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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held on Tuesday, October 24, 1972, at 3:00 o'clock p.m., in the Council Chamber, City Hall, with Mayor John M. Belk presiding, and Councilmembers Fred D. Alexander, Ruth M. Easterling, Sandy R. Jordan, James D. McDuffie, Milton Short, James B. Whittington and Joe D. Withrow present.

ABSENT: None.

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INVOCATION.

The invocation was given by Councilman Sandy R. Jordan.

MINUTES APPROVED.

Motion was made by Councilman Jordan, seconded by Councilman Withrow, and unanimously carried, approving the minutes of the last meeting on Monday, October 16, 1972.

CHAIRMAN OF UNICEF PRESENT AND REQUESTED MAYOR AND COUNCIL TO START OFF THIS YEAR'S CAMPAIGN BY CONTRIBUTING TO THE FUND.

Cantor Brown, Chairman of UNICEF, was present with three small children and requested Mayor Belk and members of the City Council to start off the UNICEF fund raising campaign by donating to the fund. He stated the slogan is "Charlotte Can Do". He stated the monies spent and given to UNICEF are to aid children throughout the world.

Cantor Brown introduced the children and stated they are Melissa Brown, Donna and Salem Suber.

RESOLUTIONS STATING THE INTENT OF THE CITY TO CONSIDER ANNEXATIONS AND FIXING DATE OF PUBLIC HEARING ON FRIDAY, DECEMBER 1, 1972.

Councilman Whittington moved adoption of a resolution entitled: "Resolution stating the intent of the City of Charlotte to consider annexation of the Albemarle-York Road Area, as described herein, and fixing date of public hearing on the question of annexation". The motion was seconded by Councilman Withrow, and carried unanimously.

The resolution is recorded in full in Resolutions Book 8, beginning at Page 428.

Mayor Belk stated this is the second important thing that Council has done today. One is considering the future of the airport and this is the future of the city.

Motion was made by Councilman McDuffie, seconded by Councilman Whittington, and unanimously carried, adopting a resolution entitled: "Resolution stating the intent of the City of Charlotte to consider annexation of the Hickory Grove Area, as described herein, and fixing the date of public hearing on the question of annexation".

The resolution is recorded in full in Resolutions Book 8, beginning at Page 442.

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Upon motion of Councilman Whittington, seconded by Councilman Short, and unanimously carried, a resolution entitled: "Resolution stating the intent of the City of Charlotte to consider annexation of the Statesville-Derita Area, as described herein, and fixing the date of public hearing on the question of annexation".

The resolution is recorded in full in Resolutions Book 8, beginning at Page 447.

RESOLUTION CALLING FOR A PUBLIC HEARING ON MONDAY, NOVEMBER 13, 1972 ON AMENDMENT NO. 2 TO THE REDEVELOPMENT PLAN FOR REDEVELOPMENT SECTION NO. 5, BROOKLYN URBAN RENEWAL AREA, PROJECT NO. N. C. R-60.

Upon motion of Councilman Jordan, seconded by Councilman Alexander, and unanimously carried, the subject resolution was adopted calling for a public hearing on Monday, November 13, 1972, on Amendment No. 2 to the Redevelopment Plan for Redevelopment Section No. 5, Brooklyn Urban Renewal Area, Project No. N. C. R-60.

The resolution is recorded in full in Resolutions Book 8, beginning at Page 451.

AGREEMENT CONSTITUTUNG A RELEASE OF CERTAIN SEWER AND WATER RIGHTS OF WAY, UTILITY EASEMENTS AND RIGHTS OF WAYS AND STREETS AND SIDEWALKS RIGHTS IN REDEVELOPMENT SECTION NO. 2, BROOKLYN PROJECT NO. N. C. R-24, APPROVED.

Motion was made by Councilman Alexander, seconded by Councilman Jordan, and unanimously carried, approving the subject agreement constituting a release of certain sewer and water rights of way, utility easements and rights of ways and streets and sidewalks rights in Redevelopment Section No. 2, Brooklyn Project No. N. C. R-24, to Redevelopment Commission.

RESOLUTION APPROVING AND PROVIDING FOR THE EXECUTION OF A PROPOSED CONTRACT FOR CODE ENFORCEMENT PROGRAM UNDER SECTION 117 OF TITLE I OF THE HOUSING ACT OF 1949, AS AMENDED FOR THE WILMORE NEIGHBORHOOD.

Councilman Short moved adoption of subject resolution approving and providing for the execution of a proposed contract for Code Enforcement Program under Section 117 of Title I of the Housing Act of 1949, as amended, for the Wilmore Neighborhood. The motion was seconded by Councilman Alexander, and carried unanimously.

The resolution is recorded in full in Resolutions Book 8, at Page 455.

ORDINANCE NO. 650-X TRANSFERRING FUNDS WITHIN THE CAPITAL IMPROVEMENT PROGRAM FUND TO PAY FOR THE REMAINING SHARE OF THE WILMORE NEIGHBORHOOD IMPROVEMENT PROGRAM.

Councilman Alexander asked if the Belmont NIP program is completely closed out now, and the City Manager advised it has been.

Councilman Whittington stated because this NIP program for Wilmore was defeated in the recent bond issue, this should be thoroughly discussed; particularly as it relates to Code Enforcement, and just what physical improvements will be made in the area.

Mr. Sawyer, Director of the Redevelopment Commission, stated this will be a project very similar to the Belmont project just concluded; there will be

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rehabilitation of the structures themselves by the owners of those structures; rehabilitation will be done by loans and grants to the extent that families and owners of properties are eligible for the grants. The other part of the project is the physical improvements that the city will do in the neighborhood.

Councilman Whittington stated as an example there are sidewalks on Wilmore Drive, and there are none on Merriman or any of the other streets unless it is Spruce, or Park. He asked what the city will do for these streets? Mr. Sawyer replied starting underground there will be some drainage, some sewer and water and street improvements and sidewalks. The details are illustrated on a map included in the application.

Mr. Sawyer stated on West Park Avenue the pavement will be resurfaced, some manhole adjustments and curb and gutter will be made. On Kingston Drive there will be some curb and gutter, some storm sewer, some catch basins; overall there will be street planting. On Merriman there will be some curb and gutter and sidewalks. On Spruce Street there will be some resurfacing of pavement, some curb and gutter and manhole adjustments, storm sewer, headwalls, catch basins, and manholes. There will be no work on West Boulevard and it is one of the boundaries. On Wilmore Drive there will be curb and gutter and partial sidewalks. The total estimated cost of these improvements, including engineering and contingencies, is \$184,000. All of this is eligible with some ineligible storm sewer.

