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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, Tuesday, February 22, 1972, at 3:00 o'clock p.m., with Mayor John M. Belk presiding, and Councilmen Fred D. Alexander, Patrick N. Calhoun, Sandy R. Jordan, James D. McDuffie and Joe D. Withrow present.

ABSENT: Councilman James B. Whittington, and Councilman Milton Short was absent for the first part of the meeting.

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INVOCATION.

The invocation was given by Mr. Tom Ruff, County Attorney.

MINUTES APPROVED.

Upon motion of Councilman Jordan, seconded by Councilman Alexander, and unanimously carried, the minutes of the last meeting, on February 14, 1972, were approved as submitted.

COUNCILMAN CALHOUN LEAVES MEETING.

Councilman Calhoun left the meeting at this time and was absent during the vote on the next two items.

RESOLUTION CALLING FOR A PUBLIC HEARING ON AMENDMENT NO. 4, REDEVELOPMENT PLAN FOR DOWNTOWN URBAN RENEWAL AREA, PROJECT NO. N. C. A-3.

Upon motion of Councilman Alexander, seconded by Councilman Jordan, and unanimously carried, the subject resolution was adopted calling for a public hearing on Monday, March 13, 1972, on Amendment No. 4, Redevelopment Plan for Downtown Urban Renewal Area, Project No. N. C. A-3.

The resolution is recorded in full in Resolutions Book 8, beginning at Page 66.

RESOLUTION CALLING FOR A PUBLIC HEARING ON THE REDEVELOPMENT PLAN FOR PROJECT NO. N. C. A-3(1), THIRD WARD RENEWAL AREA.

Motion was made by Councilman Jordan, seconded by Councilman Withrow, and unanimously carried, adopting the subject resolution calling for a public hearing on Monday, March 13, 1972, on the Redevelopment Plan for Project No. N. C. A-3(1), Third Ward Urban Renewal Area.

The resolution is recorded in full in Resolutions Book 8, beginning at Page 68.

COUNCILMAN CALHOUN RETURNS TO MEETING, AND COUNCILMAN SHORT COMES INTO MEETING.

Councilman Calhoun returned to the meeting at this time, and Councilman Short came into the meeting.

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

Councilman Alexander asked that the record show that he abstains from discussion and vote on the Agenda Item relating to ground transportation to and from Douglas Municipal Airport.

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CONTRACT FOR GROUND TRANSPORTATION TO AND FROM DOUGLAS MUNICIPAL AIRPORT,  
DEFERRED FOR ONE WEEK.

Councilman Short stated some parties have expressed an interest in considering the subject of ground transportation to and from the airport further, and have suggested that Council not act on this today. That he is aware of the fact that Council has only about 10 more days within which to act on it, and we are operating now on an extension of the existing contract. But he thinks we should heed those and listen to anyone who wants to talk about this matter.

Councilman Short moved that the contract for ground transportation to and from Douglas Municipal Airport be deferred for one week. The motion was seconded by Councilman McDuffie.

Mr. Robert Perry, Attorney for C. D. Spangler Company, stated this is not a unique proposition that is being presented to the City of Charlotte by the Spangler Company; it is now being done in some of the major cities around the country. He stated when the airport terminal is rebuilt and when the Downtown is refinished, they feel we will have a first class airport and a first class downtown. That Spangler feels we should have first class transportation from the downtown area to the airport and back again. If Spangler is awarded the contract for the limousine service, they will have two fine limousines running on a direct basis. Mr. Perry stated the last time his wife went on a trip and returned to Charlotte, she got into a taxicab at the airport with four other people, and she was not let off until two hours later. He stated he would submit that people do not want to drive all over the city when they get into a taxicab. He stated the Yellow Cab people do not run a direct route. They will load the taxicab up with people and will distribute them all over the city. That his wife happened to be the last one let off, and it took her two hours to get back. He stated that is not in the interest of the city for people coming into the city to be transported all over the city before they arrive in the downtown area.

Mr. Perry stated Spangler would give the service from 7:30 in the morning until 11:00 in the evening. The City of Charlotte will receive 10% of the gross revenues as opposed to the 5% of Yellow Cab Company. He stated they think it is worth a try; with the two limousines and with the standby service they have arranged, there will be at all times, good service both at the downtown terminal and at the airport terminal. He stated Spangler is flexible and is willing to negotiate with Mr. Birmingham, Airport Manager, and the Airport Authority. He is willing, if necessary, to operate side by side with Yellow Cab so that both will be providing the service. This is not the optimum, and it may be that the number of people using the facility will not be sufficient to support both services, but Spangler is willing to give it a try.

Mr. Perry stated he would hope during the coming week that Council would permit them or would appoint a committee to investigate. That Atlanta, Memphis and Richmond are operating this very service at this time. That he believes the investigation will indicate it is working very well, and is something that should be seriously considered.

Councilman McDuffie asked what kind of standby service will be provided? Mr. Perry replied Spangler has made arrangements so that in the event of a breakdown of one of the two limousines, the right kind of service can be arranged.

Councilman Withrow asked if in the other cities that run limousines if the limousine service is owned by people who run the motels and hotels? Is this very unusual that an individual who runs this service owns a motel? Is it a conflict of interest? Mr. Perry replied they feel the City can tell them where they want them to terminate this service. It would seem logical that the service would be terminated in the complexes where the hotels are located. There is no question but what Golden Eagle and Manger are motor court complexes. But the stops will not only be there; they propose a stop

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on McDowell Street at the Cameron Brown Downtowner Hotel in which they have no interest, and they also propose a stop at the Merchandise Mart. Councilman Withrow asked if in any of these cities, the limousine service owns the hotel and motels? Mr. Perry replied he cannot answer, but he very strongly suspects they do not. He stated they will be glad to find the answer during the coming week. He stated Spangler does have a motor court in the Coliseum area but does not propose to serve it. That he would not say it is completely coincidental that he is in the motor court business; but he does not feel it is a conflict of interest. That the interest of the city will be served and the interest of the people who operate other motor courts in the downtown area will be served.

Councilman McDuffie asked if the limousines will have any advertising pertaining to the motor court? Mr. Perry replied no; that it would have the name of the limousine company which would be completely unrelated. Councilman McDuffie stated he noted from the report there are five or six cities who have both the limousine and taxi franchise. The point raised here is that only one cab company wants the franchise from the airport, and there is some question about whether they would continue to serve if the limousine service is franchised.

Councilman McDuffie stated apparently some people pay a flat charge of 35 cents. He asked Mr. Perry if they would be opposed to paying a gate rate of 25 cents per passenger? Mr. Perry replied any proposal the City Council wants to make where Spangler can put a pencil to it and see if they can make this do will be perfectly agreeable to them. Everything depends on whether or not after a reasonable operation of time they are likely to make any money, and that is the reason they are asking for a three year term - because of the capital investment. He stated they will be glad to sit at a conference table with Yellow Cab, Mr. Birmingham, Mr. Burkhalter or anyone. Councilman McDuffie stated he is very much interested in trying to get some kind of metered gates so the city will know exactly how many people go in and out of the place. He stated he would like that included in the discussion in the one week delay.

