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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held on Monday, September 18, 1972, at 2:00 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.

The Charlotte-Mecklenburg Planning Commission sat with the City Council, and as a separate body, held its public hearings on the zoning petitions, with Chairman Tate and Commissioners Albea, Boyce, Finley, Kratt, Moss, Ross, Royal and Turner present.

ABSENT: Commissioner Sibley.

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INVOCATION.

The invocation was given by Councilman Fred D. Alexander.

CITY OF CHARLOTTE EMPLOYEE PLAQUE PRESENTED TO JAMES MOORE, ON RETIREMENT.

Mayor Belk recognized Mr. James Moore, Laborer II in the Utility Department, and presented him with the City of Charlotte employee plaque for his services to the city from June 25, 1958 until his retirement September 18, 1972. The Mayor and Councilmembers expressed their appreciation to Mr. Moore for his services to the city and wished him well in his retirement.

HEARING ON PETITION NO. 72-41 BY W. P. CHERRY AND SON, INC. ET AL FOR A CHANGE IN ZONING OF LAND ON THE WEST SIDE OF PARK ROAD, EXTENDING FROM 3500 THROUGH 3620 PARK ROAD.

The public hearing was held on the subject petition for a change in zoning from R-9 to R-12MF on which a protest petition had been filed sufficient to invoke the 3/4 Rule requiring six (6) affirmative votes of the Mayor and City Council in order to rezone the property.

Mr. Fred Bryant, Assistant Planning Director, explained the location of the property and the surrounding uses and zoning. He stated the property is located on the west side of Park Road, and has single family structures on the front portions of the property. To the north of the property is the YWCA and other single family structures in the vicinity surrounding the property. It is basically a pattern of existing residences, predominately single family, surrounding the property with the exception of the north side which has the YWCA on it. The zoning is predominately single family with the only variance being multi-family south of Hillside Drive, and a small parcel of R-6MFH at the corner of Marsh Road.

Mr. Charles Henderson, Attorney for the petitioners, stated the five applicants for the rezoning are not doing it just for economic reasons, but for some very good community reasons. He stated when he first moved into the community it was an area of dairy farms and a rural area, and an area where people had a great deal of pride; trees were planted on each side of the road. The neighborhood then began building up with small cottages as this was the mini-farm area. He stated the people he represents have very modest little residences, and they are no longer suitable to remain on such large parcels of land.

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Mr. Henderson stated there is a problem that arises from the fact that the neighborhood has changed without the zoning being changed. This came about because at some time in the past, Council in its wisdom, passed a zoning ordinance with a good many exceptions. Among the exceptions are the right to build churches in areas that are single family residences. There is an Episcopal Church, Presbyterian Church, Catholic High School, a Lutheran Church and another Catholic Church and the Park Road Baptist Church and all are exceptions. In addition, the YWCA came in and it consists of large parking areas and beautiful buildings, but hardly a single family residential use.

He stated Mr. Harris June, who lives in the larger and nicer of the homes involved in the petition, explained to him that it has been quite a problem to him that the young ladies in residence at the YWCA have a tendency to wonder around over his yard and he has lost his privacy. In addition, a lot of people coming to meetings at the YWCA miss the driveway and come up his driveway and turn around on his yard.

Mr. Henderson stated when he first knew of this property it was of a rural nature, and there has been a tremendous change; the people have become older, but not obsolete; the houses have become older and obsolete and are no longer worth fixing up. What is needed here and perhaps in more of the Park Road neighborhood than this is a renewal that will keep people in the neighborhood; that will keep families in the neighborhood; that will keep families there that have the desire of pride.

He stated Mr. Cherry, who has managed to assemble these various properties, has now arrived at a plan for the development of a condominium park which does give the pride of ownership. It insures beauty because of the clustering arrangement.

Mr. Henderson stated this is beautiful land, large tracts of land, too narrow to be developed individually, and needs to be assembled and used for individually owned homes, need to have the surrounding beauty that is available with the clustering concept.

He stated they have met numerous times, with the people who are opposed to the rezoning and have attempted to do everything they have asked for except abolish the project entirely. They have offered and have in writing proposals to increase the setback at certain places. The original plan called for a more spacious and more attractive layout for the tennis court, the community house, the swimming pool and so forth, but one of the adjoining property owners felt there might be some noise so they relocated it over into the center. He stated he thinks they have done everything that is morally proper in order to try to take into consideration any problem they would have. That he does not know of any opposition coming from anyone who will look upon the project. The developer of the project cannot sell unless he gives his people privacy. The single family property owners do not have any rules in their deeds or in the R-9 that requires them to give privacy to the adjoining property owners. So they have to give the privacy setback for both the adjoining property owners and themselves.

Mr. Henderson stated under this plan private patios will back up to them, and these private patios are ground level; these ground level patios give an extra degree of privacy for people beyond. He stated this involves nearly ten acres. He requested Mr. Bryant to check again to be sure what the acreage is. He stated it is a substantial tract and is big enough to put a substantial project. That they are asking for R-12MF.

Mr. Tom Cannon, Attorney for the opposition, stated a number of those in opposition are present with him today. He stated he was interested in Mr. Henderson's statement about loss of privacy due to the YWCA. That the surrounding single family homeowners need and want some privacy too. There are churches out there and they are within the permitted use and his clients say they would be happy to have a church on that property. But they are firm and all together in their belief that this property should not be rezoned to

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HEARING ON PETITION NO. 72-45 BY ASHLEY PARK, WESTERLY HILLS IMPROVEMENT COMMITTEE FOR A CHANGE IN ZONING OF PROPERTY ON THE WEST SIDE OF ASHLEY ROAD AND BOUNDED BY EXISTING I-1 ZONING NORTH AND WEST OF ALLEGHANY, WESTERLY HILLS SUBDIVISION ON THE SOUTH AND ASHLEY ROAD.

The public hearing was held on the subject petition for a change in zoning from R-9MF to R-15MF on which a general protest petition had been filed.

Mr. Fred Bryant, Assistant Planning Director, explained the property and the surrounding area, and stated the subject petition is predominately occupied by the site of Harding High School, and is property which lies on the west side of Ashley Road. To the north of the area it is predominately vacant. Other uses within the area are basically a pattern of single family residential uses along the west side of Ashley Road, with scattered other single family uses in the area. To the south is a solid pattern of single family residential uses throughout the area, and this pattern carries all the way over to Ashley Road.

He stated the zoning pattern is basically one of industrial zoning to the north of the subject area with industrial zoning along Interstate 85; beginning with the subject area is a pattern of R-9MF zoning coming all the way down, and south of that is a solid pattern of single family residential zoning.