Councilman Whittington asked why you would have street resurfacing in this when it would be done by the Department of Public Works? Mr. Sawyer replied the Department of Public Works will do all the improvements; the Redevelopment Commission will not do any of it. The Commission administers the project in cooperation with the public works department and other departments of the code enforcement division of the City.

Councilman Whittington asked how many of the homes in Wilmore, within the boundaries of West Boulevard, the railroad tracks, Graham Street and the Southern tracks are individually owned? What percentage? Mr. Sawyer replied there are approximately 60% in the project area. Councilman Whittington asked if there is an age breakdown of the people who own the homes? Mr. Sawyer replied he does not have it; but there has been an indepth study made and the Planning Commission has that information.

Mr. Sawyer then pointed out the area from a map stating it is from Spruce Street up near the park, West Boulevard and the southern frontage on Wilmore Drive and Park Avenue. There are 199 residential structures in the area; 36 percent of these - 72 by count - from the studies made so far have code violations. This suits the type of area that lends itself most readily to the NIP type program as you should have a minimum of 20% violation to a maximum of 50%.

Councilman Alexander asked how many structures were worked on in the Belmont section, and Mr. Sawyer replied there were over 1200. Councilman Alexander asked of that number of units how many foreclosures have occurred? Mr. Sawyer replied there have been two foreclosures. He stated there were not 1200 that used the loan. Mr. Lindsay Wiggins stated there were around 270 cases that used some assistance and only two of these have had foreclosures.

Mr. Sawyer stated this is just the first year of a three year plan for this type program in this area. Mayor Belk stated he hopes a better job is done than in the Belmont area. Mr. Sawyer replied they cannot forget, and he is sure Council will not forget, that the Belmont project did experience some trouble in the beginning; since that time, we have had three years of what he considers to be not only satisfactory, but very excellent performance. That he thinks we learned our lessons and we are over that hump.

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Councilman Withrow stated his only complaint in the other program was that the Redevelopment guidelines were not the same as the Inspection Department. That he thinks the HUD guidelines for remodeling these structures should be the same guidelines as our Department. If a house is too far gone, it is condemned and you have to spend over 50% to bring it up to the Code, then you cannot make the loan. He stated that is his only complaint. This was done in the Belmont area, and he will not vote for this if we are going to do the same thing in this area.

Mr. Sawyer replied he cannot assure Council that they will not do this because under the federal guidelines the choice is left up to the owner and if he chooses, regardless of the cost, to bring his property up to standard even though it is beyond the 50% deterioration. Mr. Lindsay stated the money being spent is the property owners' money and he has to pay it back. This choice is within the guidelines of HUD.

Mr. Lindsay stated Wilmore is a much better section than Belmont was, and he does not think they will find structures that are more than 50% deterioration.

Councilman Whittington stated these three NIP programs were talked about prior to the bond issue. The reason these areas were selected was because we thought we could make a physical improvement better than we had in the Belmont-Villa Heights program. The thing the record should indicate is the number of people who live in these three areas; the age of the people who live there. That Council should know the age bracket of the people it is helping make improvements on their homes. That he is convinced in the Wilmore and Dilworth area if the city would do the physical improvements such as fixing a curb that is broken; fixing a sidewalk where a root of a tree has broken it and putting curb and gutter on streets like Wilmore where they do not now have it so that people would not be parking up in the yards instead of the streets or would be parking in the driveways instead of the yards, and tear down or demolish through code enforcement ten or fifteen homes in an area like Wilmore, then this is the kind of program that would show immediate results and give people some pride in their neighborhood. If we make the same mistake we made in the Belmont-Villa Heights area then this program should be cancelled in Charlotte now and forever. He stated the Redevelopment Commission and the Building Inspection Department should not do anything unless it is done together on a day-to-day basis. The City has an opportunity to really improve by putting sidewalks, curb and gutter in the Wilmore section, and the Redevelopment Commission has a real opportunity to give people who have homes in relatively good shape, except in the case of the ten or fifteen, and give us a revitalized, refurbished, rededicated neighborhood with people who will have pride in their individual ownership of their homes and pride and thankfulness in what the city has done for them. This is what he thinks neighborhood improvement should be.

Councilman Short stated the critical thing is the 3 percent home improvement loan. This other is a sort of gateway that lets us have to make available to local people three percent home improvement loans. That he is sure we do not want to squander any money and do not want to spend it with poor planning and poor fiscal policies and we do not want to spend it on a sinking ship that cannot be saved, and he does not think we are. The great value of this local expenditure of \$230,000 this year is that amount of expenditure will probably be exceeded by the savings encountered by the people who own this property and the loans they will make. The difference is something like 8 to 10 percent loans down to a 3 percent loan. That about 200 loans were made in the Belmont area, but he imagines the aggregate was something like a million dollars. The difference in the interest between something like an 8 percent home improvement loan and a 3 percent loan over the life of a loan is greater than the money we are putting into this as public money. In a sense we come out scot-free in the rebuilding of Wilmore, Dilworth and North Charlotte.

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Councilman Alexander asked what changes have taken place in the structure of the redevelopment authority that has the control of the NIP program - that he is speaking especially of the home repair loans, etc. - that is different from what we had through the NIP experience that will assure us that we do not have the same type of experience we suffered in the Belmont program? Mr. Sawyer replied they have not restructured for the future. They have the same staff with one exception they had in the last three years of the Belmont project. They did lose their senior construction advisor at the end of the Belmont project. They have not filled that position at present, although they intend to when this program gets underway. Otherwise they are using the same procedures, the same staff, the same standards except they always upgrade and benefit from their experiences. We had an experience that was regrettable; however, he believes that should be considered as history as they have recovered from it; they have changed personnel and they now have trained personnel that has proved it can do the job, and has done the job in Belmont. He stated they will have some improvements in their administrative contracts; they realize they did make a mistake in the Belmont project in not having the city go first with its public improvements. There was a reason for that and it all spelled finances. The city did not have the money early enough in the project to do it. If Council approves this today, then the City's 1/3 share and all its improvements will be fully funded from the beginning and they have scheduled in the contract the work to be done by the public works department early, at the beginning of the project. This will serve to bridge that confidence gap that we had in Belmont. Confidence on the part of the residents that the city really was coming in and doing everything that was promised.