Mr. Brock Barkley, Attorney for Yellow Cab Company, stated the Yellow Cab Company is a substantial company; it has been under the uninterrupted ownership and management of Russ Crump and R. D. Kennerly for more than 40 years in the City of Charlotte. It has been going to the airports in Charlotte since before 1930 in the old Cannon Airport days. Yellow Cab was invited to make a bid and has done so time after time in the past. Everyone else was notified they had a certain time to make the bid. Yellow Cab made its bid when required and submitted the best proposition. That it is seeking the Council's decision as promptly as it can be reached. He stated Mr. Perry seems to want Yellow Cab to take over when Mr. Spangler's Company is through. He wants Yellow Cab to handle the airport from 11:00 o'clock until 7:00 the next morning when his limousines will not be operating. He wants the Cab company to take care of the city outside the business district while he confines himself to the cream of the crop - 20% that the Charlotte business area originates, 80% comes to the city as a whole. He stated they are proposing a rate structure just as they been doing. That you cannot look after the uptown people only in this situation.

Mr. Barkley stated Mr. Crump and Mr. Kennerly are in the Yellow Cab Business; that is the way they make their living; it is not a sideline with them. That you can catch a cab and it will take you to any hotel you ask; it makes no difference where it is. He stated they have made the very best offer that can be made, and they have done it year after year. If the city had not been satisfied, it had the right to get rid of them any time on about a 60 days notice.

Mr. Barkley stated he does not think the people would like to pay the metered rate of about \$5.00 from the coliseum to the airport. That on the bid, Yellow Cab is offering a rate of \$2.50. It is offering \$2.00 for uptown service and \$2.50 for the city as a whole, whether it is in a \$5.50 area or a \$3.50 area.

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Councilman McDuffie stated at present it is \$1.25 with three or more in a cab anywhere in the city; that he realizes this rate is too low. He asked if there is not some compromise where Yellow Cab would get \$2.50 for downtown or the coliseum with two or more people, and the limousine people could charge the same rate to go downtown. That way if they went by limousine or by taxi they would be paying the same rate? Mr. Barkley replied he is sure Mr. Kennerly would be happy to meet with the Council or any committee of the Council to see what can be agreed upon. That Yellow Cab was not invited to appear and negotiate; it was invited to submit a bid. Councilman McDuffie stated he personally wants to see some kind of gate and a metered charge and not have to go through the bookkeeping process as most of the other cities had. There are about five or six in the report that have gates. That he is interested in getting to that and trying to have limousine and taxi service as most big cities have. That he does not think we should have to wait until the new terminal is built.

Mr. Barkley stated they were invited to submit a bid by a certain date and they did what they were invited to do. They thought this was like any other bidding where the low bidder, everything being equal, got the contract. Apparently that is not the way we are following now. That they would be happy to meet anytime to get this worked out.

Mr. R. C. Troutman, President of Charlotte Innkeepers Association, stated they sent a letter to the Airport Manager stating their opposition to any airport transportation serving only downtown Charlotte. He stated the vote was close, it was 7 to 9; that they have 22 members eligible to vote and only 16 voted. He stated if this contract is let to Spangler, it seems that only about 500 rooms now existing in Downtown would be served. That they have talked about serving two areas - the Cameron Brown building which will not open until September, and Fairfax does not know when it will open. He stated the Innkeepers want to see something that serves the whole city. There are 30 inns in the city, with only 10 of them downtown with more than 100 rooms. They would be serving less than 1/4 of the needs of the hotels. They feel it would be taxing everyone on a metered rate to let someone have a franchise to serve 15 and 1/2 hours a day. That this seems unfair, especially to all those inns not located downtown, and not in the area proposed to be served by Spangler.

Councilman McDuffie asked if his group would object if the limousine service went downtown and then was required to go to the coliseum area? Mr. Troutman replied any type of service would be better than what is being suggested; they want something to serve the coliseum area as well as SouthPark, and other areas downtown. He stated Spangler is proposing two buses and they would hold about 15 passengers. If they made a trip every hour on the proposed schedule they could not make over 30 trips a day, and this would only serve 450 people, carrying a full load every trip. That he is assuming the taxicab company would not give a limousine rate if the buses are permitted; they would go on a metered rate. Councilman Withrow asked if he would be opposed if Yellow Cab Company stated it would furnish limousine service to the downtown area? Mr. Troutman replied he would be opposed to anyone who would only serve one area of the city. If they stated they were going to give a limousine price of \$2.00 to downtown, and everyone else would pay a metered rate, it would have an effect on the areas not served by the limousine service.

Councilman Jordan stated if two or three planes came into the airport at the same time and all were loaded, and if both Mr. Spangler's limousines were there and would hold only about 30 people, and there were 75 to 90 people getting off and the two buses were loaded, then these other people would have to come in by taxi. Would these other people have to pay the metered rate? Mr. Troutman replied he feels they would have to. Councilman Jordan stated then the people who actually came downtown in the buses would be traveling from the airport much cheaper than the people who came by taxi. Mr. Troutman stated on the peak days, such as Mondays and Fridays, there would be a lot of people who would not be able to travel on the bus even though they might be going downtown. One would be catching a cab for \$4.00 or \$5.00 and the other would be paying \$2.00 for a limousine.

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Councilman McDuffie stated the service is most important; that he is interested in the taxicab service. That his experience and his family's experience with taxicabs in the City of Charlotte has not been good. That he understands if Yellow Cab is answering a call and a call comes in that someone might be going to the airport, they ignore the first call and go pick up the airport fee which would be much larger. That he had the experience where his Mother was left over an hour trying to get a cab that was supposed to have been there. He stated if he has to make a study, and he intends to do it, of the cab procedures in Charlotte about how many certificates are issued, and how many are running, and whether only one cab company wants the business at the airport, or whether we are stuck with a monopoly and we are going to have to take or leave taxi service and no limousine service, then he wants to know that. That he does not like insinuations coming out that we will not have cab service if we have limousine service. That it looked to him as if most cities as big as Charlotte have both kinds of service, and they work cooperatively, and the citizens are serviced. When we get a franchise that is what we are saying. That we want a good service for people. That he wants the service of the taxicabs in the City of Charlotte to be what it is supposed to be. If someone gets into a cab and they are supposed to have a limousine rate, then he wants those people to know that. When this contract is let he intends to see that people are notified by signs, or some method so that everybody who gets into a taxicab out there will know what his rights are. That he does not think this has happened in the past.

Mr. Troutman stated the Innkeepers are not for Yellow Cab Company. That he was the first one to say that we needed limousine service; but the one proposal does not meet the needs. That the proposal by Yellow Cab Company is the only one he can see as feasible at this time.

Councilman Jordan asked if his organization would be in favor of both a limousine service and taxi service, where the limousines go to all the different motels and hotels. That if you are staying at a particular hotel you know what time the limousine will pick up passengers to the airport. Mr. Troutman replied they would be very much interested; that the on-call situation has operated successfully in the Raleigh-Durham area.

