with Charles E. Owens for appraisal of four parcels of land, at a fee of \$70.00 each, for Irwin Creek-Sugar Creek Open Space, N. C. OSC-73.

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

Councilman Withrow moved adoption of the subject resolution authorizing the refund of taxes in the total amount of \$376.42 which were levied and collected through clerical error against twelve accounts. The motion was seconded by Councilman Short, and carried unanimously.

The resolution is recorded in full in Resolutions Book 7, at Page 240.

REQUEST OF LITTLE ROCK ASSOCIATES TO CONNECT TO PRIVATE SANITARY SEWER SYSTEM AUTHORIZED.

Motion was made by Councilman Tuttle, seconded by Councilman Jordan, and unanimously carried, approving the request of Little Rock Associates to connect into a private sanitary sewer system owned by McCall Brothers, Inc. which is in turn connected to the City's sewer lines in Wilkinson Boulevard.

SUPPLEMENTARY CONTRACT TO CONTRACT WITH SHARON UTILITIES, INC. FOR INSTALLATION OF WATER MAINS TO SERVE ARCHDALE DRIVE SUBDIVISION AND BRITISH WOODS SUBDIVISION, APPROVED.

Upon motion of Councilman Tuttle, seconded by Councilman Jordan, and unanimously carried, the subject supplementary contract to contract, dated August 16, 1965 with Sharon Utilities, Inc. for installation of 3,650 feet of water mains and four fire hydrants to serve subdivisions outside the city limits, through a master meter at an estimated cost of \$19,600.00 was approved; the applicant will finance all pipe lines and system and will own, operate and maintain same and retain all revenue derived until such time as any part or all of the system is incorporated into the City. Approved by Community Facilities Committee on January 12, 1971.

CHANGE ORDER NO. 1 IN CONTRACT WITH PITTSBURG-DES MOINES STEEL COMPANY FOR CONSTRUCTION OF WATER TANK AT OWEN BOULEVARD, AUTHORIZED.

Councilman Withrow moved approval of the subject change order extending the completion date by sixty-four days with no funds involved. The motion was seconded by Councilman Jordan, and carried unanimously.

CLAIM BY CHARLES L. BROWN FOR PROPERTY DAMAGES DENIED.

Councilman Withrow moved that claim in the amount of \$200.00 filed by Mr. Charles A. Brown, 211 Dickinson Place, for damage to his basement as a result of a sewer line backup be denied as recommended by the City Attorney. The motion was seconded by Councilman Alexander, and carried unanimously.

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SPECIAL OFFICER PERMITS AUTHORIZED.

Upon motion of Councilman Jordan, seconded by Councilman Short, and unanimously carried, special officer permits were authorized issued for a period of one year each, as follows:

- (a) Renewal of permit to Mrs. Nellie L. Price, for use on the premises of Belk Brothers Company.
- (b) Issuance of permit to Mr. Artis Roger Honeycutt for use on the premises of Park Fairfax Apartments, Eastbrook Woods and Northwood Park.

TRANSFER OF CEMETERY LOT.

Councilman Tuttle moved that the Mayor and City Clerk be authorized to execute a deed with Mrs. Barbara A. Granger for Grave No. 4, in Lot No. 703, Evergreen Cemetery, at \$80.00. The motion was seconded by Councilman Short, and carried unanimously.

GENERAL POLICY STANDARDS AND SPECIFICATIONS FOR EXTENSION OF WATER AND SEWER SYSTEMS AUTHORIZED.

Councilman Short moved that the General Policy Standards and Specifications for Extension of Water and Sewer Systems as presented by the Community Facilities Committee be authorized with the following revisions:

- (1) The use of Asbestos Cement Pipe shall be limited to six inch diameter or less and shall be installed in strict accordance with the requirements of the State Board of Health and The Mecklenburg County Board of Health.
- (2) The original document precluded the City and County staffs from designing Sewage Treatment Plants. A compromise has been reached allowing the staffs to design projects up to an estimated cost of \$500,000.
- (3) A change in wording to insure that both the City and County Public Works Departments are involved in the approval of all extensions has been made.
- (4) The use of Polyvinyl Chloride Pipe (PVC) will not be permitted and the clarification for the use of galvanized wrought iron and extra strong galvanized steel, retaining copper, has been made.
- (5) The word Engineering has been deleted in Paragraph Two (2), Page Seven (7), to avoid use of different terms referring to City and County Public Works Departments.