Councilman McDuffie asked why Wilmore was selected for the first project over the other two? That he understood it was in worse need. There has been some concern from the North Charlotte people that they would not be included. The way he understands it the funds were set up and Wilmore was chosen because it was in worse need and the money we had would fit those needs. But it would take more planning, and more money since the bond funds failed to get North Charlotte and Dilworth included in the same program.

Mr. Sawyer stated they submitted three applications with Council's approval. One for each of the three areas. The Wilmore project was given a priority at that time by the Council, and that is the one that was approved. The other applications could be approved at any time. There is HUD money for this type program. But we were told at the time we submitted the applications by HUD that money was available only in an amount that would fit this project, and that subsequently was the one approved.

Councilman Whittington stated it should be stated for the record that Council approved Wilmore because it was recommended that we go to that site first because it was a small area and because of the cost. Mr. Sawyer replied that is correct. Councilman Whittington stated if the city makes the physical improvements there will be much less work for the NIP program to do because the houses are alright with a few exceptions.

Motion was made by Councilman Whittington, seconded by Councilman McDuffie, and unanimously carried, adopting an ordinance entitled: Ordinance transferring funds within the Capital Improvement Program Fund to pay for the remaining share of the Wilmore Neighborhood Improvement Program.

The ordinance is recorded in full in Ordinance Book 19, at Page 337.

CONTRACT WITH ABRAMS AERIAL SURVEY CORPORATION FOR THIRD PHASE OF THE TOPOGRAPHIC MAPPING, APPROVED.

Motion was made by Councilman Whittington, seconded by Councilman Short, and unanimously carried, approving subject contract with Abrams Aerial Survey Corporation, in the amount of \$205,920.00, for the third phase of the topographic mapping for new topographic maps on reproducible mylar of approximately 152 square miles of the City and areas adjacent to the city limits.

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ORDINANCE NO. 651-X AMENDING ORDINANCE NO. 621-X, THE 1972-73 BUDGET ORDINANCE TRANSFERRING FUNDS FROM THE GENERAL FUND SOCIAL SECURITY AND RETIREMENT ACCOUNT TO CAPITAL IMPROVEMENTS ACCOUNT, TOPOGRAPHIC MAPPING.

Councilman Jordan moved adoption of the subject ordinance transferring \$227,000 from the General Fund Social Security & Retirement Account to Capital Improvements Account, Topographic Mapping for the final phase of the Topographic Mapping Project. The motion was seconded by Councilman Alexander, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 19, at Page 338.

RESOLUTION FOR FILING APPLICATIONS FOR STATE MATCHING GRANTS ESTABLISHED UNDER THE "CLEAN WATER ACT", ADOPTED.

Upon motion of Councilman Whittington, seconded by Councilman Short, and unanimously carried, the following resolutions were adopted for filing applications for State Matching Grants as established under the "Clean Water Act":

- (a) Resolution authorizing Mr. David A. Burkhalter, City Manager, to file application for a state matching grant for sewage works improvements for Project No. C370304, Irwin Creek Pumping Station additions.
- (b) Resolution authorizing Mr. David A. Burkhalter, City Manager, to file application for a state matching grant for Project No. C370293, Construction of McMullen Creek Interceptor.
- (c) Resolution authorizing Mr. David A. Burkhalter, City Manager, to file application for state matching grant for sewage works improvements, for Project No. C370309, McAlpine Creek and Irwin Creek Wastewater Treatment Plant Additions.

The resolutions are recorded in full in Resolutions Book 8, beginning at Page 456.

Councilman Whittington stated he would like to thank the citizens of North Carolina for voting these clean water bonds.

RESOLUTION REQUESTING AN EXTENSION OF TIME FOR PERMITS NO. 366 AND NO. 1965 AS RELATED TO THE MCALPINE CREEK WASTEWATER TREATMENT PLANT.

Motion was made by Councilman Jordan, seconded by Councilman Withrow, and unanimously carried, adopting the subject resolution requesting an extension of time for permits no. 366 and no. 1965 as related to the McAlpine Creek Wastewater Treatment Plant.

The resolutions are recorded in full in Resolutions Book 8, at Pages 459-460.

ORDINANCE NO. 652-X AMENDING ORDINANCE NO. 363-X THE 1972 MODEL CITIES BUDGET ORDINANCE, TRANSFERRING FUNDS TO PROVIDE INCREASED APPROPRIATIONS FOR TWO PROJECTS.

Councilman Short moved adoption of the subject ordinance amending Ordinance No. 363-X transferring funds to provide increased appropriations for two projects. The motion was seconded by Councilman McDuffie, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 19, at Page 339.

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COUNCILMAN MCDUFFIE LEAVES MEETING.

Councilman McDuffie left the meeting during the following discussion, and was absent until his return as noted in the minutes.

LEAA GRANT AWARD CONTRACTS BETWEEN NORTH CAROLINA DEPARTMENT OF NATURAL AND ECONOMIC RESOURCES DIVISION OF LAW AND ORDER AND THE CITY OF CHARLOTTE, AUTHORIZED.

The following LEAA Grant Award Contracts were presented for consideration:

Police Youth Corps, Explorer Scout Program	\$19,560
Field Training Resources Study	\$11,518

Councilman Whittington stated he has had several members of the Executive Board of the Boy Scouts to call and say the programs in this area have been cut out. He asked if any of these programs as far as scouting have been cut out? Chief Goodman, Charlotte Police Department, replied they are just getting into this program; they started out with the Youth Corps and then called it the Explorer Club. They have some 50 youngsters now - high school and college age; it is a good program and these young people associate with police officers on a day-to-day basis and meet week-by-week, and monthly at dinners. He stated they are asking for federal funds for planning this program in its entirety. He stated the police personnel will furnish the in-kind.

