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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held on Monday, February 5, 1973, 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.

CITY OF CHARLOTTE EMPLOYEE PLAQUES PRESENTED.

Mayor Belk and the members of the City Council recognized the following city employees who are retiring and wished them well in their retirement and thanked them for their services to the city:

1. Charles Arthur Cross, Laborer Foreman II, Street Maintenance Division, Public Works Department. Employed June 16, 1952, retired January 26, 1973.
2. Olen C. Earney, Engineering Aide IV, Utility Department. Employed January 4, 1928 and retired January 30, 1973.
3. Joseph Gary, Laborer II, Sewer Construction Division, Utility Department. Employed May 8, 1955, and retired January 30, 1973.
4. Wallace Herndon, Laborer II, Street Maintenance Division, Public Works Department. Employed February 29, 1936 and retired January 30, 1973.
5. Warren Cecil Horne, Engineering Aide II, Engineering Division, Public Works Department. Employed February 17, 1950 and retired January 30, 1973.

SERVICE AWARDS PRESENTED TO CITY EMPLOYEES.

Mayor Belk and the members of Council recognized the following city employees and presented each with a service pen:

Twenty-Five Year Service Awards

- L. P. Bobo, Assistant City Manager, Operations.
- R. T. Bost, Labor Foreman II.
- W. E. Cochran, Treatment Plant Foreman.
- W. J. Costner, Youth Bureau Officer.
- D. A. Dellinger, Police Patrolman.
- T. G. Ginn, Police Major.
- E. A. Hinson, Packer Driver.
- W. H. Jamison, Supt. Building Inspection.
- S. J. Jarvi, Police Patrolman (Absent).
- N. E. McCoy, District Fire Chief
- H. B. McGowan, Community Center Supt.
- K. L. Miller, Asst. Police Chief.
- R. E. Phillips, Police Captain.
- E. L. Plummer, Labor Foreman II.
- A. H. Scott, Chief Accountant.
- D. R. Thomas, Police Patrolman (Absent).

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Thirty Year Service Awards

Leo Black, District Fire Chief.
O. A. Crenshaw, Police Captain.
M. A. Goldson, Police Lieutenant.
B. B. Prophet, Fire Captain.
C. W. Robinson, Retired District Fire Chief (Absent).
Joyce M. Toomey, Accounting Clerk.
H. E. Ward, Labor Foreman.
D. W. White, Fire Department.

Thirty-Five Year Service Awards

M. M. Almond, Police Patrolman.
J. C. Brown, District Fire Chief.
S. M. Harkey, Asst. Police Chief.
Willie Reed, Retired Laborer I (Absent).
Marion Teasley, Jr., Equipment Operator III.

ITEM 14 ON THE AGENDA TO BE CONSIDERED AS THE FIRST ITEM AFTER THE PUBLIC HEARING.

Mayor Belk stated as soon as the public hearing is completed on the street closing petition, he recommends that Council move Item 14 on the agenda up as the majority of the people present are interested in that item.

Councilman Withrow moved that Item 14 listed on the Agenda be moved up to the second item. The motion was seconded by Councilman Whittington, and carried unanimously.

RESOLUTION CLOSING PORTIONS OF FONTANA AVENUE AND OLIVER STREET, IN REDEVELOPMENT PROJECT NO. N. C. R-78, GREENVILLE.

A public hearing was held on the petition to close portions of Fontana Avenue and Oliver Street, in Redevelopment Project No. N. C. R-78, Greenville.

Mr. Jim Allison, Attorney for the Redevelopment Commission, stated they are requesting that portions of Fontana Avenue and Oliver Street be closed. The Commission owns all the property adjoining portions of these streets. The closing of the streets will facilitate the development of the property.

No opposition was expressed to the street closings.

Motion was made by Councilman Alexander, seconded by Councilman Short, and unanimously carried, adopting the resolution closing portions of Fontana Avenue and Oliver Street, in Redevelopment Project No. N. C. R-78.