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

CONTRACT AWARDED GULF OIL CORPORATION FOR GASOLINE.

Motion was made by Councilman Jordan, seconded by Councilman Short, and unanimously carried, awarding contract to the low bidder, Gulf Oil Corporation, in the amount of \$293,912.00, on a unit price basis, for gasoline.

The following bids were received:

Gulf Oil Corporation	\$293,912.00
American Oil Co.	299,378.58
Union Oil Co. of California	301,380.40
Texaco, Inc.	312,101.80

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CONTRACT AWARDED UNION OIL COMPANY OF CALIFORNIA FOR MOTOR OILS.

Councilman Withrow moved award of contract to the low bidder, Union Oil Company of California, in the amount of \$9,543.88, on a unit price basis, for motor oils. The motion was seconded by Councilman Short, and carried unanimously.

The following bids were received:

Union Oil Co. Of California	\$ 9,543.88
Sun Oil Company	9,654.25
Cities Service Oil Co.	10,064.74
Texaco, Inc.	10,445.74
American Oil Company	11,650.12

CONTRACT AWARDED SUN OIL COMPANY FOR GEAR LUBRICANT.

Upon motion of Councilman Jordan, seconded by Councilman Withrow, and unanimously carried, contract was awarded the low bidder, Sun Oil Company, in the amount of \$1,228.33, on a unit price basis, for gear lubricant.

The following bids were received:

Sun Oil Co.	\$1,228.33
Cities Service Oil Co.	1,235.25
Union Oil Co. of California	1,347.90
Texaco, Inc.	1,358.78
American Oil Company	1,521.83

CONTRACT AWARDED UNION OIL COMPANY OF CALIFORNIA FOR CHASSIS LUBRICANT.

Motion was made by Councilman Tuttle, seconded by Councilman Short, and unanimously carried, awarding contract to the low bidder, Union Oil Company of California, in the amount of \$868.19, on a unit price basis, for chassis lubricant.

The following bids were received:

Union Oil Co. of California	\$ 868.19
American Oil Company	998.28
Texaco, Inc.	1,033.56
Cities Services Oil Co.	1,064.88
Sun Oil Company	1,112.80

CONTRACT AWARDED UNION OIL COMPANY OF CALIFORNIA FOR KEROSENE.

Motion was made by Councilman Tuttle to award contract to the only bidder, Union Oil Company of California, in the amount of \$3,916.19, on a unit price basis, for Kerosene. The motion was seconded by Councilman Alexander, and carried unanimously.

CONTRACT AWARDED UNION OIL COMPANY OF CALIFORNIA FOR NO. 2 FUEL OIL.

Councilman Tuttle moved award of contract to the only bidder, Union Oil Company of California, in the amount of \$22,520.76, on a unit price basis, for No. 2 fuel oil. The motion was seconded by Councilman Alexander, and carried unanimously.

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CONTRACT AWARDED UNION OIL COMPANY OF CALIFORNIA FOR DIESEL FUEL.

Upon motion of Councilman Tuttle, seconded by Councilman Alexander, and unanimously carried, contract was awarded the only bidder, Union Oil Company of California, in the amount of \$19,493.18, on a unit price basis for diesel fuel.

CONTRACT AWARDED SUN OIL COMPANY FOR HYDRAULIC LIFT OIL.

Motion was made by Councilman Jordan, seconded by Councilman Short, and unanimously carried, awarding contract to the low bidder, Sun Oil Company, in the amount of \$3,791.20, on a unit price basis, for hydraulic lift oil.

The following bids were received:

Sun Oil Company	\$3,791.20
Cities Service Oil Co.	3,847.50
Union Oil Co. of California	3,858.03
Texaco, Inc.	4,009.50
American Oil Company	5,167.80

HAROLD M. MORROW RE-APPOINTED TO THE INSURANCE ADVISORY COMMITTEE FOR A THREE YEAR TERM.

Councilman Tuttle placed in nomination the name of Mr. Harold M. Morrow for a term of three (3) years on the Insurance Advisory Committee, and moved his appointment. The motion was seconded by Councilman Short, and carried unanimously.

NEWS MEDIA REQUESTED TO GIVE SOME PUBLICITY ON FOURTH STREET TRAFFIC FLOW NOW BEING TWO LANES AT ALL TIMES, AND POLICE DEPARTMENT REQUESTED TO PATROL THE STREET.