Councilman Whittington stated several years ago, there were discussions about a Cadet Program within the police department and putting these men in desk jobs, clerical jobs and positions within the police department where they would work with policemen, be trained by policemen and be financed by the Department with the end result they would have a policeman to put on the street. He asked if this program is working towards this end, and asked what the results will be? Chief Goodman stated a career interest survey was made in our city schools and law enforcement was one of the subjects and a great number of the young people asked to get involved in law enforcement. He stated originally, they planned to have all kinds of programs in the department with youths and others, but they had no program involving teenagers of high school age and above. This is how they got into this program; they are recruiting people - future officers. This is one of their aims. They want to expose them to the police department and show them the many problems involved with juveniles and how dangerous it is to joy ride in automobiles and such things. He stated they have boys and girls of both races. They number about 50 at this time. They have gone to an Explorer Post. This money provides the uniforms, some meals for them, station wagons, and things of this sort. The match will come from the police officers' time.

Councilman Jordan moved approval of the grant award contracts. The motion was seconded by Councilman Whittington.

Councilman Alexander stated sometime ago there was a discussion that centered around the old fire station on Belmont Avenue. A young man named Dwight Kidd appeared before Council and asked for consideration for a youth program connected with the fire station; they were agreeable to work with the police department in this program. He stated he now finds the police department has no connection with the program. He asked Chief Goodman what happened and why there is no connection?

(COUNCILMAN MCDUFFIE LEFT THE MEETING AT THIS TIME.)

Chief Goodman replied the Police Department was excluded from that program.

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

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Councilman Short asked if the field training resource study is related to the academy in any way? Chief Goodman replied no; it is a field training facility. This is a study to determine the field training needs for the police department and fire department. The fire department has asked for a similar type study and a larger training facility. With this money they propose to do the police portion of the training. The fire department had budgeted some money for the study. The end result will be a combined police and fire training facility, with a driving range to teach all city employees safe driving habits.

Councilman Short stated this project is related toward planning the facility that was listed in the bond issue. He stated he hopes when this planning is done there will be some consideration of the possibility of two towns, two counties or several counties going together on this type of facility. This has been done in at least two areas. One of them in North Carolina. That he would hope this kind of consideration would be given because he does not believe we need a police academy in every town; anymore than we need a sewer plant in every town. It would seem some sort of regional approach or multi-county approach is in order. Chief Goodman replied he thinks this will come out in the study; this will make funds available to use to build such a facility.

ORDINANCE NO. 653-X AMENDING ORDINANCE NO. 520-X AUTHORIZING AN APPROPRIATION FOR THE TWO LEAA PROJECTS.

Motion was made by Councilman Alexander, seconded by Councilman Jordan, and unanimously carried, adopting the subject ordinance authorizing an appropriation of \$31,078 for the two LEAA Projects.

The ordinance is recorded in full in Ordinance Book 19, at Page 340.

COUNCILMAN WHITTINGTON LEAVES MEETING.

Councilman Whittington left the meeting at this time and was absent until his return as noted in the minutes.

CONSTRUCTION OF SANITARY SEWER MAINS AND TRUNKS, APPROVED.

Councilman Jordan moved approval of contracts for the construction of the following sanitary sewer mains and trunks, which motion was seconded by Councilman Withrow, and carried unanimously:

- (a) Contract with City Properties, a joint venture, for construction of 2,025 linear feet of 8-inch sanitary sewer trunk to serve Sharon South Apartments, outside the city, at an estimated cost of \$55,000. The applicant has deposited \$11,237.50 which represents 10% of the estimated construction cost, plus the estimated cost of right of way, and will be refunded all according to the agreement.
- (b) Contract with D. L. Phillips Investment Builders, Inc., for the construction of 2,599 linear feet of 8-inch sanitary sewer main in Barringer Drive, inside the city, at an estimated cost of \$43,570.00. The applicant has deposited 10% of the estimated cost, plus the estimated cost of right of way and will be refunded all according to the agreement.



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RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO CAROLINA GOLF CLUB, INC. LOCATED ON WEST BOULEVARD AT DONALD ROSS ROAD.

Upon motion of Councilman Short, seconded by Councilman Withrow, and unanimously carried, the subject resolution was adopted authorizing condemnation proceedings for the acquisition of property belonging to Carolina Gold Club, Inc., a corporation, located on West Boulevard at Donald Ross Road, in the City of Charlotte for the Clanton Road Extension Project.

The resolution is recorded in full in Resolutions Book 8, at Page 461.

COUNCILMAN WHITTINGTON RETURNS TO MEETING.

Councilman Whittington returned to the meeting at this time, and was present for the remainder of the session.

RESOLUTION APPROVING THE EXECUTION OF AN ENCROACHMENT AGREEMENT WITH SEABOARD COAST LINE RAILROAD COMPANY PERMITTING THE CITY TO CONSTRUCT SEWER MAIN ACROSS RIGHT OF WAY AND UNDER THE MAIN TRACT OF THE SEABOARD COAST LINE RAILROAD AT TODDVILLE ROAD.

Motion was made by Councilman Alexander, seconded by Councilman Withrow, and unanimously carried, adopting subject resolution approving the execution of an encroachment agreement with the Seaboard Coast Line Railroad Company permitting the city to construct an 8-inch cast iron pipe sewer main across the right of way and under the main tract of the Seaboard Coast Line Railroad at Toddville, at a point 1,568 feet westwardly from Mile Post 5.

The resolution is recorded in full in Resolutions Book 8, at Page 462.

PROPERTY TRANSACTIONS, AUTHORIZED.

Councilman Jordan moved approval of the following property transactions, which motion was seconded by Councilman Withrow, and carried unanimously:

- (a) Acquisition of 24' x 1,423.34' of easement at 3603 Interstate-85, from J. Vaughn Hawkins, et al, at \$1,425.00 for upper Irwin Creek Interceptor sanitary sewer construction.
- (b) Acquisition of 25' x 695.90' of easement at 2739 Commonwealth Avenue, from Bonnie L. White (widow), at \$2,800.00 for upper Briar Creek Interceptor sanitary sewer construction.
- (c) Acquisition of 10' x 124' of easement at 5322 South Boulevard, from Squires Realty, Inc., at \$124.00 for sanitary sewer to serve 5130 South Boulevard (White Stores, Inc.)

SPECIAL OFFICER PERMIT, APPROVED.

Upon motion of Councilman Withrow, seconded by Councilman Jordan, and unanimously carried, a special officer permit was approved for one year to Joseph Albert Greene for use on the premises of Charlottetown Mall, One Charlottetown Center, Cargill Building and Cinema I & II.