The resolution is recorded in full in Resolutions Book 9, beginning at Pages 19-20.

MAYOR LEAVES MEETING AND MAYOR PRO TEM PRESIDES.

Mayor Belk left the meeting during the discussion on the following item and Mayor pro tem Alexander presided until the Mayor's return as noted in the minutes.

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ACQUISITION OF LAND IN THE 5500 BLOCK OF YORK ROAD, FROM HEIRS OF LULA B. AUSTIN (MRS. T. E.), DEFERRED.

The acquisition of 68.83 acres of land with two frame houses and one concrete block warehouse in the 5500 block of York Road, from the Heirs of Lula B. Austin (Mrs. T. E.), at \$197,000 for future municipal needs was presented for Council's consideration.

Councilman Withrow requested that Mr. Hopson, Public Works Director, give Council some information on incinerators, such as where we are going; what is being done, and how far in the future we expect to build one.

Mr. Hopson stated the city has been out at the York Road Landfill about three years as a sanitary landfill and two years as a dump. Through the good efforts of the Council and management out there, in the last few years this has been converted to what is considered the premier landfill site east of the Mississippi. He stated we have about 70 acres adjacent to the landfill site which we have been talking to the people about for about seven years, and it was hoped we could continue talking for some length of time to prove to the people out there that we could operate a good type of sanitary landfill. He stated the owners of the property have told them as of now they are going to sell this land; once it is sold and some other development comes in, this administration would have no opportunity to purchase additional land in this vicinity - whether it is used for a landfill or whether it is used for open space. He stated they feel Council should make a decision as to whether this additional 68.8 acres should be bought to operate a landfill site out there.

Mr. Hopson stated they have looked over the county as a whole, and a site is needed on the north side. The county has helped in that they have recently opened a site off Albemarle Road at Harrisburg and Pence Roads. This site is over 100 acres and will last them for several years; the city is using that site, and is using it with quite a bit more refuse than when the Monroe Road site was available. North of town there is a small landfill near the Holdbrook area. That gives a site southwest of town, a site east of town, and a small site west of town. In the years to come a site is needed somewhere close in out north of town. When you get out there you pay 10 to 12 thousand dollars for industrial acreage, and the problems would be developing in that area.

He stated solid waste does not go away. We are producing over 1,000 tons a day; approximately 500 truck loads are coming into the York Road landfill; approximately 150 loads into the one off Albemarle, and maybe 25-30 loads at Holdbrook.

Mr. Hopson stated in the last few months they have spent a lot of time looking into incineration. They have been to Nashville; to the St. Louis plant of Union Electric; to the Chicago plant, the most modern plant in America; to the Hamilton, Ontario plant which is the most modern plant on the North American Continent.

Councilman Jordan stated when they visited Europe they visited some of the plants and they were told they cost about \$50.0 million; that he is sure the plants here would be that expensive. He asked if we will be able to have a plant like that anytime in the future? Mr. Hopson replied if the city had the \$25.0 to \$30.0 million that it would take to build the plant, there would still be the problem in America of the disposal of white goods. The plants in this country have a residue of about 20 percent, so you still have to have a landfill.

Mr. Hopson stated the problem of garbage is gone in our landfill; this landfill is covered; there are no flies, no odors and he guarantees that the best of technical knowledge in America today is being used.

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Councilman Withrow stated when he rides around Charlotte, it looks like the high density area is out around the Plaza and Independence Boulevard - all the high density areas are east and south. There is no high density around York Road, and we are hauling refuse all the way across town. He stated he cannot see the economics of this. Mr. Hopson then referred to a map and indicated the locations of the four landfills.

Mr. Hopson stated there is about three to five years left at York Road, and the 68 acres will give another couple of years.

Mayor Belk stated he owns the triangle piece of property between Shopton Road and York Road, south of the landfill; that it is approximately one mile from the landfill. He asked the City Attorney if there would be any conflict of interest? Mr. Underhill replied there is enough so there could possibly be a conflict of interest.