Councilman Jordan stated he would like it very much if the City could get some publicity on the Fourth Street traffic in the morning and afternoon. That the Traffic Engineering Department has taken down the third lane sign now. That he comes this way in the morning and afternoon and so many people are still using the third lane. That he nearly saw two accidents this morning.

Councilman Short stated a little bit of police patrolling would be a help for a while. That it is a dangerous situation.

RESOLUTION AMENDING THE PAY PLAN OF THE CITY OF CHARLOTTE.

Councilman Jordan moved adoption of a resolution establishing Mr. Paul Bobo's salary at Step E, Pay Range 48, to be effective January 1, 1971, at an annual salary of \$20,880.00. The motion was seconded by Councilman Tuttle.

After discussion, the vote was taken on the motion and carried by the following vote:

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

The resolution is recorded in full in Resolutions Book 7, at Page 241.

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TRAFFIC ENGINEERING REQUESTED TO PUT GUIDE LINES IN ON FOURTH STREET AT CASWELL ROAD.

Councilman Tuttle stated the two right lanes on Fourth Street at Caswell Road are dangerous; that the driver has to make an abrupt almost right turn in order to pick up the lane when you cross Caswell Road. He requested that the Traffic Engineering check this out and put some guide lines down.

NINE PRIORITIES SET BY CITY COUNCIL.

Mayor pro tem Whittington read the following statement:

"On January 13, the Chamber of Commerce presented its program of work for 1971, stating that leadership is the answer in Charlotte.

They proposed a community task force to review whether our economic resources and community leadership are being used in the most effective and efficient way.

Their program of work called for Metrolina Mass Transit Study; a community housing task force; a technical training school; new sources of revenue, and all their suggestions were good. They also talked about Downtown Revitalization, drug coordination and a task force for that and they talked about pollution control.

They had a renewed and reviewed task force to look into projects of the past, which have not been completed, to see what can be done in these areas to complete those that measure up to a better city with a quality of life for our citizens.

The report went on to say that they will continue their efforts in industry hunting, city-county consolidation, business development, community development, governmental affairs and membership development.

These programs are many which the City Council is undertaking and so is the county. Together with proper leadership, we can complete the unfinished and move into those still on the drawing boards, whether it be our project or the Chamber of Commerce or the County Government or some civic club. It matters not, as long as the projects are completed.

On January 14, Governor Scott, in his State of the State Message said, we should put first things first. And I agree today, and I think you would, that we must have leadership in our city and we must put first things first.

We again need to set priorities and stay within that framework and this Council and Mayor Belk be the leadership until and if this form of government is changed by the citizens.

The First Priority. The civic center, and I do not think anyone would disagree with that. This Council has planned, we have spent money, we have made surveys for years for this civic center. Nothing should be left undone today or tomorrow or in weeks to come in order that we see this project begin this spring.

The Second Priority. The street widening downtown to make the civic center and allied buildings easily accessible by automobile and bus transportation. These streets are not enough. We have to think about North Tryon Street. This is nothing new, but it certainly deserves consideration. North Tryon Street should be thought about and planned for a one-way street going north and Church Street be opened and developed for south-bound traffic, coming south. Graham Street, by Council priority should be worked and widened from Morehead Street to Dalton Avenue. The Independence Boulevard Expressway needs to be finished as well as the Northwest Expressway and

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local government has already spent \$9.0 million to get the road built soon. These streets, that I have just mentioned to you, are all downtown. They need to begin and they need to be finished. But there is another street that deserves just as much priority and that is the Belt Road which was promised nearly twelve years ago and is more urgent today than ever before. I proposed about a month ago that we have a meeting with the Governor, and the Chairman of the Highway Commission. This meeting has been held. In 1969, the citizens of this community passed a bond issue for \$1,250,000 to finish this road. I think it behooves now the members of this Council and the members of the County Commission, and hopefully, the citizens of this community to write Mr. Charles Maxwell, the Highway Commissioner in this District, and urge him to do all he can to get these streets that I have mentioned underway.

The Third Priority. A City Council committee during Mayor Brookshire's last year in office, composed of Mr. Jordan, Mr. Alexander and myself, recommended that Council request 2,500 more public housing units. The census was completed last year and the Housing Authority should move in this direction. I would propose that Council and the Housing Authority have an early meeting to see where we are and to answer some of the questions that have been brought up about public housing in Greenville.