Mr. Bryant stated the school board did not sign the petition for the rezoning; that a notice has been sent them. Councilman Short asked how many non-conforming uses will be created? Mr. Bryant replied he does not believe there would be any non-conforming uses created at the present time; there would be some non-conforming lots. In the R-15MF district the minimum lot size for single family use is 15,000 square feet, and there are some lots along Ashley Road which have less than 15,000 feet so there would be non-conforming lots, but no uses. The ordinance states if a lot is existing at the time the zoning is established, and the lot is smaller than required by the ordinance, the owner can still build on the lot but has to observe the yard area.

Mr. Phil Hicks, representing the Ashley Park, Westerly Hills Community, stated most of the working part of the city is zoned either multi-family or industrial; their area of the city is becoming stablized and people are beginning to settle down. They plead with Council for help in correcting some of the mistakes which have fallen on their part of the city. Their committees are busy cleaning up the neighborhood, and planning for a better community spirit towards their city and county governments. They ask for help for their community to grow and to give them the same treatment others would expect if they lived in the neighborhood. They want a better city to speak highly of, and a city government they can respect and be assured of fair treatment from. He stated for once in many years they see hope for better cooperation between government and themselves. They are beginning to see signs of Council's concern for them and these signs will change the attitude of their people towards city government. What they are asking today is both fair to the property owners and to the community. They only ask that the density of these properties be changed to a lower density. They would like to see the property changed to single family which would correspond to the rest of the neighborhood but they thought this would be unfair. They would like to have some property zoned R-20MF where condominiums could be built in their part of the city.

Mr. Hicks stated they plead with the City Council and Planning Commission for help; that they hold the future of this community in their hands. He stated they can either squeeze them to death or let them survive and grow and help Council and Planning Commission to make our city a better city in which to live.

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Mr. Maurey Johnston, Attorney, stated he will wait until the next petition is presented to make his objections.

Councilman Short asked if a condominium cannot be built in R-15MF; that you do not have to have the R-20MF for that. Councilman Withrow stated under the R-20MF they would know the plan and know exactly what is to be built.

Council decision was deferred for a recommendation of the Planning Commission.

HEARING ON PETITION NO. 72-44 BY ASHLEY PARK, WESTERLY HILLS IMPROVEMENT COMMITTEE FOR A CHANGE IN ZONING OF PROPERTY ON THE EAST SIDE OF ASHLEY ROAD AND NORTH OF THE REAR OF LOTS ON KEMPTON PLACE, MANTEO COURT, MARLBOROUGH ROAD AND ROYSTON ROAD.

The public hearing was held on the petition for a change in zoning from R-9MF to I-1 and R-15MF.

Mr. Bryant, Assistant Planning Director, stated this is the same general situation as the previous petition. This property lies to the east of Ashley Road. The property is predominately vacant, both within the area requested for rezoning as well as property immediately to the north of it. There are some single family residential structures along the Ashley Road frontage. The narrow strip north of Marlborough Road is a strip of land which is 200 feet wide and is zoned R-9MF. While the request on one portion is for R-15MF, the request along this strip is to change 100 feet of it to I-1, and the other 100 feet adjacent to the existing development to be changed to R-15MF. To the north of the property is industrial zoning, and further along Freedom Drive is a variety of business uses. To the south is a solid pattern of duplex development along Marlborough Road coming out to Royston Road. There are single family residences along Royston Road adjacent to the subject property; then Spaugh Junior High School and Ashley Park Elementary School.

He stated to the north of the property is industrial zoning all the way out to Freedom Drive; the subject property is zoned R-9MF as is property immediately to the south along Marlborough Road and then single family residential zoning along Royston Road, down Camp Greene and coming back in the vicinity of Ashley Road.

Mr. Phil Hicks, representing the Ashley Park, Westerly Hills Community, stated his remarks on the previous petition stand for this petition.

Councilman Short asked if this petition would zone any person's land against his will, or if all the owners of all this land have agreed to the petition? Mr. Hicks replied if it is against any one's will he has no knowledge of it. Mr. Bryant replied there was not 100% signatures, but notices were sent to all property owners. The Clerk advised the Council has received a letter in opposition from Mr. J. W. Jeffries, 617 Reynolds Drive.

Mr. Paul Gentry stated they have a beautiful neighborhood out there, and the density is real high now, and they do not object to apartments but they would like less density.

Mr. Maurey Johnston, Attorney for Mrs. Mary Brevard Alexander Howell, stated 90% of the property on the east side of Ashley Road is owned by his client. He stated she also owns property on the west side of Ashley Road. Some of the lots are improved but the majority is vacant land.

He stated Mrs. Howell and her family have owned this property for quite some time; within the last 10 - 15 years she has been improving it under the guidance of the First Union National Bank Real Estate Department; they have made extensive plans; they have attempted to be responsible citizens in this part of the city, and they have done a remarkable job in doing so. A great deal of the land is zoned industrial, and they have not actually used it for

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that purpose. In regard to the small area which is now zoned industrial where the petitioners intend to expand the industrial area, the effect of that would be cut back the strip from 200 feet to 100 feet. It would not be feasible to develop that property for apartments if it is only 100 feet wide. The property is extremely rough. Near the strip under consideration for industrial zoning there is a large ravine. This property cannot be feasibly developed today to accommodate the density of R-9MF. They need to have it retained as such so it can be developed, and even at that he does not believe you would have the density you have in R-12 because of the way the gulley runs through, and the land usage.

Mr. Johnston stated on both sides of the highway you have the situation of the property backing up to industrially zoned property; on the west side you have I-85 and then industrial zoned property, and there is nothing there in the buffer before you reach the R-9 which they wish to increase to R-12. On the east side is Freedom Drive and the I-1 property. This would go straight into R-12. He stated he believes it would be in keeping with good zoning to leave the zoning as it is.

He stated Mrs. Howell has offered to deed to the city without cost the property to expand what is now referred to as Old Cannon Airport Road, and have it cut through to Ashley. This would give an ease of traffic between Freedom Drive and Ashley Road, and bypass the bottleneck now caused by the exit from I-85. If the city accepted the land and proceeded with the opening of that street, it would alleviate many of the problems which the residents are fearful of.

Mr. Johnston stated they are just requesting that the zoning remain as it is. That within the last six months they have had land use surveys made which would entail some rezoning of the property; but it is premature for them to come to Council at this time. But it is a responsible use of the property.

Councilman Short asked if it is accurate to say that Mrs. Howell owns a large percentage of this total area, and she is opposed to the rezoning? Mr. Johnston replied she owns the land; she simply requested, on a fee basis, that First Union handle the property. Councilman Short asked why someone did not consult Mr. Hicks? Mr. Johnston replied Mrs. Howell has been out of town and she came back and became aware of the petition, and he was called this morning at 10:00 o'clock.

Councilman Short suggested that when the next agenda comes out, that there should be something in it that would actually show where the Howell property is.

Council decision was deferred for a recommendation of the Planning Commission.

HEARING ON PETITION NO. 72-46 BY CAROLINA FOODS, INC. FOR A CHANGE IN ZONING OF A LOT 50' X 200' AT 213 WEST BOULEVARD.