Mayor Belk stated before leaving the Chair he would like to read the following telegram:

"In behalf of some 1500 signers of the petition, we oppose any purchase of additional property for the York Road Landfill. We urgently request that you defer any action on the expansion of this facility.

SOUTHWEST ACTION COMMITTEE

Chairman, Reverend Merrill Perkins"

(MAYOR BELK LEFT THE CHAIR AT THIS TIME, AND MAYOR PRO TEM ALEXANDER PRESIDED DURING HIS ABSENCE.)

Councilman McDuffie stated there has been a lot said about this landfill being phased out in five years or so. He asked if there is anything in the record that would indicate this? Mr. Hopson replied they can find nothing in the record. That he has talked to a number of people out there about this; but he can find nothing. That he has gone back to his predecessors and they know of no promises. Even if there was, there is the problem of getting rid of this solid waste.

Councilman Withrow stated when he first came on the Council, the City bought some extra land, and at that time he raised some objections about extending this, and he believes the statement was made - not as a promise - that other landfills would be purchased, and that could take the load off the York Road landfill. This is what was said at that time; it was not an actual promise.

Mr. Hopson stated the city does not have to have this property. That is the problem today; this man has only told us that he is going to sell the property. If the city does not buy it, the property will be sold. He stated it was not of their making to come before Council at this time. The city can purchase it with a tag on it that it will not be used for a landfill until it comes back to Council. As far as other landfill sites, part of the promise has been fulfilled in conjunction with the county as they have opened up the one on Harrisburg Road; also the life of the Holdbrook site has been extended. Also, they tried to come to Council with the Stewart property on Reames Road in the north which would have been a very good location, but that was cancelled by a similar group of people, in a nice residential area. So he then went to the Planners, and they have moved them over near the old Statesville Road where they are looking at sites. Even if we had sites out there, we will still need the York Road site.

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Mr. Hopson then referred to an aerial map showing the present landfill site; the Furr property which the city has tried to buy; and the site under consideration. He stated the site under consideration extends out to York Road with a little tongue of land. That the little tongue would not be used as part of the landfill as it is highly industrialized land, and someday could be used for an industrial site. Between this property and the present owned property, is a small strip of land which belongs to Duke Power Company and in essence it contains the Duke Power line. That this line extends through the city property and it cannot be used as part of the landfill. Coming into the site in question is Josephine Lane which extends out to Yorkmont Road, and they do not intend to use that as part of the approach to the landfill. All the facilities are up on York Road site; the shops, weighing station and landscaping equipment is located there. Mr. Hopson stated the nearest home from the corner of the property is 600 feet on Allwood Drive. To the property on York Road it is right across the street; but they do not intend to fill in that area. He stated they plan to continue the use of the present road which is very satisfactory; and Josephine Lane should remain as a residential street. Mr. Hopson stated there are three to five years left in the present area, and they would not use the subject property for at least three years.

Mayor pro tem Alexander asked the possibilities of purchasing the land with a restriction prohibiting its use for three years? Mr. Hopson replied as far as his department is concerned this would be alright. That the owner will not accept an option; the heirs say they want to sell.

Councilwoman Easterling asked the zoning around this prospective area? Mr. Hopson replied it is mostly residential; it would require a use permit or a change in zoning. Councilwoman Easterling stated then there would be a possibility of rezoning the property contiguous to this to office, business or industrial. Mr. Hopson stated there is a cemetery in the area, which he pointed out on the map, and stated everything from that on down to the subject property is industrial. Back in the Josephine Lane area the people would have a lot to say whether or not they wanted it rezoned to industrial.

Councilman McDuffie stated he has received a lot of calls about this. The case against the landfill in this area is impressive. The people point out the airport is in there with the noise; they have a prison camp, and a sewage treatment plant of some description. He stated on the other hand the people at Long Creek objected to a sanitary landfill and so did the people on Harrisburg Road. So Council will have to decide where a landfill will go. It has to be placed somewhere. He stated he has always tried to point out to people that you have to have an alternative. If not here, then where else. He stated to the people in the audience if the city promises to keep the streets clean, and keep it filled everyday, then these are the things that should be called to Council's attention so the rules can be enforced. But somewhere somebody has to have a landfill in their neighborhood. Even if there is one in the north section, it would not be financially feasible to abandon the one on the south side of town.