The Fourth Priority is a major park that has been discussed by several members of Council and by Park and Recreation Commission and the Master Plan Committee for northeast Charlotte hopefully in the next few years.

The Fifth Priority. The selection of a new City Manager.

The Sixth Priority. The completion of Blue Heaven Park while McDowell Street is still under construction to tie in with the governmental plaza park and the Sugar Creek Canal. We have been reminded now for almost two years by the Redevelopment Commission that no action in this area is costing the City in interest a great deal of money every day. The Master Plan Committee, headed by Mr. Gouldie Odell, back some five or six years ago, recommended a park in the Fourth Ward area, Downtown, with the hope that this park would be an enticement to get developers to continue from Edwin Towers to the Old Settler's Cemetery with high rise apartment construction. To get people to live downtown and work downtown, we should do all we can to get this promoted.

The Seventh Priority. The City must this year build at least one, and hopefully two, parking garages downtown. This was discussed today with Mr. McIntyre.

Eighth Priority. The Mass Transit Study. To develop a plan for Metrolina and the Piedmont Crescent of North and South Carolina.

Ninth Priority. To come back to a more realistic form of Capital Improvements on a pay-as-you-go-basis for 1971 and the years to come. If we did this and built just one street or found some land to build a park, then we would be making progress. I think we are being a little bit premature if we are going to continue, in the future, to think about bond issues to make the progress that we need.

There are other priority needs as has been pointed out very vividly in the last week - the problems of our courts. It has been pointed out about crime, and our police need more attention. Our Fire Department has a lot of problems. Drug abuse is a serious detriment to our society, and new revenue is needed.

The Council needs to give leadership, with the Mayor, to these problems and to these projects that have not been started and have not been finished. I think that we all should concern ourselves to these things that are not finished and do everything we can to get them finished."

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Mayor pro tem Whittington stated he would hope that in the near future the Mayor and Council can sit down and think about Council committees to help some of these problems. That as seven individuals and a Mayor, we cannot do some of these things that need so much urgent attention.

Councilman Tuttle stated he would like to concur in what Mayor pro tem Whittington has said. That this reminded him of a couple of things. Once we had a little delay on the appraisal of the new Number One priority area, and the last statement from the appraisers was that we would have the figures not later than February 1. Assuming that the price is right after this appraisal and we move ahead with this, then we will be talking about revenue bonds. It is going to be a squeeze to make it pay on a revenue bond basis, because of this law in North Carolina that does not give us the right to use the first floor for commercial establishments. This is in our bond package, but who is pushing our delegation in Raleigh to get going on this. That if we want to start a civic center, we very definitely need legislation to allow us to rent out the first floor as a commercial establishment.

Mr. Bobo, Acting City Manager, advised the Finance Director is working on a plan to present as soon as the appraisals are received. That there are three alternatives to handling this, and this will be a part of the presentation to Council at a Conference Session. He stated the idea of including this site under urban renewal is also being explored so that federal funds can be obtained to help purchase the land. Councilman Tuttle stated he still thinks legislation is needed so that we can commercialize on the valuable first floor. That every place Council has been they have found parking garages with drug stores, and shoe shops and everything else on the first floor where the land is valuable and you get more rent than from placing cars.

Mayor pro tem Whittington stated we need to get these answers tomorrow, and he urged Mr. Bobo and Mr. Fennell and Mr. Underhill and whoever else is needed to have Council some answers on Monday.


Councilman Alexander stated he agreed wholeheartedly with everything that has been said; that he also agrees that proposals are no good just sitting on a shelf waiting for someone to make up their mind to get some action started; that much ground can be covered by not waiting, and he knows of no way to activate the work upon such proposals than to do it.

Councilman Alexander moved that the proposals as submitted be placed upon the Council's agenda for immediate consideration. The motion was seconded by Councilman Withrow and carried unanimously.

Councilman Alexander stated there are a lot of proposals and there is no way to adjudicate or go into each one of them in depth for consideration next week. That the spirit and intent of his motion is that we officially get these things on the agenda for action so that we can begin to work on them. That it may take 30 days to ferret out all of them and a method of approach to them, be it by Council Committees, outside Committees, or what have you. That his purpose is to not let this be proposals and Council just hear them and someone file them, and never get an answer. That this is the real purpose and intent of his motion.

ADJOURNMENT.

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


Ruth Armstrong, City Clerk