The public hearing was held on the subject petition for a change in zoning from B-2 to I-2.

Mr. Fred Bryant, Assistant Planning Director, stated the lot is located on West Boulevard, on the south side, between Tryon Street and Camden Road. It is vacant and adjoined on one side by single family residences; to the west is a duplex, and beyond that is an area devoted to a bakery use extending all the way to Tryon Street. To the rear is an industrial concern; and adjoining that is Carolina Foods food processing facility located also on Worthington Avenue. Across West Boulevard is a solid pattern of single family residential uses. He stated the zoning pattern is all non-residential with the subject property adjoined by existing I-1; to the rear by I-2; to the east by B-2 and across West Boulevard, it is B-2.

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Mr. John Small, Attorney for the petitioner, stated out of 29 lots, 16 are owned by Carolina Foods. That they have plans to build a concrete storage warehouse for their food processing facility.

Mr. Turner, Planning Commissioner, asked why are they requesting I-2 rather than the I-1? Mr. Small replied in their petition they requested either I-1 or I-2, and left it up to the Planning Commission. Mr. Bryant stated the adjoining property is zoned I-1, and food processing is permitted in an I-1 district and would accommodate this use.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred for a recommendation of the Planning Commission.

HEARING ON PETITION NO. 72-48 BY CHARLES R. JONES FOR A CHANGE IN ZONING OF APPROXIMATELY ONE ACRE OF LAND ON THE NORTHEAST SIDE OF MATHESON AVENUE, BETWEEN DAVIDSON STREET AND BREVARD STREET.

The public hearing was held on the subject petition for a change in zoning from R-6MF to I-2.

Mr. Fred Bryant, Assistant Planning Director, explained the location and the zoning of the subject property and the surrounding area.

Mr. Bill Echols, Attorney for the petitioner, passed around pictures which he explained. He called attention to the slope of the land and stated the elevation of the land is approximately a 45 degree angle up, and about 30 feet up to the ramp on Matheson Avenue. He stated there is a creek that divides the subject property from the residential lots at the corner of North Davidson Street.

Mr. Echols stated Mr. Jones is getting more and more into the business of renting equipment, and he plans to build a shop and dispense rental equipment from that point.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred for a recommendation of the Planning Commission.

COUNCILMAN WITHROW LEAVES MEETING.

Councilman Withrow left the meeting at this time and returned to the meeting when it reconvened.

ORDINANCE NO. 603-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE AMENDING THE ZONING MAP BY CHANGING THE ZONING OF PROPERTY ON MERCURY STREET, 37TH ST., PATTERSON STREET, HERRIN AVENUE, WARP STREET AND CARD STREET IN THE NORTH CHARLOTTE AREA, ON PETITION OF THE NORTH CHARLOTTE ACTION ASSOCIATION.

Councilman Short stated this is a situation like Verndale and Harding Place where a lot of the residents got together to bring this petition. That he thinks Council should encourage this sort of thing to the utmost. That he appreciates what the protestors said, but it seems to him this is something that we cannot afford to discourage and he expects to vote for this.

Councilman Short moved that the ordinance be adopted changing the zoning from R-6MF to R-6 and for the life of this present Council, which is about 14 more months, that if anyone who is listed as a protestor, or anyone whose property is being rezoned against his will, wants to have a further petition with reference to his own property, or anyone whose property is rendered non-conforming by this, that we arrange for them to do so without having to pay the \$100 fee. The motion was seconded by Councilman Whittington.

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Councilman Short stated this can be done by making it a Council petition.

Councilman Whittington stated he has not discussed this with Mr. Short and he did not have the same idea as Mr. Short. That he is not sure this is the right decision, but he believes the people in that area and the people who live in these houses in this area believe it is the right decision and that is to change this to R-6. He stated Council should make this change because the North Charlotte Action Committee has promoted it and because they think it will help stabilize their neighborhood. That he does not think it will hurt anything to try this for the 14 months that Mr. Short alluded to to make it R-6. If that does not work, he will be the first member of the Council, at a later date if he is here at that time, to make a motion to make it R-6MF. That we should give this a chance, and if it does not work, then Council, on its own motion, should bring this back to the agenda, and make a decision based on just the opposite of what Reverend Horne and his group are asking for, and consider what Mr. Elliott and the people who own the property are opposed to.

Councilman Jordan stated he would like to say the same things that Mr. Whittington has just said; that the only calls he has had on this petition have been in opposition to this. That what he is saying now is something that he would go along with. If it does not work out, then he thinks the change can be made in the next 14 months.

Councilman McDuffie stated he believes we would be setting a precedent that will be hard to be consistent in. If the people on the west side had requested the kind of changes the North Charlotte group did, we would be in a bad situation. He stated the west side petition is more reasonable on changing other people's property; and asking for lower density is good grounds for that. In reality if one drives through North Charlotte and looks at the lake bed which the people asked for a business or industrial zone several months ago and was opposed by the North Charlotte group, the lake bed is not suited for single family residences. To rezone the whole area, wholesale, back to single family with many of the lots backing up to railroad tracks, is not good planning. He stated he would look with favor on any petition brought by the owners of land which we apparently are going to change from multi-family to single family as he does not believe it is fair to rezone all of it back to single family.

Councilman Alexander stated he does not want to approve Council assuming its authority to impose what looks to him like a discriminatory action. That he has no objections to approving the petition as recommended by the Planning Commission, and stopping with that. That he can embrace an idea of Council action favorable to what can come from an individual petition.

Councilman Alexander made a substitute motion to approve the petition as recommended by the Planning Commission. The motion was seconded by Councilwoman Easterling.

After further discussion, Councilman Short withdrew his motion, which was approved by Councilman Whittington.

Councilman Alexander then made a motion to approve the petition as recommended by the Planning Commission changing the zoning from R-6MF to R-6. The motion was seconded by Councilwoman Easterling, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 19, at Page 284.

MEETING RECESSED AND RECONVENED.

The Mayor called a recess at 3:45 o'clock p.m., and reconvened the meeting at 4:00 o'clock p.m., with the Mayor and all members of Council present.

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PETITION NO. 69-96 BY CHARLOTTE-MECKLENBURG PLANNING COMMISSION FOR A CHANGE IN ZONING OF AN AREA BOUNDED BY INTERSTATE HIGHWAY 77, SOUTH TRYON STREET, AND SOUTHERN RAILWAY AND THE EXISTING I-2 BOUNDARY LINE ALONG FRANCES STREET.

Council was advised that the Planning Commission reaffirms its original recommendation to change the zoning from R-6MF and B-2 to I-2.

Councilman Whittington stated he regrets the Planning Commission did not see fit to go along with the request of Council. He then moved that the petition be approved as recommended by the Planning Commission. The motion was seconded by Councilman McDuffie.

After comments by Councilman Short, he made a substitute motion that the petition be denied. The motion was seconded by Councilwoman Easterling, and carried by the following vote:

YEAS: Councilmembers Short, Easterling, McDuffie and Withrow.
NAYS: Councilmen Alexander, Jordan and Whittington.