Councilman Short stated the way Yellow Cab operates now is they have two classes of service. One is a limousine service and the other is the metered taxi service. That he assumes they keep two taxis there to meet all planes so that any time a plane comes in you can go by either method. Contrasted with that is their proposal to have three types of service if the contract is approved. They would have limousine service for downtown with one waiting period and one rate; limousine service for the remaining portion of the city and then the metered service. They would have three groups of taxicabs there to perform these three types of services. Mr. Birmingham replied basically that is true. He stated the airport traffic is peaked. It comes at certain hour intervals which means there are periods of the day when they do very little business as far as public ground transportation. Yellow Cab presently keeps as many as 10 or 12 cabs to meet certain flights. Normally that takes care of it, and it is seldom they run out of cabs and have to call for supplemental vehicles. Basically, there would be two rates they propose. They would offer the 24 hour service; a \$2.00 rate with a ten minute waiting period for downtown; to any other area in town they would offer service at \$2.50 with a 20 minute waiting period. He stated the Advisory Committee has looked into this in somewhat detail, along with the staff, and they concur that at this time it appears that Yellow Cab has the most comprehensive proposal. He stated last week, Council approved the contract with Arnold Thompson & Associates for the terminal area concept. This includes studying this question for the new terminal area. Also included in his contract is some work to be done at the existing terminal which they hope to expand on in the next few months. He stated if they are successful, they can arrive at a concrete definite recommendation on where ground transportation at the existing terminal should go. He stated he is referring to the gate operation which Councilman McDuffie has referred to. He stated in the next two years the passenger enplanement is supposed to increase. By 1975 they are expecting it to increase from its present 870,071 to about 1.5 million; in 1980 it is estimated to go to 4.6 million.

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Mr. Birmingham stated the information they have gathered in the past does not indicate any major revision that they should go to at this time. However, in the next few months they plan to elaborate on some of the information from the Arnold Thompson study. They hope to come up with some concrete points they feel Council must know in order to really tell what direction the ground transportation system should take. He stated these areas would include origin and destination of passengers by areas; they hope to know the percent of enplane passengers requiring public transportation; they need to know what types of transportation are presently used; they need to know the types of service to meet the demands; they need to know what changes in the configuration of the airport terminal entrance is required for optimum use and what it would cost to do that; they must know what maximum, acceptable revenues they will get for the city to insure adequate, economical and comprehensive service. He stated during the next few months they plan to do these things. That based on this, along with the other reasons enumerated, the Advisory Board, along with the staff, recommends that the contract be made with Yellow Cab Company until they can see exactly where they want to go. They feel Yellow Cab has offered the most comprehensive service.

Councilman Withrow asked how people will know about the taxi limousine service of \$2.00? Mr. Birmingham replied it is written on the cab; also there is a sign just outside the terminal area. Councilman McDuffie asked if it would be too much trouble to hand them something giving them the rates? Mr. Birmingham replied it would not; if this proposal is approved they plan to improve the advertising and to change the sign and make it more specific and larger.

Mr. Birmingham stated Yellow Cab's proposal stated if there was a limousine service then they would want the backup cab service but on a metered rate. They have agreed to put a direct telephone in for preferred customers to the airport which would not be tied in with their centrex system; it will be a number for the airport.

Councilman Short stated one advantage of what Spangler is proposing is they would be there advertising and making known this type of service, and in effect themselves trying to put groups together to take them into downtown. Whereas, the way it is now you have to read the small type before you realize there is such a possibility.

Mr. Birmingham stated sometimes there are as many as ten airplanes on the ground at one time and it requires a lot of ground transportation.

Councilman Calhoun asked how long this proposal has been before Council? Mr. Birmingham replied for several months; that the present contract with Yellow Cabs ends on March 1, and we must do something before then; that he would urge Council to go ahead today since it does carry the provision to terminate on 60 days. That they are not opposed to limousine service; but they think it should be adequate and should be city-wide.

Mr. Kennerly of Yellow Cab Company stated they do the very best they can with what they have to do with; they are well able to put on 50 more cabs if they could get help. Yellow Cab Company is set up to do the business and they are set up at the airport. They spend \$14,000 a year for two and half starters to assist people in getting transportation. The dispatchers stay on duty 18 hours a day; they also have a direct phone at their switchboard to order a cab. That the planes come in every two hours; if the cab does not get away on that peak he may have to sit an hour or two waiting on another plane. That the company has lost money at the airport in the last year; they lost over \$1,000 a month. That they did not quit because they said they would do it for a \$1.25 anywhere in the city. He stated they appreciate the honor of operating taxicabs in this city. But if Council allows another company to come out and take 20% of the cream then they have no alternative but to try to make it on the meter which is very hard. That if they survive in October they will have to have metered rate. That it is hard to send a cab out and wait 30 minutes for a customer that you do not know whether you will get or not. That man has to be guaranteed a salary while he is sitting there waiting. Mr. Kennerly stated Mr. Spangler proposes to pay the city 10%; Yellow Cab Company pays 5 percent on what they pick up and take to the airport and 5% on what they get and bring back.

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He stated if Council sees fit and would like they will withdraw their contract today. That they object to nothing that they can make a profit from. He stated they carried the airport for years on prestige. But the banks nor the oil company will take that for payment. He stated under the increase proposed they feel they can make a little profit and perhaps get a better driver; that the driver's commission takes 50% of the revenue; the drivers work on a commission plus a guaranteed salary. He stated they are picking up 2/3 of their passengers at the airport and taking 1/3 to the airport. That they do not want anyone to think they are greedy by wanting to go on a metered rate if the limousine service is put in; it is a matter of survival. He stated in order for a driver to make \$1.60 an hour; he has to take in around \$4.00. He stated they feel they can give the city this service and would like to try for another year.

Councilman Calhoun stated this council has been accused of stalling tactics and unnecessary delays and so forth; that Mr. Birmingham says we have been on this for a couple of months. That he thinks this is a classic example of the absurdity of the state law that precludes this council from having meetings other than regular meetings. We should have had this matter under consideration, should have considered all the pros and cons, should have met with all parties and so forth, and had this trashed out a long time ago. Which we could have done if we had the opportunity to consider it other than at a regular Monday meeting. That this is a good example of why we delay and stall. This matter is embarrassing and there are several others being handled the same way. We should have had an opportunity to come to grips with it, other than at the meeting. A lot of things have come up here that should have come up in a conference session.

The vote was taken on the motion to defer for one week, and carried by the following vote:

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

Councilman Alexander abstained from the vote.

LEASE WITH ERVIN COMPANY FOR OFFICE SPACE IN THE EXECUTIVE BUILDING FOR DATA PROCESSING, AUTHORIZED.

Upon motion of Councilman Short, seconded by Councilman Withrow, and unanimously carried, the subject lease was authorized for 700 square feet of space in the Executive Building at a rate of \$5.25 per square foot, for a seven month period beginning March 1, 1972, for Data Processing Division.