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**CONTRACT AWARDED CROWDER CONSTRUCTION COMPANY FOR SECTION I OF THE CONTRACT FOR STREET CONSTRUCTION FOR WELLESLEY AVENUE.**

Motion was made by Councilman Jordan, seconded by Councilman Withrow, and unanimously carried, awarding subject contract to the low bidder, Crowder Construction Company, in the amount of \$31,021.50, on Section I of the contract for street construction for Wellesley Avenue.

The following bids were received:

Crowder Construction Company	\$31,021.50
Blythe Brothers Company	32,390.00
T. A. Sherrill Construction Co., Inc.	32,791.00
Rea Construction Company	35,125.00

**CONTRACT AWARDED L. A. REYNOLDS, CO. FOR REDEVELOPMENT SECTION NO. 2, BROOKLYN URBAN RENEWAL AREA - LANDSCAPING PROJECT NO. N. C. R-24.**

After explanation by the Public Works Director, Councilman Whittington moved award of contract to L. A. Reynolds Co., on their low base bid, in the amount of \$78,473.00, on Alternate 1, in the amount of \$3,805.00, on Alternate 2, in the amount of \$2,640.00, on Alternate 3, in the amount of \$14,730.00 and that Alternate 4 be rejected for Redevelopment Section No. 2, Brooklyn Urban Renewal Area, Landscaping Project No. N. C. R-24. The motion was seconded by Councilman Withrow, and carried unanimously.

The following bids were received:

BASE BIDS

L. A. Reynolds Co.	\$78,473.00
Fred Moretti	95,500.00
Fairforest Landscaping Co.	98,447.00
F. N. Thompson, Inc.	124,500.00

ALTERNATE NO. 1

L. A. Reynolds Co.	\$ 3,805.00
Fred Moretti	5,140.00
Fairforest Landscaping Co.	3,240.00
F. N. Thompson, Inc.	3,000.00

ALTERNATE NO. 2

L. A. Reynolds Co.	\$ 2,640.00
Fred Moretti	2,306.00
Fairforest Landscaping Co.	3,532.50
F. N. Thompson, Inc.	3,000.00

ALTERNATE NO. 3

L. A. Reynolds Co.	\$14,730.00
Fred Moretti	13,563.00
Fairforest Landscaping Co.	13,195.00
F. N. Thompson, Inc.	13,500.00

ALTERNATE NO. 4

L. A. Reynolds Co.	\$13,562.00
Fred Moretti	4,320.00
Fairforest Landscaping Co.	19,000.00
F. N. Thompson, Inc.	29,000.00

**COUNCILMAN MCDUFFIE RETURNS TO MEETING.**

Councilman McDuffie returned to the meeting at this time and was present for the remainder of the session.

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CONTRACT AWARDED VULCAN SIGNS AND STAMPINGS, INC. FOR 600 SHEETS OF ALUMINUM.

Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, the subject contract was awarded the low bidder, Vulcan Signs and Stampings, Inc., in the amount of \$7,212.00, on a unit price basis, for 600 sheets of aluminum.

The following bids were received:

Vulcan Signs & Stampings, Inc.	\$7,212.00
Aluminum Co. of America	7,558.86
Southeastern Safety Supplies	8,112.00
Municipal Street Sign Co., Inc.	8,298.00

PROCESS REPORTS ON SEVERAL ROAD PROJECTS.

Mayor Belk asked when I-77 will be open? Mr. Hopson, Public Works Director, replied the last he heard was around the last of December. Mayor Belk asked about the Northwest Expressway, and Mr. Hopson replied they are simultaneous. Mayor Belk stated on Highway 16 there will be a lot of trouble when the Northwest Expressway is opened; that this should be brought to the attention of the Highway Commission.

Later in the meeting, the City Manager advised that I-77 will be opened early next week if the signs can be put up in that length of time. It will go from the Northwest Expressway down.

Councilman Jordan asked the date for the opening of Sharon Lane, and Mr. Hopson replied the newspaper reported it as November 22. That he cannot disagree with the date provided the weather holds. That will not include all the trees but it will get the street open. The trees will be the sugar maple.

Councilman McDuffie asked for a report on the environmental study on Wendover. Mr. Underhill, City Attorney, replied it is still tied up in federal court; it is in the process of being finalized. He stated he will get a report from him.

Mayor Belk stated on Old Monroe Road where the new belt road is coming across, it looks as though a new building is being constructed right in the pathway. Mr. Hopson replied he is not aware of this but he will look into it.

CITY MANAGER REQUESTED TO SET UP MEETINGS WITH NEW COUNTY COMMISSIONERS AND NEW STATE DELEGATES.

Mayor Belk stated as soon as the election is over he would like to have a meeting with the County Commissioners and with the new Delegates. He requested the City Manager to set these meetings up after November 7. This would be two separate meetings.

SUGGESTION THAT COUNCIL CONSIDER HOLDING COUNCIL MEETINGS IN THE EVENINGS.

Councilwoman Easterling stated she would like for Council to think about several things. For a long time many of her friends have been asking why meetings are not held in the evening. That as far as she is personally concerned it would suit her much better every week, but she realizes it does not suit everyone as well as it does her. That today Council received a certified letter talking about this. That she thinks it would be a good idea to consider it.

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Councilman Jordan stated through the years we have had afternoon meetings and switched from mornings to afternoons and night meetings. That we have had councilmembers to come on Council and suggest we go to night meetings and they have been a bust. The only people attending the meetings were members of Council, department heads, and the city people who were supposed to be there to help carry on the business. With one or two exceptions, they were a complete bust. That he would not be in favor of going to night meetings under any circumstances for TV or anything else. The people will not take the time to come out to the meetings.

Councilman McDuffie stated he has always favored the night meetings whether the people come or not. The point raised in the letter is "availability". We owe the people of our community the opportunity to come. That he thinks we should meet once a quarter in every section of the city.

Mayor Belk stated the news media has been very good, and better than most cities, as far as coverage is concerned. Both papers, television and radio stations cover the meetings and they cover it better in an afternoon meeting than they would at night.

Councilman McDuffie stated it is more convenient to do it as we are doing; nevertheless the education TV quarterly as a token and quarterly in the areas as a token is only eight meetings a year to have other than 3:00 o'clock on Monday afternoons.