PETITION NO. 70-107 BY J. D. WHITESIDES, ET AL, FOR A CHANGE IN ZONING FROM R-6MF TO O-6 OF PROPERTY ON THE SOUTH SIDE OF PARK ROAD, FROM EUCLID AVENUE TO LYNDHURST AVENUE.

Council was advised that the Planning Commission reaffirms its original recommendation to deny the petition.

Councilman Alexander moved that the petition be denied as recommended by the Planning Commission. The motion was seconded by Councilman Whittington, and carried unanimously.

RESOLUTION SETTING DATE OF PUBLIC HEARINGS ON PETITION OF THE REDEVELOPMENT COMMISSION TO CLOSE PORTIONS OF STREETS IN THE GREENVILLE AREA.

Motion was made by Councilman Withrow, seconded by Councilman Jordan, and unanimously carried, adopting the following resolutions setting date of public hearings on Monday, October 16:

- (a) Resolution of the Redevelopment Commission to close portions of Spring Street and Oliver Street in the Greenville area.
- (b) Resolution of the Redevelopment Commission to close portions of Fontana Street and Argosy Street in the Greenville area.
- (c) Resolution of the Redevelopment Commission to close a portion of Spring Street in the Greenville area.

The resolutions are recorded in full in Resolutions Book 8, beginning on Page 388.

RESOLUTION SETTING DATE OF PUBLIC HEARING ON PETITION OF THE REDEVELOPMENT COMMISSION OF THE CITY OF CHARLOTTE TO CLOSE A PORTION OF CRAVER LANE IN THE GREENVILLE REDEVELOPMENT AREA.

Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, the subject resolution was adopted, setting date of hearing on Monday, October 16, 1972.

The resolution is recorded in full in Resolutions Book 8, at Page 395.

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RESOLUTION SETTING DATE OF PUBLIC HEARING ON MONDAY, OCTOBER 16, ON PETITIONS FOR ZONING CHANGES.

Motion was made by Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, adopting the subject resolution for a public hearing on Petitions No. 72-49 through 72-53.

The resolution is recorded in full in Resolutions Book 8, at Page 397.

ORDINANCE NO. 604 AMENDING CHAPTER 20, SECTION 21 OF THE CODE OF THE CITY OF CHARLOTTE RELATIVE TO WRECKER AND STORAGE CHARGES.

Motion was made by Councilman Withrow and seconded by Councilman McDuffie to adopt the subject ordinance with the following changes:

- Regular tow fee - \$15.00
- Regular tow fee - Between 6 P.M. and 8 A.M. - \$20.00
- Illegal Parking - \$10.00
- Dolly Fee - \$7.50
- Overturn fee - \$7.50
- Storage fee(per day) - \$1.00

After discussion, the vote was taken on the motion, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 19, at Page 285.

The Mayor requested the City Manager to give Councilman McDuffie the information he requested on the incomes of the companies, the hourly wages and what the employees are being paid.

ORDINANCE NO. 605-X TRANSFERRING FUNDS WITHIN THE CAPITAL IMPROVEMENT PROJECTS' BUDGET TO LIQUIDATE AN OBLIGATION TO THE STATE HIGHWAY COMMISSION FOR THE EAST 30TH STREET PROJECT.

Councilman Whittington moved adoption of the subject ordinance transferring \$16,382.84. The motion was seconded by Councilman Short, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 19, at Page 286.

CONTRACT WITH NORTH CAROLINA DEPARTMENT OF MOTOR VEHICLES FOR THE SALE OF CITY AUTOMOBILE LICENSE.

After discussion, Councilman Whittington moved approval of the contract with the North Carolina Department of Motor Vehicles to sell automobile licenses at a fee of 15 cents per license sold. The motion was seconded by Councilman Withrow, and carried unanimously.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS.

Motion was made by Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, adopting a resolution authorizing condemnation proceedings for the acquisition of property belonging to Fostell McGowan and wife, Betty T. McGowan, located at 2134 Norwich Place, in the City of Charlotte, for the Clanton Road Extension Project.

The resolution is recorded in full in Resolutions Book 8, at Page 398.

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Councilman Whittington moved adoption of a resolution authorizing condemnation proceedings for the acquisition of property belonging to Johnnie Lee Clay and wife, Tommasini Clay, located at 2201 Norwidh Place, in the City of Charlotte, for the Clanton Road Extension Project. The motion was seconded by Councilman Withrow, and carried unanimously.

The resolution is recorded in full in Resolutions Book 8, at Page 399.

PROPERTY TRANSACTIONS AUTHORIZED.

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

- (a) Acquisition of 200' x 203' x 200' x 203' of property which has a one-story brick residence on it, from Leo A. Geiger and wife, Dale M., on Pineallas Drive, at \$33,500.00 for the Master Plan Land Acquisition, Douglas Municipal Airport.
- (b) Acquisition of 50' x 453.68' of easement at 503 Black Satchel Drive, from Seaboard Coastline Railroad Company, at \$1.00, for trunk to Seaboard Industrial Park.
- (c) Acquisition of easement at 413 North Hoskins Road, from the Seaboard Coastline Railroad Company, at \$1.00, for trunk to Seaboard Industrial Park.
- (d) Acquisition of 10' x 965' of easement in 3900 block of Barringer Drive, from D. L. Phillips Investment Builders, Inc., at \$1.00, for sanitary sewer to serve Kinjo property.
- (e) Acquisition of 15.94' x 15.94' x 24.47' of property at 1700 Central Avenue, from Energy Oil Company, Inc., at \$500.00, for Central Avenue-The Plaza.

PAYMENT TO ALLRIGHT PIEDMONT PARKING, INC. FOR REMOVAL, RELOCATION AND RECONNECTION OF ELECTRICAL SIGN ON PROPERTY OF A. LLOYD GOODE CONSTRUCTION COMPANY FOR THE FIFTH STREET WIDENING PROJECT.

Councilman Alexander moved approval of the subject payment, in the amount of \$250.00. The motion was seconded by Councilman Whittington, and carried unanimously.

ENCROACHMENT AGREEMENTS, AUTHORIZED.

Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, the following encroachment agreements, were authorized:

- (a) Agreement with the State Highway Commission permitting the City to construct an 8-inch sanitary sewer line within the right of way of Eastway Drive to serve 251 Eastway Drive, SR 2940.
- (b) Agreement with Crow, Carter Property Company Number 4 to allow Crow, Carter Property Company Number 4 to install a 4-inch sewerage force main along margin of Hovis Road and underneath a bridge crossing.

CLAIM OF MRS. B. C. CRENSHAW FOR AUTOMOBILE DAMAGES, APPROVED.

Councilman Withrow moved that claim in the amount of \$368.63, filed by Mrs. B. C. Crenshaw, be paid as recommended by the City Attorney. The motion was seconded by Councilman Short, and carried unanimously.