Mr. T. L. Odom, Attorney representing some of the protestants, stated these people did not come to Council by choice today. That he does not want to act as the only spokesman; there are others to be heard from. The people out there started off, and he recalls the discussions that went on several years ago, when it was first brought to their attention there was even a thought of a landfill being operated. He stated he is one that passes that way every day going to his home in lower Steele Creek area. At that time he had the same philosophy that all of us have to bear this burden. A number of them talked about it; a number of people met with some of the city officials; he stated the people out there have been extremely good neighbors. They really did not voice a strong objection; they did not raise a hue and cry until things became almost intolerable last year. All of them have said and operated on the basis that several years ago before this thing was begun and since then as it has continued to expand, they have agreed to take their part of the burden, although they do have the airport, one of the prison systems and a sewer treatment plant, all of these things on their side of town, that they would take one more burden. But they were lead to believe that this thing would terminate after five years. He stated they do not have anything

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in writing from any one individual. But some of the people who talked with Mr. Davis, and talked with some other city officials say they had no question but the promise was made that after five years this thing would be completely covered over, and there would be built upon this land golf courses, and parks and would be something they could be proud of. Now it seems about every year, and less than six months, they are right back again because somebody says the landowner wants to sell land to the city and increase the size of this landfill. Mr. Odom stated they strenuously oppose this. At this point they do not know what to believe any more. They have clippings from the paper about what Mr. Hopson said last year and what he said the year before as to some of these promises. But they are totally opposed to the landfill being expanded one more inch until they can sit down with somebody from the city and get something in writing so they can have some peace out there and know what to expect. He stated they want to be just as good neighbors to the city as they would expect from someone next door to them.

At Mr. Odom's request a large delegation stood in protest to the purchase of the land. He stated each one asks the Council sincerely to examine this as to whether or not they are going to make this whole area a landfill. It is possible to make that a 1,000 to 5,000 acre landfill out there, and they believe that is where it is headed.

Also speaking in opposition were Mr. Charles Hunter, a businessman and one of the neighbors; Mr. Lewis F. Camp, Jr., Member of the Session of Steele Creek Presbyterian Church; Reverend Lewis Bledsoe, Steele Creek Presbyterian Church; Mr. Bob Helms, Mrs. Willie Discepoli, 919 Yorkmont Road; Mrs. Pellegrini of Allwood Drive; Mr. Jim Jarrett, Co-Chairman, Southwest Action Committee; Mr. James R. Fowler, 5150 York Road.

Mr. Odom stated he would like to conclude by saying they do not want it, and they ask Council to defer any action to give them an opportunity to get with the city's representatives.

Councilman Withrow moved that the matter be deferred. The motion was seconded by Councilman Whittington, and carried unanimously.

Councilman Whittington stated some members of Council have not been out there, and they are not ready to make a decision, and the majority of Council does not want them to make a decision when they are not fully informed; also Mr. Odom requested that it be deferred.

MEETING RECESSED AND RECONVENED.

At the request of Council, Mayor pro tem Alexander called a recess at 4:25 o'clock p.m. and reconvened the meeting at 4:30 o'clock.

MAYOR AND COUNCILMEMBER ABSENT FROM THE MEETING.

When the meeting reconvened at 4:30 o'clock Mayor Belk and Councilman McDuffie were not present, and Mayor pro tem Alexander presided.

ORDINANCE NO. 720-X AMENDING ORDINANCE NO. 363-X, THE 1972 MODEL CITIES BUDGET ORDINANCE TRANSFERRING FUNDS TO PROVIDE SUPPLEMENTAL APPROPRIATIONS FOR THREE MODEL CITIES PROJECTS.