Mr. Burkhalter, City Manager, stated these are the first afternoon Council Meetings he has ever attended. That it is difficult in different size cities to do this, but the interest in this Council is as good as anybody's. People do not come to Council Meetings unless they have some big thing. They do not come in the afternoon and they do not come at night. But when there is an issue, you get the people here in the afternoon or any other time.

He stated for an afternoon meeting, the entire city staff is available - all department heads without any specific consideration are all available. This is a service that is helpful to Council and gives the members answers much quicker in many cases than they would get at night. This could be arranged but it is very difficult to demand that every department head and everyone else attend every council meeting. He stated after about 10 o'clock at night, even councilmembers become irritable, and the type of discussion we are having right now can reach other kinds of proportions at 11:30 at night. People have short tempers. This is hard work and late hours are not the time to do it.

Councilman Alexander stated he tried going into communities for three months, making himself available to anyone who wanted to come and talk to a Councilman. That he never had more than 10 people even in his own community; this was at night. That he did not leave out any community. The papers publicized the schedule where he would be. He stated no one seemed to be too concerned unless someone had a gripe of some kind and wanted to air it, and this was alright with him.

Councilman McDuffie stated Kays Gary's column yesterday talked about how people feel about government; they don't trust it; they can't get to it; they think things are going on that should not be going on. That he thinks from the national level down, whether we accept it or not, the people don't think they are able to change it. That is one of the reasons people do not come; without a lawyer or without a hundred people they do not think they can change things. If this is truly their money we are spending up here, he thinks we should be inconvenienced at least for six months.

Mayor Belk stated in using the mobile city hall to go into various neighborhoods we should encourage people to listen and various council members could go around with the Mobile Unit to the various areas and explain what is going on.

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CITY MANAGER REQUESTED TO PREPARE INFORMATION ON BICYCLE TRAILS.

Councilwoman Easterling stated she would like to bring up the matter of bicycle trails. That there must be some way to work out trails throughout the city without a great deal of difficulty. There must be someone on staff to give us this information without a great deal of expense or trouble.

She requested the City Manager to have someone on staff to bring some information to Council to work this out. That we need to know where this could be done.

MAYOR GIVEN AUTHORITY TO CONTACT SOUTHERN RAILROAD COMPANY ABOUT TRAINS BLOCKING INTERSECTION ON SUGAR CREEK ROAD.

Councilman McDuffie asked the City Attorney what the ordinance is on railroad crossings being blocked by trains, whether there is a train there or 100 yards back up the track. On Sugar Creek Road trains have been stopping cars. The train itself is not in the crossing, but the gates are down; this happens three or four times a day for extended periods. Mr. Underhill replied the ordinance permits it for five minutes; but it does not apply to trains in motion. Councilman McDuffie replied this one was not in motion, and it sat there for 20 minutes on the switch beds and kept the gates down, and the cars backed up for a block. The police car behind him went around the down bar, which is illegal. He suggested that the city enforce the law or that the ordinance be reworded and bring it back to council at its next meeting.

After further discussion, Councilman Withrow moved that the Mayor be given full authority to contact Southern Railroad Company about this matter. The motion was seconded by Councilman Whittington, and carried unanimously.

CITY MANAGER REQUESTED TO WRITE BOARDS, COMMISSIONS AND AGENCIES AND REQUEST THEM TO HOLD MEETINGS ON DAY AND HOUR OTHER THAN WHEN COUNCIL MEETS.

Councilman McDuffie stated he would like for Council to consider a resolution asking other Boards, Commissions and Agencies not to hold their regular meetings at the same day and hour as the City Council meetings.

Mayor Belk replied he thinks this has a lot of merit if you do not shift the meetings at night one time, in the mornings and such.

Councilman McDuffie requested that all of them be sent a request to not meet at the same day and hour as city council so that those few interested citizens who might want to go to the meetings not be prevented from doing so.

Mayor Belk requested the City Manager to so instruct the Boards, Commissions and Agencies.

COUNCILMAN ALEXANDER LEAVES MEETING.

Councilman Alexander left the meeting during the following discussion and was absent for the remainder of the session.

DISCUSSION OF USE OF INCINERATORS FOR THE CITY OF CHARLOTTE.

Councilman Withrow stated he received a brochure from Nashville, Tennessee. They have just installed a new incinerator at a cost of \$12.0 million. They claim this will heat a two to three block of the downtown area, and it will be non-pollutant, and it will be one of the finest incinerators in this part of the country.

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The City Manager stated the Public Works Director and others went out to Nashville; that this incinerator is planned and they have the money, but there is nothing there yet. He stated the City of Charlotte is disposing of waste now at less than \$2.00 a ton; it will cost the City of Nashville a little over three dollars a ton just to get their garbage ready to haul it free and give it to the incinerator.

Councilman Withrow stated he is thinking about the future. He asked if we are making any provisions if we decide at a future date to do something about the governmental buildings so that we can tie heat into these buildings in the future.

The City Manager stated there is nothing new about the methods of doing this at all; but the cost alone to the City of Nashville to prepare the garbage is at least \$3.00 a ton, and we are burying and collecting for less than \$2.00 now. Councilman Withrow stated one day we will not be able to do that and he is thinking about the future.

REQUEST THAT POLICE DEPARTMENT ENFORCE THE ANTI-LITTER ORDINANCE.

Councilman Withrow stated he asked some time ago that the police department arrest some people who were throwing trash out windows and such. He asked if they have ever arrested one person? Mr. Burkhalter, City Manager, replied he has not had a report on this, but he did pass this request to the Department. Councilman Withrow stated this has been about the fourth time that a councilmember has made this request, and he thinks this law should be enforced. If we catch a few, then he thinks it would stop the problem.

INVESTIGATION REPORT REQUESTED ON ENTRANCE AND EXIT AT DALTON VILLAGE.

Councilman Withrow stated at Dalton Village on West Boulevard all the people come out at one exit and entrance and there is a hill on each side, and there are approximately two accidents there each day. Something should be done. The busses stop and pick up the people and let them out. This is one of the most dangerous places in Charlotte. You cannot see from one hill to the other. That he understands a shopping center is planned for the area, and this should be looked into as it will make it much more dangerous. Some planning should be done before the shopping center is built.