ORDINANCE NO. 382-X ORDERING THE DEMOLITION AND REMOVAL OF THE BUILDING LOCATED AT 1021 BELMONT AVENUE PURSUANT TO THE BUILDING CODE OF THE CITY OF CHARLOTTE AND SECTION 6.61, ARTICLE IV, CHAPTER 6, CHARTER OF THE CITY OF CHARLOTTE.

Council was advised that the property owner, Mrs. Lewis, was present at the last meeting to contest the order, and Council deferred action until today.

Mr. Burkhalter, City Manager, stated Mrs. Lewis has taken out a building permit to repair the building, and he recommends that Council adopt the ordinance and instruct Mr. Jamison, Superintendent of Building Inspection Department, if the building is repaired the ordinance will not be enforced.

Mrs. Lewis stated the contractor will start on the building in the morning if it is not raining, but they do want enough time to complete the work. Mr. Burkhalter assured Council that she will be given all week to do the work.

Councilman Jordan moved adoption of the subject ordinance as recommended by the City Manager. The motion was seconded by Councilman Withrow, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 18, at Page 486.



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ORDINANCE NO. 383-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE CHANGING THE ZONING OF PROPERTY ON THE NORTHEAST SIDE OF KESWICK AVENUE, BETWEEN DUNLOE STREET AND HANOVER STREET, AND ORDINANCE NO. 384-Z AMENDING CHAPTER 23, SECTION 23-39 GRANTING CONDITIONAL PARKING ON PORTION OF PROPERTY ZONED R-6MF.

Councilman Jordan stated at the last Council Meeting, Mr. Short requested that the petition of Scandura Inc. for a change in zoning be deferred for one week due to some difficulty with WSOC property and some underground wiring. He asked if this has been resolved? Councilman Short replied WSOC's business manager called him on Thursday and stated they have thoroughly investigated the matter and there is no harm to them; that it is alright to go ahead with the rezoning.

Councilman Jordan moved approval of the change in zoning and conditional parking of the property as recommended by the Committee appointed by the Mayor in order to resolve the problems involved in granting the petition. The motion was seconded by Councilman Alexander, and carried unanimously.

Ordinance No. 383-Z is recorded in full in Ordinance Book 18, at Page 487, and Ordinance No. 384-Z is recorded in full in Ordinance Book 18, at Page 488.

Councilman Short stated there is a letter from some official of the State Highway Department indicating his approval of this arrangement. That he thinks it would be important that this be entered into the record to show that Council has not proceeded without the full understanding and consent of the Highway Department. Mr. Hopson, Public Works Director, advised there was not a letter. That the following telephone conversation was held with a top official: "We have discussed the problem with Scandura, Inc., concerning the Tryon-Church one-way pair with Richard Smith, Urban Transportation Engineer. Mr. Smith has reviewed their files on the project and has indicated that the \$20,000 is minor in relationship to the overall project and in his opinion it will not jeopardize the construction as now planned." Mr. Hopson stated Mr. Smith is the No. 2 man in the program for the State.

Councilman Withrow asked if the petition went back to the Planning Commission with the Committee's recommendations? Mr. McIntyre replied this has not been referred back to the Planning Commission. But the two matters of concern to the Commission have been allayed.

Mayor Belk asked about the double road; that he understood that was out now. Councilman Short replied it would have been out if this had not been arranged; that is the reason that phone call is so important. Mayor Belk asked Mr. Hoose if when they were in Raleigh the State officials said they would not recommend the double road? Mr. Hoose replied they recommended the double road; they would not if Scandura built on the right of way. Mayor Belk asked how they will get under the Northwest Expressway, and Mr. Hoose replied it is going under the Northwest Expressway; it will involve a new break on Tryon Street and at Sixteenth Street it will take off at Dulls Lane and go towards Church Street and when it gets near Dunloe it veers 88 feet and parallels the towers of WSOC.

Councilman Calhoun asked if the motion is acceptable to the petitioner? Mr. Tom Ruff, Attorney for the Scandura Company, replied on behalf of the petitioner he appreciates very much the trouble, time and effort the Committee has gone to to make this possible.



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CONTRACT WITH HENSLEY-SCHMIDT COVERING PREPARATION OF PLANS AND SPECIFICATIONS OF TURN LANES AT VARIOUS LOCATION, APPROVED.

Upon motion of Councilman Calhoun, seconded by Councilman Short, and unanimously carried, the subject contract was approved with Hensley-Schmidt for service to be provided in the preparation of plans and specifications of turn lanes at Randolph Road, Colville Road, South Tryon, Camden Road, Morehead and College Streets as recommended by the Traffic Engineer with the total cost of the contract \$25,170 and the expense to be shared on a 60-40 percent basis with the city's share being 40%.

CONSTRUCTION OF WATER MAINS, APPROVED.

Motion was made by Councilman Jordan, seconded by Councilman Short, and unanimously carried, approving contracts for the construction of water mains, as follows:

- (a) Contract with Ralph Squires Construction Company, Inc., for the construction of 1,750 feet of water main and one fire hydrant to serve Milton Acres Subdivision Phase II, inside the city, at an estimated cost of \$7,800.00. Funds will be advanced by the applicant under the terms of existing city policies. The applicant will be reimbursed the full cost of all mains 8 inches in diameter and larger, and 50% of all mains less than 8 inches in diameter at the rate of 35% per quarter of the revenue derived from said mains until the entire eligible amount has been reimbursed or until the end of 15 year years, whichever comes first.
- (b) Contract with Nance Brothers Builders for the construction of 1,090 feet of water mains and one fire hydrant in Watauga Village, outside the city, at an estimated cost of \$4,900.00. Funds will be advanced by the applicant under the existing policies. The applicant will be reimbursed 50% of the cost of said 6 inch mains at the rate of 35% per quarter of the revenue derived until the entire eligible amount has been reimbursed or until the end of 15 years, whichever comes first.
- (c) Contract with Godley Construction Company, Inc. for the construction of 375 feet of water main in Southland Industrial Park, outside the city, at an estimated amount of \$1,400.00. Funds will be advanced by the applicant under the terms of the existing city policies. The applicant will be reimbursed 50% of the cost of said 3-inch main at the rate of 35% per quarter, or until the entire eligible amount has been reimbursed, or until the end of 15 years, whichever comes first.

PUBLIC WORKS DIRECTOR TO CHECK WITH STATE ON NEW FEDERAL REGULATIONS RELATING TO RIGHTS OF WAY AND MANHOLES IN STREETS.

Mayor Belk stated he understands the federal government has a completely new deal which will affect and cost cities millions of dollars on right of ways and covering up manholes. That he would like for someone to go to the State because we should know what is going on. That the State is going right straight down the line with the federal government.

The Public Works Director stated he will be in Raleigh tomorrow and he will check and bring a report back to Council.

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CONSTRUCTION OF SANITARY SEWER MAIN AND TRUNK, APPROVED.