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MRS. KIMM H. JOLLY AND MR. JACK TURNER APPOINTED TO THE CHARLOTTE-MECKLENBURG PLANNING COMMISSION, FOR THREE YEAR TERMS EACH.

Council was advised that on July 10, Councilwoman Easterling placed in nomination the name of Mrs. Kimm H. Jolly, for a three year term to the Charlotte-Mecklenburg Planning Commission, and Councilman Short placed in nomination the name of Mr. Jack Turner for reappointment to the Charlotte-Mecklenburg Planning Commission.

Councilman Alexander stated Council has postponed finalizing action for several weeks; that he has attempted to see if there could be a meeting of the minds on the placement of a Negro on this Commission. He stated we have not been able to arrive at a successful meeting of the minds, and he sees no need to call for a further postponement of this item. That he stated at the time of the postponement that he was withholding placing in nomination a person, and this was the reason. That today he sits in a rather odd position, and he imagines it will end up as a rather odd type of action. But he holds no other alternative. In whatever action he takes, it is not that he opposes the placing of a woman on this Commission. That he has no objections to the woman whose name appears in the record, Mrs. Kimm H. Jolly. The record would show that even before there was a great surge of interest in the so-called woman's lib movement, he championed the cause of womanhood and placed in nomination the name of this same fine citizen, Mrs. Kimm Jolly, for a place on the Planning Commission. Certainly the record will sustain the fact that he is not opposed to women on the Commission.

Councilman Alexander stated he feels in the action he is getting ready to take that we do have a woman on the Planning Commission at this time, and we do not have a Negro on the Planning Commission at this time. That he further feels the Planning Commission is one of, if not the most important, Commission we have involving voluntary services of our citizens, and one of the most important commissions that we have in establishing the development of our city. That it is also a commission that deals more closely with the life and living of our Negro community than any of our other committees because just about every action of zoning and planning touches the black community. That he feels we would be amiss to deny an opportunity to have representation from that portion of our community.

Councilman Alexander placed in nomination the name of Robert Davis, Jr., who is the Principal of J. T. Williams School, to succeed Mr. Sibley on the Planning Commission, and moved his appointment.

Councilman McDuffie asked if one has to state which vacancy the nomination is for; that he does not believe the other nominations were stated that way. Mr. Underhill, City Attorney, replied Roberts' Rules of Order require that when vacancies are pending, the proper wording of any motion to fill a vacancy is to nominate a person to fill a specific vacancy in the manner that Mr. Alexander has just done. Council has, not necessarily, followed this procedure in the past. It being implied when you have a vacancy that the person whose name is placed in nomination would fill that particular vacancy. Here you have three nominees for two positions. In his opinion, Council's parliamentary procedure is governed by Roberts' Rules of Order, and that Mr. Alexander's motion is the proper way to make a motion to fill a vacancy when it exists on a city commission or agency. That his motion is in order.

Councilman Jordan stated he did not have a particular candidate for Mr. Sibley's position; that Mr. Alexander did ask him if he would support his candidate, and he did tell him he would. Councilman Jordan then seconded Councilman Alexander's motion.

Mr. Underhill stated in the past Council has voted on the names in the order they have been placed in nomination. That as he remembers, Mrs. Jolly's name was placed in nomination first, followed by Mr. Turner and Mr. Alexander's nominee today.

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Mayor Belk asked if the other two nominees should be nominated for respective positions to be filled? Mr. Underhill replied yes, the same as Mr. Alexander, although he would assume Mr. Turner was nominated for reappointment.

Councilman Withrow stated Mr. Davis's name has not been on the table to get anything about him, other than he is a principal. That he would like to know a little more about him.

Councilman Alexander stated he is a native Charlottean, having been born and reared in the City of Charlotte; he received all his elementary and high school training in the City of Charlotte; he received his professional training at the University of Maryland. He taught in the Charlotte school system for a number of years before he was elevated to the position of principal of J. T. Williams Junior High School. He is of outstanding character. He is a Democrat, and is Chairman of Precinct 25.

Councilman Short asked if Mr. Withrow wants to make a personal investigation over the period of the next week, or something of that sort? Councilman Withrow replied it has been the normal procedure that when a person is nominated it lies on the table for at least a week. Councilman Alexander stated there have been times when persons have been nominated and elected at that time.

Councilman Alexander stated in strange sort of cases we always get this kind of questions when he proposes persons to be named for certain positions. That he sees no reason why persons he names must receive so much scrutiny over against other names when he never hears anybody else put in such positions, and he has been on this Council for more than one or two years. That he would take it sometimes as an offense that anytime he names persons that they have to meet such rigid requirements when many persons we pass on, nobody says anything about them, other than they are nominated, and this is it. That he says this as no reflection to Councilman Withrow; but this seems to be the pattern of what takes place when we get down to the nitty-gritty of these kinds of operations. Councilman Withrow stated when he was first on Council he put up a name, and Councilman Alexander stated the same thing about that person as he has said today.

Mr. Underhill stated since both Mrs. Jolly and Mr. Davis have been nominated to fill Mr. Sibley's seat, it would be procedurally possible for the unsuccessful candidate to be placed in nomination for Mr. Turner's seat.

Mayor Belk asked Councilwoman Easterling if she has a preference on which seat she would like to nominate Mrs. Jolly? Councilwoman Easterling replied she was not aware that the nomination had to be for a particular vacancy; there were two vacancies because of expiration of terms on the Planning Commission, and she nominated Mrs. Jolly to fill one of the vacancies. There are at this point two vacancies.

Mayor Belk stated what we have to decide here is whether we have a nomination for a particular vacancy. He asked Mr. Underhill if that is right? Mr. Underhill replied that is the way he understands Robert's Rules of Order and the procedure. Councilwoman Easterling stated this would certainly be true if it were one vacancy; it would be a nomination for that particular vacancy; but this goes back to the same principle of numbered seats in a legislature, or a numbered seat in any body. If this were a numbered seat Commission, then you would have to nominate for a particular seat that is vacant, but there are two general vacancies on a Commission of ten people.

Councilman Whittington stated we have three people nominated and this has been going on for a long time, and everyone on this Council has tried to resolve this; that he thinks Mr. Alexander's remarks would indicate that we have all tried to do this and we failed. There is not anything to do but to go ahead and vote on the three people and decide today, and get on with whatever else we have to do, regrettable as it is.

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Councilman Whittington stated when Mrs. Easterling spoke to him about Mrs. Jolly he told her he would vote for Mrs. Jolly, and he is committed to vote for Mr. Turner because he thinks, and agrees with what Mr. Alexander has said, that this is one of the most important commissions we have. With three new appointees on there, and a fourth one coming on that experience is valuable. That regrettably he is in this position, but he thinks he is right, and that is the way he intends to stay if it cannot be resolved in another way. That he does not know anything to do but to vote.