Motion was made by Councilman Jordan, seconded by Councilman Short, and unanimously carried, adopting subject ordinance transferring funds in the amount of \$5,029, to the following three projects:

- (a) Eckerd's Drugs - increase from \$18,840 to \$20,179.26
- (b) Manpower Services - increase from \$132,648 to \$134,598
- (c) Senior Citizens - increase from \$50,332 to \$52,070.73

The ordinance is recorded in full in Ordinance Book 19, at Page 484.

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ORDINANCE NO. 721-X AMENDING ORDINANCE NO. 520-X, THE 1972-73 BUDGET ORDINANCE, AMENDING THE CITY CLERK'S BUDGET IN THE AMOUNT OF \$5,822.

Upon motion of Councilman Whittington, seconded by Councilwoman Easterling, and unanimously carried, subject ordinance was adopted amending the 1972-73 Budget Ordinance by transferring funds in the amount of \$5,822 to cover the cost of increasing the personnel of the office by one Clerk-Typist II position and to cover the cost of unanticipated expenses as a result of advertising costs associated with annexation.

The ordinance is recorded in full in Ordinance Book 19, at Page 485.

COUNCILMAN MCDUFFIE RETURNS TO MEETING.

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

MAYOR RETURNS TO MEETING.

Mayor Belk returned to the meeting at this time and presided.

ORDINANCE NO. 722-X AMENDING THE 1972-73 BUDGET ORDINANCE TO ESTABLISH AN APPROPRIATION FOR SILENT SURVEILLANCE DETECTOR STUDY UNDER LEAA PROJECT.

An ordinance amending the 1972-73 budget ordinance to establish an appropriation of \$7500 for the silent surveillance detector study under an LEAA Project was presented for Council's consideration.

Councilman Short moved adoption of the subject ordinance allocating the \$7500.00 with the proviso that the log be kept as described in material sent to Council by Chief Goodman; and that the log show which are permission type uses of this equipment and which are not; and with the proviso that the City Manager study the log quarterly and report to the Council concerning the use of the equipment and particularly civil rights and probable cause rights; and also with the proviso that the City Attorney be consulted in advance as to each use that is not a requested or permission type use as to the advisability of using this equipment in a particular situation. The motion was seconded by Councilman Whittington, and carried by the following vote:

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

NAYS: Councilman Alexander.

Councilman Alexander stated he has expressed his feelings about this before when it came up. That he cannot see where he can change his mind, and he cannot see where having the log printed is any further security. That he just cannot see himself voting yes on the motion.

Councilman McDuffie stated he noticed in the paper that Tampa received a grant for \$50,000, and he wishes ours was larger; that he hopes the City Manager in reports he will be required to make will tell Council about the good surveillance jobs they are doing in other cities where they have more funds and more support.

Councilman Short stated one of the reasons for being careful as Council is being here is because of the intention that there will be more of this not only in Charlotte, but in several hundred or a great many cities. For this reason he thinks it is good that Council is being careful and putting a little due process into this.

The ordinance is recorded in full in Ordinance Book 19, at Page 486.

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RESOLUTION AMENDING THE CITY'S PERSONNEL RULES AND REGULATIONS TO ADD RULE IX, CIVIL SERVICE, SETTING FORTH PROCEDURES FOR RECRUITMENT, EXAMINATION AND SELECTION OF EMPLOYEES IN THE UNIFORMED SERVICE OF THE FIRE AND POLICE DEPARTMENTS.

Councilman Alexander stated he thinks Council should have time to go through this and study it in line with some of the things we have been talking about. That we need time to study it and digest it.

Councilman Alexander moved that action be deferred at this time.

Councilman Whittington asked if he is saying he did not have a chance to study it and is not familiar enough with it to make a decision today? Councilman Alexander replied he is familiar with the general application, but he would like to look at one or two things in the rule. That he would be willing to defer it until next week; that he does not mean to defer it forever.