Councilman Short moved approval of contracts for the extension of sanitary sewer main and trunks as follows. The motion was seconded by Councilman Withrow, and carried unanimously.

- (a) Contract with Triad Investment Company for the installation of 80 lineal feet of 8-inch main to serve property on Clanton Road, inside the city, at an estimated cost of \$781.00. All cost of construction will be borne by the applicant whose deposit in the full amount has been received and will be refunded as per terms of the agreement.
- (b) Contract with John Crosland Company for installation of 380 lineal feet of 8-inch trunk to serve Hampshire Hills Shopping Center, inside the city, at an estimated cost of \$4,300.00. All cost of construction will be borne by the applicant whose deposit in the amount of \$805.00, representing 10% of the total estimated project cost, plus estimated cost of right of way, has been received and will be refunded as per terms of the agreement.
- (c) Contract with William Eugene and Bobby Thomas Carter for the installation of 2,045 feet of 8-inch main to serve 6538 North Tryon Street and Epworth Lane, outside the city, at an estimated cost of \$17,400.00. All cost of construction will be borne by the applicant whose deposit in the full amount has been received and will be refunded as per terms of the agreement.
- (d) Contract with D. L. Thompson for the installation of 530 lineal feet of 8-inch main, to serve North 29 Mobile Homes, outside the city, at an estimated cost of \$5,854.82. All cost of construction will be borne by the applicant whose deposit in the full amount has been received and will be refunded as per terms of the agreement.
- (e) Contract with Chips Realty Company for the construction of 1,740 lineal feet of 10-inch trunk, 2,090 lineal feet of 8-inch trunk and 610 lineal feet of 8-inch main to serve The Airport Industrial Park, outside the city, at an estimated cost of \$68,500.00. All cost of construction will be borne by the applicant whose deposit in the amount of \$6,850 representing 10% of the estimated construction cost, has been received and will be refunded as per terms of the agreement.
- (f) Contract with Hill Haven Developers for the installation of 1,965 lineal feet of 18-inch RCP to serve Hill Haven Apartments, outside the city, at an estimated cost of \$54,726.05. All cost of construction will be borne by the applicant whose deposit in the amount of \$10,124.30, representing 10% of the construction cost plus estimated cost of right of way, has been received and will be refunded as per terms of the agreement.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO T.P.T., INC., LOCATED AT 2010 NORTH I-85, FOR A SANITARY SEWER EASEMENT.

Upon motion of Councilman Withrow, seconded by Councilman Calhoun, and unanimously carried, the subject resolution was adopted authorizing condemnation proceedings for the acquisition of property belonging to T.P.T., Inc., located at 2010 North I-85, for a sanitary sewer easement.

The resolution is recorded in full in Resolutions Book 8, at Page 70.

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PROPERTY TRANSACTIONS AUTHORIZED.

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

- (a) Acquisition of 25' x 157.68' of easement at 2706 Chesterfield Avenue, from Christian and Missionary Alliance of Charlotte, at \$150.00, for Upper Briar Creek Interceptor Sanitary Sewer Construction.
- (b) Acquisition of 15' x 222.27' of easement at 512 Farmhurst Drive, from Sharon Utilities, at \$1.00, for Kings Branch Outfall sanitary sewer construction.
- (c) Acquisition of 25' x 406.63' of easement at 101 Arrowood Road, from The Ervin Company, at \$1.00, for Kings Branch Outfall sanitary sewer construction.
- (d) Acquisition of 12.5' x 24.47' of easement at 650 Archdale Drive, from The Ervin Company, at \$1.00, for Kings Branch Outfall sanitary sewer construction.
- (e) Acquisition of 25' x 793.89' of easement at 50 Acres Old Pineville Road, P. O. Box 2096, from Southern Appliances, Incorporated, at \$800.00, for Kings Branch Outfall sanitary sewer construction.
- (f) Acquisition of 25' x 863.29' of easement on Nations Ford Road, from Marion H. Smith and wife, Nancy S., at \$863.00, for Kings Branch Outfall sanitary sewer construction.
- (g) Acquisition of 25' x 567.29' of easement at 50 Acres Old Pineville Road, P. O. Box 966, from J. A. Jones Construction Company, at \$570.00, for Kings Branch Outfall sanitary sewer construction.

ENCROACHMENT AGREEMENT WITH STATE HIGHWAY COMMISSION, AUTHORIZED.

Councilman Jordan moved approval of an encroachment agreement with the State Highway Commission, permitting the City to construct a 12-inch sanitary sewer line within the right of way of I-85 to serve Parkway Avenue trunk. The motion was seconded by Councilman Withrow and carried unanimously.

ORDINANCE NO. 385-X AUTHORIZING THE TRANSFER OF \$7,000 FROM THE SHARON ROAD WIDENING ACCOUNT TO THE YORK ROAD IMPROVEMENT ACCOUNT TO COVER AN OVER-RUN DUE TO UNANTICIPATED SOIL EXCAVATION COSTS.

Upon motion of Councilman McDuffie, seconded by Councilman Calhoun, and unanimously carried, the subject ordinance was adopted authorizing the transfer of \$7,000 from the Sharon Road Widening to the York Road Improvement Account to cover an over-run due to unanticipated soil excavation costs.

The ordinance is recorded in full in Ordinance Book 18, at Page 489.

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ORDINANCE NO. 386-X AMENDING ORDINANCE NO. 176-X AUTHORIZING A CHANGE IN POSITIONS FOR THE ACCOUNTING DIVISION OF THE FINANCE DEPARTMENT.

Motion was made by Councilman Calhoun, seconded by Councilman Short, and unanimously carried, adopting subject ordinance amending Ordinance No. 176-X, the 1971-72 Budget Ordinance, authorizing a change in positions for the Accounting Division of the Finance Department, as follows:

Delete one position of Class No. 335, Accountant III, and one position of Class No. 333, Accountant I, and add two positions of Class No. 334, Accountant II.

The ordinance is recorded in full in Ordinance Book 18, at Page 490.

CLASSIFICATION CHANGES AND ELIGIBILITY REQUIREMENTS FOR FIRE PERSONNEL, APPROVED.

After discussion, Councilman Withrow moved approval of classification changes and eligibility requirements as follows for the fire personnel. The motion was seconded by Councilman Jordan.

The changes and requirements are:

- 1.) To consolidate all lieutenants with two or more years in grade, including swing lieutenants, into fire captain range.
- 2.) To maintain the lieutenant range for officers during their first two years in grade.
- 3.) To compensate the station commander for the additional responsibility.
- 4.) To establish four years as an officer as an eligibility requirement for district chief.

The proposed plan has been reviewed by the I.R.S. and meets their regulations with the following limitations through the remainder of the City's base period ending September 29, 1972:

- 1.) None of the lieutenants eligible for the title captain may receive a salary increase as a result of title change.
- 2.) None of these officers may advance through merit increase beyond the maximum pay now established for fire lieutenants.
- 3.) No assignment pay may be authorized for those captains designated as station commanders.

Councilman Short commended Chief Lee on these changes; that it has been a rather complex situation; for several reasons these men were faced with no possibility of promotions and so forth.