Councilman Short stated it would certainly be the ideal if we could come down here, and certainly we are supposed to come down here, with open minds and free to act, and make choices based on actualities, certainly valid considerations such as Mr. Alexander has brought up. But you have practical factors also that you have to consider. This is a commission that meets more than the City Council meets probably, because they have to handle all zoning for the city and county. Once a month they have to meet with each commission, and then they have to meet in between for their decisions and for their planning and for their subdivision ordinances and the apartment ordinance and the many things they do. Therefore, to find someone who is competent for this work is quite a job of work that has to be done. So you could not come down here on September 18 and just figure that I will handle it as it comes up. But rather if you want to be conscientious in handling this sort of matter there are months of advance work that are necessarily involved. Similarly to Mr. Whittington, he got involved in trying to find some good talent for this Commission at a time before he even knew that Jim Ross would no longer be available on the Commission. Since then he has gone, as others here have, to extremes trying to find some way to solve this situation. Some of the efforts that have been made, he thinks can properly be described as extremes. That he agrees with everything Fred Alexander has said; but the talent hunting effort that has occurred is such that he cannot go along without being completely fickle to people that he has gone out himself and tried to arrange for this Commission. In terms of the person he nominated, he has been here four times, and is now going into his fifth term if chosen today. That he is sure it is possible for someone to say that a man who has already had this honor and all this work for twelve years should step aside in a case where blacks are not represented at all as it now turns out with Jim Ross no longer being available. However, experience is badly needed on this Commission. This is a Commission which rules on the property rights of private citizens; every square inch of private property or public, over this entire county, 550 square miles. To that extent it has a critical legal type activity to perform, and some experience on this Commission is almost an absolute necessity. Someone trying a case involving his private property in court would certainly like to have a judge with 12 years of experience. He would have more confidence than someone who just comes on new. The issue facing us here is heart rendering. But some months ago he got into a position of trying to back up at least the finding of a woman and also back up the preserving of what he takes to be the necessary experience on this Commission.

Councilman McDuffie stated he agrees with most of the things that Mr. Short said about the importance of the job and the time required. Then when it comes to that he thought he would have to agree with what Mr. Short said about someone would say that is too much for one person to give, and that is exactly where we are. Last week, we passed resolutions and ordinances to limit those agencies where we had the right to do it locally, and we have an obligation to find these people. Everyone of these people are someone else's candidate, and two others were mentioned to him and several other members of Council; that they still are not his candidates but they are somebody different, and they are in the field of real estate and architectural and building business which would be knowledgeable. That anyone who has a willingness and intelligence can do the job of the Planning Commission, outside the 12 years of looking at the sites and having knowledge of them. That he believes we can find someone who can do these things and relieve this person who has been there this number of years. That he would hope that somehow it would come down to saying who we are voting for; that he is voting for two new people over one who has been there for a long time, assuming that the other two are qualified and he has every indication that they are.

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Councilman Short stated a part of this job has to be recruitment, and you cannot go out and recruit these people and then just turn your back on them after they agreed to do it and you recruited them. Councilman Alexander asked if he is saying that he can recruit somebody and can.

Councilman Alexander stated there are ten members on the committee; all from one section of town; all ten are white members; none Negro, and none from the other side of town.

Councilwoman Easterling stated she agrees in principle with everything that has been said here today. That this Commission is far too important to the City of Charlotte, to all of Mecklenburg County, to make appointments lightly. As Mr. Short has intimidated and several other councilmen, she has talked to many women's groups since back in April and May to have on file the names and qualifications of many women who are qualified to serve this city in many positions of responsibility. There were several women on the list who were well qualified to serve in this position. Mrs. Jolly is well educated; she has been a career woman; she has been active in many areas of civic affairs for the good of this city, and there is no doubt of her qualifications, or she would never have nominated her as she feels the same sensitivity about nominating women that Mr. Alexander feels about nominating Negroes; that she knows they will receive far more scrutiny than the average man who is nominated because everybody assumes that a man who is nominated is qualified. That she wanted to be very sure of the qualifications of her nominee. Nothing that has been said today shakes her confidence in the qualification of the woman she has nominated for this position. If appointed, she will serve this city and this whole area with distinction. That her recommendations will be well considered and well thought out. That she is proud to call for the appointment of Mrs. Jolly to the Charlotte-Mecklenburg Planning Commission. The motion was seconded by Councilman Whittington.

Councilman McDuffie stated this is the exact same situation the police and fire departments are in with the law suits, in that we have not recruited if we do not have a qualified black person for this commission or any other commission. We are someday going to face up to it out there in the courtroom with the famous judge in that we have not done all that could have been done if it takes six or eight months or year of planning, then we have failed to do that. But on the face of it what Mr. Alexander has said is true and what Mrs. Easterling has said to a degree. Whether it is a woman or not, Sunday's paper said we should not pay any attention to whether they are male or female but whether they are qualified. That he is willing to look at her candidate as qualified, not that she is a female.

Mayor Belk asked if Council should vote for a particular replacement or should it vote for the two positions? Mr. Underhill replied his reading of Robert's Rules of Order, the procedural guidelines that Council follows when the charter is absent on procedure, indicate that nominations to fill vacancies should be worded so as to indicate if there is more than one vacancy, what vacancy the nominee is being nominated to fill. Mayor Belk stated then he thinks Council should vote for a particular vacancy? Mr. Underhill replied yes.

After much discussion, Mayor Belk stated the Chair rules, and Council is subject to change after he rules, that we will first have the nominations for Mr. Sibley. The way they have been nominated is Mrs. Jolly and Mr. Davis, and Mr. Turner is nominated for reappointment.

Mayor Belk called for the vote on Mrs. Jolly, and the vote carried as follows:

YEAS: Councilmembers Easterling, Whittington, McDuffie, Short and Withrow.
NAYS: Councilmembers Alexander and Jordan.

Councilman Alexander then placed in nomination the name of Mr. Robert Davis for the expired term of Mr. Turner.

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Mayor Belk stated there are two nominees - Mr. Jack Turner, who was nominated first, and Mr. Robert Davis, Jr. who was nominated second.

Councilman Jordan stated in the beginning he seconded the motion for Mr. Davis on Mr. Sibley's term; now he cannot make that second as he has promised Mr. Turner that he would support him for another term.

The Mayor called for the vote on the appointment of Mr. Jack Turner, and the vote carried as follows:

YEAS: Councilmembers Short, Whittington, Easterling, Jordan and Withrow.
NAYS: Councilmembers Alexander and McDuffie.

SPECIAL OFFICER PERMITS AUTHORIZED.

Motion was made by Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, to approve special officer permits for a term of one year each, as follows:

- (a) Issuance of permit to Ronald Clayton Benfield for use on the premises of Charlotte Park & Recreation Commission.
- (b) Issuance of permit to James T. Cureton for use on the premises of Charlotte Park & Recreation Commission.
- (c) Renewal of permit to Alfred Arthur Davis, Jr. for use on the premises of Charlotte Park & Recreation Commission.
- (d) Renewal of permit to Robert Benard Fowler for use on the premises of Charlotte Park & Recreation Commission.