Councilman Short stated this was a subject matter of a meeting held across the hall in the last few weeks; a lengthy discussion was made with the attorneys on hand. He asked if Mr. Alexander wishes to re-think his thinking? Councilman Alexander replied he wants to re-think his thinking about what he wants to decide to do about seeing nothing at all in the rule to his satisfaction about up-grading promotions. That it is not specific enough as to what is going to happen on promotions. The reason he has this concern is that this suit is on promotions; not on recruitment. Aside from that today, Council gave a 25-year pin to a policeman. Imagine a man being here 25 years and still a patrolman; he is a college graduate. These are some of the things he needs to look at and think about a little longer.

Councilman Short asked the date of the suit brought by the North Carolina Law Enforcement League? Mr. Underhill, City Attorney, replied since the last time Council talked about it, there has been a real drastic change in that the matter is tentatively calendared the week of February 19. That he does not think it will be reached that week because there are several other city cases in front of it, and this will only be a four-day week. Conceivably it could be tried the week of February 19, Councilman Short stated in a situation of wanting to be courteous to a colleague on one hand and this law suit involved here almost immediately in terms of just days, he would have to conclude not to second the motion. Also on top of Page 3 of the Rule is the development of a plan for promotions. Councilman Alexander stated he would like to vote for this, and he thinks it is on the road to what is needed, and these are some of the results of the meetings we have been having; but he still wants to look at it a little closer, and be satisfied it does spell out that we can be expecting some changes as far as promotions are concerned, especially as it effects Negro police officers, and especially as it applies some of the recommendations in the Jacobs Report. He stated he thinks he has that right to be clear in his decision and determinations in thinking there are some people he represents who feel closely about some of these things involved here, and he shares their concern.

Councilman McDuffie stated changes can be considered at a later date; but it is essential to move on this, and add to it later.

After further discussion, Councilman Short moved adoption of the resolution amending the City's Personnel Rules and Regulations by adding Rule IX, Civil Service. The motion was seconded by Councilman Whittington and Councilman McDuffie, and carried as follows:

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

NAYS: Councilman Alexander.

The resolution is recorded in full in Resolutions Book 9, beginning at Page 21.

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ORDINANCES AUTHORIZING \$22,995,000 CITY OF CHARLOTTE BONDS, AND RESOLUTION CALLING A SPECIAL ELECTION FOR TUESDAY, APRIL 10, 1973.

Councilman Whittington introduced the following bond ordinances:

- (1) Ordinance authorizing \$16,770,000 Street Widening, Extension and Improvement Bonds.
- (2) Ordinance authorizing \$5,060,000 Street Land Bonds.
- (3) Ordinance authorizing \$730,000 Bridge Bonds.
- (4) Ordinance authorizing \$285,000 Municipal Equipment Bonds.
- (5) Ordinance authorizing \$150,000 Sidewalk Bonds.

Motion was made by Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, designating the City Accountant as the officer to make and file with the City Clerk the statement of debt and assessed valuation of the City.

Mr. A. H. Scott, City Accountant, filed with the City Clerk the statement of debt and assessed valuation of the City.

Thereupon, upon motion of Councilman Alexander, seconded by Councilman Whittington, the foregoing ordinance entitled: "Ordinance Authorizing \$16,770,000 Street Widening, Extension, and Improvement Bonds" was passed by the following vote:

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

NAYS: None.

Thereupon, upon motion of Councilman Withrow, seconded by Councilman Whittington, the foregoing ordinance entitled: "Ordinance Authorizing \$5,060,000 Street Land Bonds" was passed by the following vote:

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

NAYS: None.

Thereupon, upon motion of Councilman Jordan, seconded by Councilman Short, the foregoing ordinance entitled: "Ordinance Authorizing \$730,000 Bridge Bonds" was passed by the following vote:

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

NAYS: None.

Thereupon, upon motion of Councilman Short, seconded by Councilman Withrow, the foregoing ordinance entitled: "Ordinance Authorizing \$285,000 Municipal Equipment Bonds" was passed by the following vote:

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

NAYS: None.