CITY MANAGER REQUESTED TO CHECK WITH STATE HIGHWAY DEPARTMENT ABOUT REPAIRS TO MULBERRY ROAD, FROM I-85 TO WILKINSON BOULEVARD.

Councilman Withrow stated Mulberry Road is a disgrace to the City for people coming off I-85. That is the worse road from I-85 to Wilkinson Boulevard he has ever seen. That this is outside the city, but he requested the City Manager to check with the State Highway Department about doing something for this road.

UPDATE ON STREET PRIORITIES REQUESTED.

Councilman McDuffie requested an update on road priorities. That he would like to know what has taken place on the different roads and whether or not there is any state money available.

COMMENTS ON COUNCIL ACTION ON ANNEXATION TODAY.

Councilman Whittington stated he would like to say a few words about what Council has done today, and his reaction to some of the things that have occurred in the past and how he wishes to improve our image and our service and delivery systems to our citizens.

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That he thinks the step toward annexation today is probably one of the most important steps that our city has taken in many years on the Council. It is a program well thought out, well planned, and when properly executed, will round out and develop our community into a total city. It is this type of planning and proper scheduling of events that is the essence of good government and good management, and he is proud to be a part of it.

He stated recently we proposed a number of capital improvements through a bond referendum and we were only able to sell about half the amount of dollars. There were so many different projects involved that it was almost impossible for him to fully understand all the impacts of the various programs, and he is sure it was difficult for the average citizen. He hopes that the reasons these were turned down was because they did not understand. It is with this in mind that he would like to suggest that we make an effort to bring back the major improvements which we suggested, that we ask the city manager with the help of the planning commission and staff to come back to us with a program for a new spring election, which will help us put into proper focus the great needs of our city. He hopes then we will be able to go to our citizens in every area, using every means of communication possible to inform them about the proposed improvements. In addition we need to explore through every possible means the desire and feelings of each citizen. To do this, he hopes we will be able to use all our political friends, regardless of party and to use every neighborhood group, every school group, and every civic organization to help us formulate proper goals for our community. It is difficult to understand in our position how people can turn down an opportunity to get over \$15.0 million in good streets, and traffic improvements in our community, matched by a large amount of federal funds for like projects without raising taxes.

This brings up another point. We must by our action in this Council, and by every word and deed as public officials, impress upon our citizens that our chief and main concern is for the welfare of this community. That he has and he thinks all other members of Council have long prided themselves of the axiom that our word is our bond, and he intends to tell the citizens of this community about our needs and what they can expect. Growth and improvements cost money, and our property taxes are bearing a burden today which should be borne in many cases by other sources of revenue. That this is particularly important today because most of us are going to the League of Municipalities meeting next week. We should inform our citizens that the reason they are not is because our city does not have the power locally to rearrange our tax structure. We must bring the message to our citizens that we need local option in these areas, and that we need the assistance of our state legislature to help us secure alternate means of securing funds for the continued operation of this fine city.

There are so many fine things to be said about this community - and he is very proud to be a part of the programs over the past few years - which placed us in the fore front of most American cities in the areas of urban renewal, public improvements and community spirit. That he wants to continue this as we continue to keep Charlotte the beautiful, friendly and cooperative city it is today. He wants it to be this way for all our people and he wants us to show a friendly attitude toward those people who are moving to our community by the thousands each year.

He stated he feels the proposed annexation that we have suggested today is a step in the right direction for bringing all our people together for one common cause - to unite the collected power of our community into one dynamic body; to broaden and strengthen our tax base so that all people pay equally for improvements and services, and to assure our whole county of proper growth and development.

Councilman Whittington stated he pledged anew to this community and this county his wholehearted support for good government, planned growth and adequate services, and he will fight for the right for people to be heard and to express themselves freely regarding all activities in our community.

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Councilman Whittington stated he would like to commend the Mayor, City Council and staff for what we have done today toward annexation. He stated from what he has said he hopes Mr. Burkhalter and staff, and the Planning Commission will come back to Council with something in the spring on a bond referendum for streets and sidewalks and the bare necessities so that we can move ahead on these projects, and not be delayed more than necessary.

CITY MANAGER REQUESTED TO BRING REPORT TO COUNCIL ON DISCONNECTED STREETS AND HOW IT CAN BE HANDLED THROUGH THE USE OF THE SUBDIVISION ORDINANCE.

Councilman Whittington stated he would like to talk a minute about disconnected streets. There are numerous cases around the city where a street deadends on both sides of a little stream or branch. It deadends because a culvert was not provided when the street was opened so the street could be connected through. This has happened because one person built the street on one side of the branch and perhaps another developer built the street on the other side of the branch with no one being responsible for the culvert. Such disconnected streets can create a real inconvenience for the people of the neighborhood. Children may have to walk a lot of extra distance to get to their school; emergency services can be delayed for the lack of direct street connection; and people have to drive greater distances to get around the dead end streets. We have these problems now, and as new subdivisions are opened up we will have more of them unless something is done to protect them.

Councilman Whittington recommended that the City Manager have the public works department and the planning commission bring to the Council recommendations on these matters. That he would like to see what disconnected street problems we have now with recommendations on how the problem can be resolved. He would also like to know how the subdivision ordinance would have to be amended to make sure that new problems are not created when new subdivisions are developed.

He stated he has discussed this with Mr. McIntyre and he says the Department of Public Works and Engineering already have on file a great number of these streets, and this is the time we should take action on it.

Councilman Whittington moved that the City Manager bring this back to Council with recommendations on how we can handle it through the subdivision ordinance. The motion was seconded by Councilman Short, and carried unanimously.

Councilman McDuffie stated he brought this up six months ago when we were discussing the street out in Brooktree and the apartment complexes on the other side. That this has been talked about for a year and he does not think it should continue.

Councilman Whittington requested the City Manager to bring this back to Council in the form of an ordinance.

Later in the meeting, Councilman Short stated we should keep in mind the cost to a developer for building a bridge across these creeks. He stated he seconded the motion with the idea that this is something we should give consideration to because of the number of these streets that are stopped at a creek. But he does not know whether in the name of a subdivision ordinance we can simply by raising the hands of Councilmen make it possible for developers to build bridges across the creeks of any particular size.

MAYOR REQUESTED TO APPOINT A CHAIRMAN FOR THE LOCAL TRANSPORTATION COMMITTEE TO REACTIVATE THE WORK OF THE COMMITTEE.