CONTRACTS AUTHORIZED.

Upon motion of Councilman Jordan, seconded by Councilman Withrow, and unanimously carried, contract was awarded Hipp Construction Company at their negotiated low bid of \$49,424.75 for sidewalk improvements to various streets within the city.

The following bids were received:

BASE BIDS:

Hipp Construction Co.	\$61,860.75
Crowder Construction Co.	63,142.00
T. A. Sherrill Construction Co., Inc.	66,561.00
Blythe Brothers Co.	67,902.25

NEGOTIATED BID:

Hipp Construction Co.	\$49,424.75
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Councilman Withrow moved award of contract to the low bidder, Atlantic Envelope Company, in the amount of \$5,697.00 on a unit price basis for water bill envelopes. The motion was seconded by Councilman Whittington, and carried unanimously.

The following bids were received:

Atlantic Envelope Co.	\$5,697.00
Double Envelope Corp.	5,953.50
American Paper Products Co.	8,370.00

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FOOTBALL TICKETS TO LENOIR RHYNE-DAVIDSON GAME PRESENTED TO AIRPORT MANAGER.

Mayor Belk stated Mr. Birmingham, Airport Manager, has an outstanding son who plays football at Lenoir Rhyne, and they will be playing Davidson. He stated Mr. Birmingham and he have been talking about this, and he will be out of the country, and he presented Mr. Birmingham with tickets to the game and a towel to use for crying when Davidson beats Lenoir Rhyne.

ORDINANCE NO. 606-X AUTHORIZING TRANSFER OF FUNDS FROM GENERAL FUND CONTINGENCY.

After explanation by Councilman Jordan, he moved the adoption of an ordinance transferring \$2,500.00 from Account 530 of the general fund contingency to Account No. 530.11, Life Saving Crew, with the funds to be matched by an appropriation from Mecklenburg County, for the purchase of a station wagon for use in life saving crew work. The motion was seconded by Councilman Alexander, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 19, at Page 287.

ARTICLE FROM NEWSPAPER ENTITLED "OUR NOMADS - A CHALLENGE TO CHARLOTTE" MADE A PART OF MINUTES OF COUNCIL.

Councilman Alexander stated he would like to call Council's attention to an article on the editorial page of the Charlotte Observer, dated Sunday, September 17, 1972, entitled "Our Nomads - A Challenge to Charlotte", and moved that it be recorded into the minutes. The motion was seconded by Councilman Short, and carried unanimously.

The article is as follows:

"Like other growing urban areas, Charlotte-Mecklenburg is fast becoming a town of transients. More than half the county's population made some move between 1965 and 1970; some neighborhoods have a complete turnover in residents every three or four years.

Since it inevitably will be to some extent a revolving-door city in the years immediately ahead, Charlotte could profit from a study of the ramifications. The first step, perhaps, should be the creation of a council on transiency which would gather information and propose steps to bring the floating part of our population into closer touch with the city. That need addresses itself to local government, to the Social Planning Council, to the churches and synagogues and to service agencies.

About 42 million Americans change addresses each year - the result of company transfers, the lure of better opportunities, or simple restlessness. What effect is all this new mobility having on us?

The answers offered by Vance Packard in his new book, "A Nation of Strangers," are grim, indeed. After four years of research, he concludes that our rootlessness is the cause of many individual and social ills. His findings are particularly worthy of consideration in such a rapidly changing city as Charlotte.

Packard says the wandering individual is more likely to be sick - physically and mentally - than his settled counterpart. The author also notes that the nation's highest divorce rates and the highest mobility rates occur in the same parts of the country, the northern and western states. We wonder about the children of the moving-van generation. Is it healthy to grow up with a series of fleeting friendships, a confusing succession of teachers, a smattering of "homes" that blur together in the memory? The answer no doubt depends upon the individual and the family, but surely the additional stress is apparent.

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And what of the effect upon the community? Packard points out that citizens "just passing through" are bound to affect the functioning of a city. Why make friends, when you'll just have to leave them? Why join a church or do volunteer work? Why worry about the schools, since your children will be enrolled elsewhere next year? And why bother to vote, if you will be thousands of miles away when the local candidates take office?

One Charlotte planner speculates that when they do vote, the transients tend to be negative - often for the wrong reasons. "It's a shame to see a bond issue shot down" the planner said, "because a guy's still mad at some government official in Evansville, Ind."

This lack of community involvement and tendency toward negativism are particularly damaging, Packard notes, since most of the new American gypsies are well-educated young people in the technical, managerial and professional classes. Their talents and resources are needed but are often lost in transit.

A careful assessment of the meaning of Charlotte's transiency might suggest better ways of involving thousands of short-timers in the on-going life of the city - not as second-class citizens, but as full participants. It also might disclose better ways of bringing service to people who need them. The answer to the problem is not simply glad-handing and Welcome Wagoning."

CITY MANAGER REQUESTED TO HAVE INVESTIGATION MADE OF RAILROAD SWITCHING AT MCALWAY, OFF MONROE ROAD DURING BUSY HOURS.

Councilman Jordan requested the Assistant City Manager to check with the railroad people on McAlway Road. That every afternoon at the busiest time - from five to six - they are shifting the cars out there. For three days in succession he has been out there and traffic is backing up for some distance; that this is happening on Monroe Road also, and it is a bad situation.

CITY MANAGER REQUESTED TO BRING RECOMMENDATIONS TO COUNCIL ON HAVING THE REDEVELOPMENT COMMISSION WORK UNDER THE CITY MANAGER: AND DISCUSSION OF COG AND ITS EFFECTS ON LOCAL PROGRAMS.

Mayor Belk requested Assistant City Manager Bobo to bring back to Council an article. That he has not been too happy with the Redevelopment and the Council's relationship. That he would like Mr. Bobo to bring some form to Council's for consideration to the point to have them work under the City Manager, in place of the procedure that has been going on now. This would be a lot more beneficial than the way it has been working, and he thinks City Council should know more about the operation of Redevelopment and what has been going on. With a tighter working together that they can have a lot better results.

He stated he thinks it is time now, especially with Bill Carstarphen leaving, that it would be very appropriate to make changes of this type. This will make a better relationship.

Councilman Short asked if he is suggesting consideration of the possibility that Redevelopment operations be made in effect, a department of city government, utilizing some enabling which was passed by the legislature about four or six years ago, rather than being an independent agency? Mayor Belk replied that is right; to come under the City Manager and report to City Council. There is a lot of information that would be very valuable to City Council, which it is not receiving because it is an independent agent.