Thereupon, upon motion of Councilman Alexander, seconded by Councilman Jordan, the foregoing ordinance entitled: "Ordinance Authorizing \$150,000 Sidewalk Bonds" was passed by the following vote:

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

NAYS: None.

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Thereupon, Councilman Whittington introduced a resolution entitled:
"Resolution Calling a Special Bond Election".

Thereupon, upon motion of Councilman Whittington, seconded by Councilman Withrow, the foregoing resolution entitled: "Resolution Calling a Special Bond Election" was passed by the following vote:

YEAS: Councilmembers Alexander, Easterling, Jordan, McDuffie, Short,
Whittington and Withrow.
NAYS: None.

The ordinances and resolution are recorded in full in Ordinance Book 19, beginning at Page 487 and ending at Page 501.

ORDINANCES AFFECTING HOUSING DECLARED UNFIT FOR HUMAN HABITATION UNDER THE PROVISIONS OF THE CITY'S HOUSING CODE.

Motion was made by Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, adopting the following ordinances affecting housing declared unfit for human habitation under the provisions of the City's Housing Code, and which the property owners indicated would not be contested:

- (a) Ordinance No. 724-X ordering the dwelling at 900 Reliance Street to be vacated and closed.
- (b) Ordinance No. 725-X ordering the dwelling at 842 Reliance Street to be vacated and closed.
- (c) Ordinance No. 726-X ordering the dwelling at 2508 Booker Avenue to be demolished.
- (d) Ordinance No. 727-X ordering the dwelling at 416 East Tremont Avenue to be demolished.
- (e) Ordinance No. 728-X ordering the dwelling at 1110 South Church Street to be demolished.

The ordinances are recorded in full in Ordinance Book 20, beginning on Page 1.

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH AETNA VARIABLE ANNUITY LIFE INSURANCE COMPANY TO PROVIDE A PLAN OF DEFERRED COMPENSATION FOR CITY EMPLOYEES.

Upon motion of Councilman Alexander, seconded by Councilman Short, and unanimously carried, the subject resolution was adopted authorizing the Mayor to execute an agreement with Aetna Variable Annuity Life Insurance Company to provide a plan of deferred compensation for city employees.

The resolution is recorded in full in Resolutions Book 9, at Page 33.

SUPPLEMENTAL AGREEMENT WITH EASTERN AIR LINES, INC. AT DOUGLAS MUNICIPAL AIRPORT, APPROVED.

Councilman Withrow moved approval of a supplemental agreement with Eastern Air Lines, Inc. to lease approximately 5,772 square feet of baggage ramp area, at \$1.00 per sq. ft. per annum, for a term of ten years. The motion was seconded by Councilman Short.

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Mr. Birmingham, Airport Manager, stated Eastern is going into construction of approximately \$240,000 - \$120,000 in construction and \$120,000 in a conveyor system - in order to transport this baggage outside into an area which they are doing now physically. Now they are using ramp area that is uncovered, and they plan to cover this ramp and put a conveyor type or overhead system that would speed up the total operation. He stated some airports charge for ramp areas and some do not charge for it. We do not in our contracts with the airlines charge for ramp area, but plan to do that in 1974. That the dollar per square foot is the going rate around the country for airports that do charge.

The vote was taken on the motion and carried unanimously.

ENCROACHMENT AGREEMENT WITH THE STATE HIGHWAY COMMISSION, APPROVED.

Upon motion of Councilman Short, seconded by Councilman Withrow, and unanimously carried, the subject encroachment agreement was approved with the State Highway Commission permitting the City to construct a 12-inch c.i. water main within the right of way of Wallace Road.

SPECIAL OFFICER PERMITS APPROVED FOR SECURITY GUARD SERVICE AT DOUGLAS MUNICIPAL AIRPORT.

Motion was made by Councilman Jordan, seconded by Councilman Withrow, and unanimously carried, approving the following Special Officer Permits at Douglas Municipal Airport:

- (a) Richard Jerry Hoyle
- (b) Francis William Anderson
- (c) Nathaniel Williams
- (d) James Cornelius Neely.
- (e) David Jack Wallace.
- (f) Frank Grier.