The vote was taken on the motion and carried unanimously.

TRANSFER OF CEMETERY DEEDS.

Upon motion of Councilman McDuffie, seconded by Councilman Jordan, and unanimously carried, the Mayor and City Clerk were authorized to execute deeds for the transfer of cemetery lots, as follows:

- (a) Deed with Mrs. Eliza Bete Ernestsons for Lot No. 477, Section 6, Evergreen Cemetery, at \$320.00.
- (b) Deed with Henry W. Underhill, for Lot No. 221, Section 6, Evergreen Cemetery, at \$320.00.

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RESOLUTION AUTHORIZING THE CITY MANAGER TO APPROVE THE SALE OR TRANSFER OF ANY CITY CEMETERY LOT OR PART OF A LOT, APPROVED.

Motion was made by Councilman Jordan, seconded by Councilman Calhoun, and unanimously carried, adopting subject resolution authorizing the City Manager to approve the sale or transfer of any city cemetery lots or part of a lot.

The resolution is recorded in full in Resolutions Book 8, at Page 71.

SPECIAL OFFICER PERMIT APPROVED.

Councilman Calhoun moved approval of the renewal of a Special Officer Permit for a period of one year to Mr. Pete A. Thore, for use on the premises of K-Mart, 3700 East Independence Boulevard. The motion was seconded by Councilman Jordan, and carried unanimously.

CONTRACT AWARDED GULF OIL CORPORATION FOR GASOLINE.

Upon motion of Councilman Jordan, seconded by Councilman Withrow, and unanimously carried, contract was awarded the low bidder, Gulf Oil Corporation, in the amount of \$319,692.34, on a unit price basis, for gasoline.

The following bids were received:

|                             |              |
|-----------------------------|--------------|
| Gulf Oil Corporation        | \$319,692.34 |
| American Oil Company        | 323,866.10   |
| Union Oil Co. of California | 335,920.84   |

CONTRACT AWARDED UNION OIL COMPANY OF CALIFORNIA FOR MOTOR OILS.

Motion was made by Councilman Alexander, seconded by Councilman Short, and unanimously carried, awarding contract to the low bidder, Union Oil Company of California, in the amount of \$11,019.17, on a unit price basis, for motor oils.

The following bids were received:

|                             |             |
|-----------------------------|-------------|
| Union Oil Co. of California | \$11,019.17 |
| Sun Oil Company             | 11,848.17   |
| Gulf Oil Corporation        | 13,902.60   |

CONTRACT AWARDED UNION OIL COMPANY OF CALIFORNIA FOR GEAR LUBRICANTS, CHASSIS LUBRICANTS AND HYDRAULIC LIFT OILS.

Councilman Jordan moved award of contract to the low bidder, Union Oil Company of California, in the amount of \$6,872.58, on a unit price basis, for gear lubricants, chassis lubricants and hydraulic lift oils. The motion was seconded by Councilman Withrow, and carried unanimously.

The following bids were received:

|                             |            |
|-----------------------------|------------|
| Union Oil Co. of California | \$6,872.58 |
| Texaco, Inc.                | 7,036.92   |
| Sun Oil Company             | 7,315.43   |
| Gulf Oil Corporation        | 10,179.80  |

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CONTRACT AWARDED UNION OIL COMPANY OF CALIFORNIA FOR KEROSENE.

Upon motion of Councilman Withrow, seconded by Councilman Jordan, and unanimously carried, contract was awarded the low bidder, Union Oil Company of California, in the amount of \$4,097.13, on a unit price basis, for kerosene.

The following bids were received:

|                             |            |
|-----------------------------|------------|
| Union Oil Co. of California | \$4,097.13 |
| Eaton Oil Co., Inc.         | 4,392.93   |
| Gulf Oil Corporation        | 5,058.52   |

CONTRACT AWARDED GULF OIL CORPORATION FOR FUEL OIL NO. 2 AND DIESEL FUEL.

Motion was made by Councilman Jordan, seconded by Councilman Withrow, and unanimously carried, awarding contract to the low bidder, Gulf Oil Corporation, in the amount of \$48,762.37, on a unit price basis, for fuel oil No. 2 and diesel fuel.

The following bids were received:

|                             |             |
|-----------------------------|-------------|
| Gulf Oil Corporation        | \$48,762.37 |
| Union Oil Co. of California | 53,233.35   |
| Eaton Oil Co., Inc.         | 59,011.58   |

CONTRACT AWARDED ASPHALT & PETROLEUM COMPANY FOR FUEL OIL NO. 6.

Councilman Alexander moved award of contract to the only bidder, Asphalt & Petroleum Company, in the amount of \$9,804.00, on a unit price basis for petroleum products. The motion was seconded by Councilman Jordan.

Councilman McDuffie stated he noticed that this is for the Auditorium-Coliseum Authority and this is the only one he has seen to be approved for them other than buying some land. He asked if we usually get anything they purchase? The Purchasing Director replied in a case of capital equipment and as long as it is not some miscellaneous type buying, it would be included in the city's bids. Councilman McDuffie asked about the purchase of commodities where they might buy \$10,000 during the year? Mr. Brown replied they have someone out there that handles that; this is what we call small miscellaneous type items. When it gets into equipment then the purchasing department would buy it for them. All their equipment is bought through the purchasing department. Councilman McDuffie stated he is just wondering if they bought something like \$10,000 or \$15,000 worth of popcorn it would be bid through the purchasing department? Mr. Brown replied the city does not handle that; it comes through the Authority.

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

CONTRACT AWARDED FRANK H. CONNER COMPANY FOR CONSTRUCTION OF METAL STORAGE BUILDING FOR CENTRAL SERVICES DIVISION OF PUBLIC WORKS DEPARTMENT.

Upon motion of Councilman Jordan, seconded by Councilman Alexander, and unanimously carried, contract was awarded Frank H. Conner Company, low bidder, in the amount of \$18,498.00 for construction of metal storage building for Central Services.

The following bids were received:

|                         |             |
|-------------------------|-------------|
| Frank H. Conner Company | \$18,498.00 |
| Neal Construction Co.   | 20,868.00   |
| Laxton Construction Co. | 20,930.00   |
| Rogers Builders, Inc.   | 22,942.00   |

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STATEMENT REGARDING PRESERVATIONS OF TREES ON SHARON ROAD AND WENDOVER ROAD BY DR. RICHARD W. REICHARD.

Dr. Richard W. Reichard, Professor at Queens College, was present with his son Peter. He stated Mayor and Council have heard a lot of statements about the trees on Sharon Road and Wendover Road. He stated he comes here not only to remind them that the issue is not dying, but to present a simple argument which they may not have heard before: WHY BUILD THE ROAD WHEN YOU CAN'T BE SURE OF THE GAS?