Councilman Alexander stated in bringing urban redevelopment, or any other department that may be referred to, within the scope of the city manager's or

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council's authority, are we moving it into an area where it would be bound by the COG philosophy, of having to get COG approval on certain things before this Council could act on it? Councilman Short replied COG already approves all redevelopment projects. Mayor Belk stated they are supposed to. But they do not have any responsibility for the implementation of redevelopment, and with the change that is going on now in revenue sharing, and our own change in personnel, that he thinks the Council should have a firmer hand and can do a better job on this.

Mr. Bobo, Assistant City Manager, stated all planning for federal programs would still have to go to COG. Mayor Belk stated COG will not implement it, and we are not implementing it from City Council's level at this particular time. COG has the right to say yes or no but does not have the authority to implement it, and this is where it is dangling. This is the reason he is making his recommendation. Councilman Alexander stated if COG says no then Council has nothing to implement. Councilman Short replied he just gave to Mr. Burkhalter an explanation about the Council of Government, and that is that any request on a local type program that comes across COG's desk for approval is handled by the delegate from that county, and by an inviolable tradition of courtesy all the other delegates go along, and it has never occurred otherwise. It would be possible that maybe the delegates from a given county might not agree, but this has never occurred. It is not as if someone from eight counties around have to actually pass judgment on what is being done by the Charlotte City Council with reference to some urban renewal project. He stated it will not, and he does not believe, it could ever be that way as COG goes all out and bends over backwards in everyway to be purely an aid to local government. Not one that would dominate local government in any way. Their effort is to help local government deal with the federal government, and to plead the case of local government; not one of trying to dominate local government.

Councilman Alexander stated it disturbs him greatly when he thinks about how local government presently is constrained through much federal bureaucracy, state bureaucracy, and now we are quietly moving into this COG philosophy where we are getting tied down with a semi-local bureaucracy where cities are not going to have any sayso on anything they are doing. He stated he is aware that what he is saying is a big issue; that he is aware this is a point of disagreement among many government philosophers. That it really disturbs him when he thinks about the potential of the establishment of another bureaucracy that takes away from local government its own autonomy. Councilman Short replied only local government has delegates or representation on any COG; there are no state delegates and no federal delegates. The courtesy among those local delegates is inviolate. So you could count on a Charlotte project being approved only by your Charlotte delegate, and the rest would go along. If you did not find that your Charlotte delegate was doing what this Council thought he should do, then you remove the delegate. Councilman Alexander stated his point is that we are establishing another bureaucracy that will constrain the autonomy of local government to the extent where you will not be able to do your thing. Councilman Short stated only local government has delegates in any Council of Government in the first place. In the second place these types of fears have never been realized; nothing of this sort has ever happened.

Councilman Alexander stated we are the elected delegates of the citizens of Charlotte; and through COG our rights, and our obligations to the citizenry is abrogated to somebody else. Why should someone else in Timbuktu need to be determining what the citizens of Charlotte are doing when they have their own elected officials to give the answer. He stated these are the disturbing factors that he thinks about very much in accepting the COG philosophy. Some portions of it can be good, but there are some portions of it that are detrimental to the autonomy of local government. We are establishing again a third bureaucracy to do nothing but hamstring local government when our cry now is that we need to be relieved so we can do our own thing for our own betterment as we should do it here by ourselves. Councilman Short replied he shares his fears and so does every other one of the 30 delegates on that Board, and he has never heard of a single man who is on that Board but who would not have the exact same fears that Mr. Alexander has, and every effort is made to avoid the type of doom that he prophesized here.

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Mr. Bobo stated as Charlotte grows and develops through Mecklenburg County, it will spill over beyond its jurisdiction, and will have to have coordination with other counties and other developments. This is where COG comes in. Councilman Alexander stated limitations should be established where you do not destroy local autonomy.

Councilman Alexander stated he would like to give an illustration. Suppose Council votes a certain housing development site that has to be federally funded which the people in Monroe have no concern over. Yet through a COG setup this COG can tell the federal government that it should not be in Charlotte, North Carolina, and it would be turned down. He stated this is just an idea of what can happen.

Councilman Withrow stated he thinks the entire Council needs to know more about COG and the dangers, if there are dangers as being talked about.

Mayor Belk stated he was only talking about Charlotte doing a better job with its redevelopment. If an outstanding job is done, then no one will have to worry about COG or the federal government. If a sorry job is done, then we will be caught. That he does not want to get into that phase. He is only thinking of having the Redevelopment closer in operation as this City Council will implement the redevelopment program.

Councilman Short stated he does not see how you could have any organization at all that would deal with regional matters like a stream that flows all the way through several counties, or air pollution, or a conglomerate of private plane type airports conflicting with each other in several different counties, or have any regional planning that would be less harmful and less of a stress to local government than the present regional organization. He stated the Feds send the projects in for approval without knowing what significance they have - whether it is regional or just might apply to Waxhaw. A determination is made immediately as to whether it is regional or local and if it is local, it is simply referred to that one delegate and he is totally serving at the will of the Council that sent him.

MAYOR REQUESTED TO RECOGNIZE COUNCIL MEMBERS EARLIER IN MEETING.

Councilman Short suggested that at the next Council Meeting, the Mayor consider recognizing members of Council earlier in the meeting, and give them a chance to comment without waiting until the end of the meeting. There are several things the members have on their minds. Councilman Whittington stated he concurs with this. That he mentioned this to the Mayor several months ago.

SUGGESTION THAT COUNCIL HOLD ITS CONFERENCE SESSIONS IN THE CONFERENCE ROOM.

Councilman Whittington stated some months ago, Councilman Jordan stated he thought Council should not have its conference agendas presented in the Conference Room, and Council concurred with this. Councilman Whittington stated he thinks Council should consider going back to the Conference Room because this gives an opportunity, elbow to elbow and eyeball to eyeball, to talk about things we want to bring up at the regular meeting. If it is done in the Conference Room we are closer together and have an opportunity to think about these things. He stated he has discussed this with Councilman Jordan, and will respect his judgement if he is opposed to it. He stated he does have some things he wants to talk to Council about as early as possible in some future meeting.

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COMMENTS ON ART SHOW HELD ON GOVERNMENTAL WALKWAY AND COUNCIL TO COMMEND THEM FOR THE FINE PROGRAM.

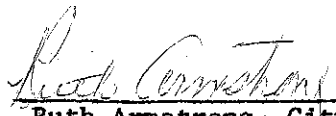
Councilman Jordan stated he would like to comment on the Art Show which was held on the Governmental Walkway. He stated this was most impressive, and he hopes more of this can be done in the future. That he has talked to some people about this, and his organization plans to have some musical programs. He stated Council should commend the people who put the Art Show on as it was a very fine program.

BON VOYAGE WISHED FOR MAYOR AND WIFE ON TRIP TO ORIENT.

Councilman Alexander stated Mayor Belk and his wife are getting ready to go to the Orient, and he is sure each member of Council would like to wish them a bon voyage on this trip.

ADJOURNMENT.

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



Ruth Armstrong, City Clerk