Councilman Whittington stated the Transportation Committee appointed by Council in the early part of this year has only met one time. That he thinks it is because they do not have a Chairman. The State Transportation Committee and the federal agencies are feeding us information, and the local committee is not functioning and he would hope the Mayor would agree to check into this and appoint a Chairman of this Committee to see if we cannot get it reactivated.



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Councilman Whittington stated in all the surveys about things people are talking about now and have on their minds, this is No 4 of all the local problems. Councilman Whittington stated he is talking about what we can do better with what we have. We have 40,000 people who use our bus system every day. We need to do what we can to improve it. There are many things a committee like this could be doing. We have all the studies and we need to have them implemented.

REPORT REQUESTED ON SUGGESTION OF STRAIGHTENING MARSH ROAD BEFORE FARM LAND IS AUCTIONED OFF.

Councilman Short stated about six weeks ago he suggested the possibility of straightening Marsh Road before the farm is auctioned off and the land is fragmented so that it then becomes very difficult to straighten it, and the development could be very expensive. Nothing has been heard and he thinks time is of the essence and this suggestion deserves consideration and he hopes that something can be given back to Council on this subject.

COMMENTS OF COUNCILMAN SHORT ON ADVERSE OPINION ON SUGGESTION OF EXTENDING NORTH SHARON AMITY ROAD INTO DILLARD DRIVE, AND DILLARD DRIVE INTO HICKORY GROVE.

Councilman Short stated sometime ago he suggested that we give consideration to extending North Sharon Amity Road on into Dillard Drive and then Dillard Drive on into Hickory Grove Road, a very direct way to bypass Hickory Grove and make a straight road running on out to the University. That he was surprised that Mr. Hopson's department came back with an adverse report on this. The suggestion he had made is for a route that is straight; it has almost no intersections; it is largely across undeveloped land. The plan the present arterial plan calls for would extend on into Barrington Drive which is curving and it would funnel hundreds and hundreds of cars through residential areas and along Barrington Drive and The Plaza where there is a school, apartments and a lot of homes. Also this suggestion would involve for south bound traffic a difficult left turn against opposing traffic. A couple of the leading parties in this vicinity are opposed to the route in our present arterial plan and that the engineering department seemed to be still interested in. That he does not know that these neighbors would put up with running that arterial in that way.

He stated he does not agree with the public works on this particular item.

SUGGESTION FOR ROUTE FOR EXPRESSWAY FROM MINT HILL TO POLKTON, NORTH CAROLINA.

Councilman Short passed around maps and stated he has a grand dream he would like to mention. That we talk about improvements on Independence Boulevard, and he would suggest that the local government and the state government and the federal government should consider building a full expressway up to expressway standards, beginning approximately at McAlpine Creek and Independence Boulevard and running on over to Mint Hill and then follow a rural type road, Highway 218, that runs from Mint Hill to Polkton. That he is suggesting an expressway that would replace 218 that would utilize a right of way there to the extent possible. One good point about this is that Independence Boulevard even if you could straighten up the problem in Charlotte is just about as bad at Monroe and it is getting worse all along. It seems if we want to have good highway access that will link up and connect up Charlotte with Rockingham and Wadesboro, Cheraw, Southern Pines and Lumberton we should have someday this expressway. That the road is not built up very much and it would not be as expensive as some right of way goes.

Mayor Belk stated on this particular road, Terry Sanford during his administration, planned to bring this up and tie it in with the university. Councilman Short stated we have another chance now with another administration, and he thinks we should push for this.

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The City Manager stated the State des have the power to build roads with limited access.

Councilman Short stated Charlotte should have this. We would then have a good exit and entrance out to Monroe and another route out to Wadesboro, and north of that another route to Albemarle.

OBJECTIONS TO ANNEXATION EXPRESSED BY ATTORNEY FOR CATO CORPORATION.

Mr. Robert Hoagland, Attorney for the Cato Corporation, stated Cato Corporation is located in the area that is proposed to be annexed. Cato's wants to go on record as opposing the annexation primarily because of doubt of the services which will follow the annexation, particularly the financing. He stated he has read the plan which was distributed today and he did not find anything specific on financing. That he has read in the newspapers and heard on the radio that at least part of the financing would come from federal funds which is the result of revenue sharing. That it occurs to them that is somewhat of an assumption and that the funds may not be adequate.

He requested that they be on record opposing the expansion. He asked if anyone on Council would have any comments as to the means of financing the services which would be required subsequent to the annexation, particularly with regard to the possibility of federal funds from revenue sharing. Their concern is even greater when he heard Councilman Whittington on his plans for spending these funds already on other projects, since it is hopeful by some people that these funds will be used to reduce taxes rather than to increase services.

Councilman Whittington stated he did not mention revenue sharing, he was talking about a bond referendum.

The City Manager stated he thinks it would be inappropriate for Council to answer any questions until the public hearing as others are not present to be heard. He stated the hearing has been set for December 1, at 2:00 o'clock in the Council Chamber.


The City Attorney stated the annexation report before Council is proposed, and it has not been approved by Council as yet, and Council will not approve it until the meeting on November 6. At the public hearing the plans will be explained and the methods of financing will be explained by the appropriate city official.

Councilman Whittington stated the schedule for this is as follows: Today we approved the resolutions; November 6 is the first date of publication; November 7 is the annexation report; November 13 is the second date of publication; November 20 is the third date of publication; November 27 is the fourth date of publication; Friday, December 1, date of public hearing, and Monday, December 11, is the passage of the annexation ordinance by City Council, and June 30, 1973 will be the effective date of annexation.

Mr. Underhill stated November 6 is the date Council is scheduled to take action on the plan. The date of the public hearing on December 1 is for the purpose of discussing annexation and to have the plan explained to members of Council and the general public. The plan will be officially available for inspection in the City Clerk's office on November 7. It is available now, and if there are any questions Mr. Hoagland can contact the Planning Commission.

MEETING RECESSED UNTIL FRIDAY, OCTOBER 27, 1972.

Councilman Jordan moved that the meeting be recessed until Friday, October 27, 1972 at 2:30 o'clock p.m., in the Council Chamber to consider formal action on the Model Cities Fourth Action year. The motion was seconded by Councilman Withrow, and carried unanimously.

  
Ruth Armstrong, City Clerk