In the United States we have been assuming more cars and more driving. For a few years more this may happen; but by the end of the decade things may begin to change. Autos belonged first to kings and millionaires, later to the American middle class, finally to our working people. After World War II we sold the world an American way of life; Germans, French, Britons and Italians began to believe that you are not really human unless you have a car. Now Japan, Russia and Brazil are being similarly automobilized. Meanwhile we not only go to extra cars, but have turned our factories and our home heating from coal to oil. World oil consumption has begun to explode, or as is beginning to be said, is growing at an exponential rate.

Though the desire for oil may be unlimited, the supply is not. Our fossil fuels will presently come to an end. There are several estimates as to how much petroleum we have left. The conservative National Wildlife Federation says enough is on hand throughout the world to keep us thirty years. The British Blueprint for Survival, which recently suggested cutting the English population in half, and which deals with that explosive exponential factor, reckons on oil for perhaps fifty years. Top British geographer Eyre, totalling up all available deposits, some of which are very difficult to utilize, thinks that humanity by using up at our present rate all the available oil we have in the world, might make it last for eighty years. We can dream that there might be new discoveries and other types of power might help, but they would require new types of vehicles, and Detroit is already complaining about having to make rather minor adjustments by 1975. Dreaming about solutions to the power crisis seem about like dreaming that the Charlotte tax rate can be cut.

Dr. Reichard stated it seems more realistic to think that oil may be more difficult to acquire. More petroleum is in the hands of the Arabs. There are 100,000,000 of them, nearly all of them poor or troubled as their frantic hostility to Israel suggest. In the past they have sold oil freely, but now they have begun to make new demands each year. As they see their only real resource approach its end, is it not logical to suppose they will become more difficult to deal with? We shall then have to concentrate what oil we can find, at much higher prices, on factories and heating. Thus the question, why build the road when you can't be sure of the gas?

He stated on Sharon Road there are willow oaks 50 to 60 years old; on Wendover there are southern red oaks, 40 years old; on Wendover there is also a stand of oak and hickory 20 to 40 years old. One could perhaps cut these trees and perhaps replant. But a new generation of trees on Sharon and on Wendover might by the 1990's be looking out on four lane roads carrying occasional cars with rationed gas at five or ten dollars the gallon. The question is whether it makes good sense to cut the resources of Charlotte, 50 and 60 year old resources, for convenience which might just last 20 years.



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Dr. Reichard stated previous arguments have suggested a change of route. That he is not suggesting that. He is saying the construction of roads to encourage a rise of traffic is both mad and old-fashioned. Less mad and more in tune with the necessities of the situation it would be to cut construction in half and to put the crews to other tasks. They could build a mall at Trade and Tryon; they could put a garden strip down the center of Independence; the City Council could start issuing free picks to citizens who might want to pothole the streets in front of their houses. A recent article indicates the major cities of the United States are moving towards reconstituting transportation systems. The movement is as yet slow but there are signs that we are moving out of the automobile age. Why should Charlotte lag in this? Why build the roads if you can't be sure of the gas?

MAYOR AND COUNCIL TO PARTICIPATE IN Y FITNESS FINDERS PROGRAM AT YMCA ON MONDAY, FEBRUARY 28 AFTER COUNCIL MEETING.

Councilman Calhoun stated he has a letter which is an invitation to the Mayor and Council from the YMCA. That Governor Scott proclaimed the week of January 31 through February 5 as Y FITNESS FINDERS WEEK in the State of North Carolina. The invitation is asking the Mayor and City Council to endorse and participate in this program. That the Y has devised a very exciting program for the family - husband and wife - and/or individuals. The program is called Y Fitness Finders, a well designed and packaged program stressing exercise as fun. That they would like for the Mayor and City Council to come to the YMCA and take part in this program. Involved will be a light workout so gym attire is necessary.

Later in the meeting, Council agreed to accept the invitation and participate in the program on Monday, February 28 after the Council Meeting at approximately 5:30 p.m.

MOTION TO HOLD EXECUTIVE SESSION TO DISCUSS PERSONNEL MATTERS ADOPTED.

Councilman Calhoun moved that City Council hold an executive session, immediately upon the conclusion of the present meeting, in the Mayor's Office for the purpose of discussing a personnel matter as provided in General Statute 143-318.3. The motion was seconded by Councilman Withrow, and carried unanimously.

COMMENTS ON PROGRAM FOR MEETING IN WINSTON-SALEM ON TUESDAY, FEBRUARY 29.

Councilman McDuffie asked if there are any preparations to make for the meeting in Winston-Salem on Tuesday, February 29? Mr. Burkhalter, City Manager, replied the Mayor appointed Councilman Whittington to represent the city at this meeting. He is working on some matters; he has some financial charts that have been prepared for him, and information showing the tax rate and how much money we can raise and it is possible to raise. That this is exploratory to find out what the problems are in other cities and to see if we can get some assistance from the larger cities.

The City Attorney stated the purpose of the meeting is to begin formulating the League's 1973 legislative program. This is the vehicle they use to start picking up the ideas and thoughts of various member cities of the League as to what the League's program will be. This will be followed up by numerous other meetings including the formulation of the legislative committee which will actually sit down and hammer out the League's policy with the idea of putting before the League's whole convention and membership a proposed 73 legislative package.

Mayor Belk stated Mr. Whittington and the Mayor of Greensboro have taken the leadership in this. This will give a better approach.

He stated there will be almost a brand new group of county commissioners; that Bill Harris is the only incumbent running. That the Representatives and Senators from this district will almost all be new. That we are about ready for them to understand what we would like to have.

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Mayor Belk requested the City Manager to set up a breakfast meeting with all the candidates for the County Commission and the Representatives and Senators to discuss these matters with them. Then after the primary we will hold another meeting. Then when the people are elected and go to Raleigh we would have a pretty good understanding of the needs locally. With the new people being elected, it will be on the city's shoulders to take the initiatives.

Mr. Underhill stated one of the real efforts being made is to tie the League's program as closely as we can to what the city's legislative program is. The City in the past has always supported the League's legislative program. In addition, the city has its own legislative program it advances. There has been some pretty good liasons between the city and the League's administrative staff, and the League's people. Our shortcoming has been our own liasion with our own representatives.

Mayor Belk stated the W. J. Smith Committee is working on the revenues. That we are waiting for that Committee to bring recommendations back to Council and County Commission. He stated the Committee has a meeting scheduled for the 24th which will tie in with the plans we have. That we will not be pushing this real hard until after the primary. But we want to have the mechanism moving.

Mr. Burkhalter stated all the sources will be mentioned, and nothing will be unturned in this area. The reason is there is a feeling across the state that we should amend Chapter 105, Schedule B. But there is a great debate among the various people as to whether or not to tackle this. Charlotte can never get this changed, but every city together can. On the other hand, Charlotte may get a hotel-motel tax; but we do not need the League for this; we work on our representatives for this. But to change Schedule B we need everybody. Mr. Whittington is going to show our need for revenue. He is going to point out the situation we may be in. We will be there first, but each of the others will come right behind with the same thing. Then he is going to say that we should explore everyone of these areas, and talk about them.

Mayor Belk stated the timing is right, and we are fortunate that we have Mr. Leigh Wilson working for us. That the report from the last session indicates he did a good job.

CITY MANAGER REQUESTED TO CHECK MINUTES OF THE BOARDS AND COMMISSION AND GET THE NECESSARY INFORMATION FOR COUNCIL ON MEMBERS APPOINTED AND WHO DO NOT ATTEND THE MEETINGS.

Councilman Withrow stated he wonders if any of the Council Members ever look back and see what contributions the people appointed by them have made to the boards or committees. That he wonders if the Council would not be surprised if they got the minutes of some of the Boards and Committees and see who is attending the meetings. That he wonders if the rolls should not be purged of those who do not attend the meeting.

He requested the City Manager to look into this and to come back to Council with a report on who is attending the meetings and who is not attending the meetings.

COUNCIL COMMITTEE ON LITTER AND TRASH REQUEST IT BE PUT ON INACTIVE STATUS AND IN ITS PLACE THE MAYOR AND CHAIRMAN OF COUNTY COMMISSION APPOINT A MECKLENBURG ENVIRONMENTAL COUNCIL.

Councilman Short stated beginning last April, the Litter Committee has made recommendations on litter, garbage, trash and junk, and all of these recommendations have been adopted by the Council. This Committee over a period of about a year, has included about 5 members of the council, including Mr. Tuttle. This Committee now consists of Mr. Withrow, Mr. Calhoun and himself. They feel the Committee had done what it can in

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these four areas. That he is particularly impressed with what has occurred in some areas, particularly the matter of litter. The inspectors, and the civil warnings issued, have been effective. If you ride about the city and look you can see there is definite improvement.

He stated the Committee would like to close out its work with a suggestion to the Council and to the Mayor. The Commission suggests that the Litter Committee be put on inactive status, and in its place, the Mayor and Chairman of the County Commission appoint a Mecklenburg Environmental Council made up of local citizens and officials. The objectives of the Environmental Council should be to further at the local level the policies and purposes of the North Carolina Environmental Policy Act of 1971. Specifically, it would encourage the use of natural resources without damage to the environment; preserve natural beauty; and maintain a high quality environment for the health and well-being of all.

Also, the Environmental Council should study Section 113-8 of the Environmental Policy Act of 1971 which authorizes city councils to require environmental impact statements before granting a building permit for a development of two acres or larger; and this Council should recommend to City Council and County Commission whether these environmental impact statements should be required locally, and the terms, conditions and provisions that should be contained in a local environmental impact statement.

Councilman Short stated the federal environmental impact statement applies only to public facilities and only then to very large public facilities. The suggestion here is that we have an environmental council, a local one, that would determine whether city council wants to require this sort of an environmental impact statement as a prerequisite for obtaining a building permit of a large development. There are a number of individuals interested in having this council. These individuals are interested in having the study made and consideration given as to whether a local environmental statement should be required. Two of the individuals interested in this are Mrs. Bruce Reinhardt and Mrs. Steven Cox and are present today. They are representing a Committee of the Junior League who has pushed this idea since the legislature passed this enabling at its last session.

He stated on behalf of the Committee this is made in the form of a suggestion. That he does not believe we want to make this as a motion this afternoon. That it should be checked out further with the county.

#### REPORT REQUESTED ON PROBLEM OF ACOUSTICS AT COLISEUM.

Councilman Alexander stated Saturday night he had the occasion to witness a program at the Coliseum and the sound system seems to be in bad shape. Several persons commented to him about the system. Some of the people who are in town and are connected with this type of entertainers use our Coliseum and others, and they made statements about this being one of the problems of our coliseum. That people away from the stage never hear exactly what the entertainers are saying. He stated this is why some entertainers bring their own sound systems when they come, and this detracts from the program. That entertainers who are affected by our sound system do not want to come to Charlotte because this does not present them at their best.

Councilman Alexander asked if it is possible to find out what the problem is and what it will take to improve it? Councilman Jordan stated he does not think there is a lot that can be done to improve on it; a lot of entertainers do bring their own sound systems, and when they turn their systems up it is too loud for people close by and then it does not reach those away from it. This has been a problem all along.

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Mr. Bobo, Assistant City Manager, stated this has been a problem over the years. The problem is acoustics; this was not built for an auditorium. The Coliseum went into this about three years ago and bought some additional sound equipment. At that time they also hired an acoustics expert to advise them. That as he recalls the report came back that this building was not designed for a music hall, and there was not much that could be done to improve the sound unless you wanted to spend a great deal of money.

Councilman Alexander stated he would like to find out if there is a solution and if it can be improved. Mr. Burkhalter, City Manager, replied he will get a report on it and bring it back to Council.

COMMENTS BY COUNCILMAN ALEXANDER ON CHARLIE PRIDE DAY PROCLAIMED BY MAYOR BELK.

Councilman Alexander stated one of the things that impressed him about the whole program on Saturday night was the fact that a City like Charlotte, North Carolina has grown to the point where it witnessed a Negro entertainer achieved accomplishments that have brought him national fame in a field which five years ago no one would have thought was possible because it was not soul, it was not jazz, nor was it spiritual. But here it has happened. Aside from that, no one could have ever told him ten years ago that in the City of Charlotte, his own home town, that we would have a Mayor who would have the courage to proclaim a "Charlie Pride Day" and he be a Negro. Not only did he proclaim a "Charlie Pride Day", but, a Negro Mayor pro tem made the presentation. He stated this is nothing of big moment but he felt it proves that Charlotte is not the worse city in the world; that it does have promise, and all is not lost.

RESOLUTION EXTENDING SYMPATHY ON THE DEATH OF EARLE J. GLUCK.

Councilman Jordan presented the following resolution:

"WHEREAS, it is with deep regret that the City Council learned of the death of Earle J. Gluck on Saturday, February 19, 1972; and

WHEREAS, Earle Gluck served Charlotte long and faithfully with unusual dedication as a member of the Charlotte Housing Authority since the beginning of the agency in 1938, and was its Chairman at the time of his death; and

WHEREAS, he was devoted to the principle of providing decent housing for all people and found great satisfaction in the many public housing projects in which he was involved; and

WHEREAS, Earle Gluck was a dedicated and devoted civil leader, having served his community in numerous positions as a member of the Board of Directors of the Salvation Army, the Prevention of Blindness Society, the Better Business Bureau to name a few; and was active in the Kiwanis, the Cancer Society, in work with handicapped children, the Boy Scouts, and was a key figure in the building of Kilgo Methodist Church; and

WHEREAS, he carried out his duties and responsibilities in such a manner that his talents were clearly reflected in constructive and lasting achievement;

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Charlotte, in regular session assembled on the 22nd day of February, 1972, that this Council does hereby declare its deepest regret at the death of Earle J. Gluck and does convey its sincere sympathy and condolences to his family;


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BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to his family and that this resolution be spread upon the minutes of this meeting."

After the reading the resolution was adopted unanimously as everyone stood for a moment of silence.

ADJOURNMENT.

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

  
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Ruth Armstrong, City Clerk