CERTIFIED CERTIFICATE PRESENTED TO MAYOR TO OPERATE DOUGLAS MUNICIPAL AIRPORT AS AN AIR CARRIER AIRPORT EFFECTIVE FEBRUARY 3, 1973.

Mr. Birmingham, Airport Manager, stated not more than three years ago, Congress passed a new bill that stipulated in May of 1973 the 531 air carrier airports out of the country must submit to them their operational plan and be certified prior to May of 1973.

He stated the city submitted its operational manual and procedures on November 18, the dead line date. Mr. Birmingham stated he is pleased to notify the Mayor and Council today that we have been issued a certified certificate to operate Douglas Municipal Airport as an air carrier airport effective February 1, 1973.

He presented the certificate to the Mayor, and stated this is the first certificate in the Atlanta region that has been issued. The Atlanta region covers North Carolina, South Carolina, and Georgia. It is the fifth certificate issued in the Southern region which covers all the southern part of the United States from the east coast to Mississippi. It is the tenth certificate issued in the Nation out of 531 air carrier airports.

Councilman Alexander stated Council is pleased with what the staff is doing and that they do have the foresight to get such a proposal like this in on time so that we can be on top of it.

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CONTRACTS FOR THE CONSTRUCTION OF WATER MAINS, APPROVED.

Councilman Whittington moved approval of the following contracts for the construction of water mains, which motion was seconded by Councilman Short, and carried unanimously:

- (a) Contract with John Crosland Company for the construction of approximately 2,800 feet of 2", 6" and 8" water mains and two fire hydrants, to serve a portion of the Sardis Woods Subdivision, outside the city, at an estimated cost of \$14,700.00. Funds will be advanced by the applicant under the terms of existing city policies as related to such water mains wherein the applicant will be reimbursed the full cost of all mains 8" in diameter and larger, and 50% of the cost of all water mains 6" in diameter and smaller, at the rate of 35% per quarter of the revenue derived from said water mains until the entire amount has been reimbursed or until the end of fifteen years, whichever comes first.
- (b) Contract with William Trotter Development Company for the installation of approximately 3,095 feet of 2", 6" and 8" water mains and two fire hydrants, to serve the Eastbrook Woods Section VIII Subdivision, outside the city, at an estimated cost of \$13,950.00. Funds will be advanced by the applicant under the terms of existing city policies as related to such water mains wherein the applicant will be reimbursed the full cost of all mains 8" in diameter and larger, and 50% of the cost of all water mains 6" in diameter and smaller, at the rate of 35% per quarter of the revenue derived from said water mains until the entire amount has been reimbursed or until the end of fifteen years, whichever comes first.
- (c) Contract with Robin Associates for the construction of approximately 350 feet of 2" water main to serve property abutting on Westbury Road, inside the city, at an estimated cost of \$975.00. Funds will be advanced by applicant under the terms of existing city policies as related to such water mains wherein the applicant will be reimbursed 50% of cost of all water mains 6" in diameter and smaller, at the rate of 35% per quarter of the revenue derived from said water main until the entire amount has been reimbursed or until the end of fifteen years, whichever comes first.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO WALTER D. HAND AND WIFE, ELLA P. HAND, LOCATED AT 3550 SARGEANT DRIVE, IN THE CITY OF CHARLOTTE FOR THE CLANTON ROAD EXTENSION PROJECT.

Motion was made by Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, adopting the subject resolution authorizing condemnation proceedings for the acquisition of property belonging to Walter D. Hand and wife, Ella P. Hand, located at 3550 Sargeant Drive, in the City of Charlotte for the Clanton Road Extension Project.

The resolution is recorded in full in Resolutions Book 9, at Page 34.

MAYOR LEAVES CHAIR.

Mayor Belk left the Chair at this time, and Mayor pro tem Alexander presides.

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RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO I. N. HOWARD, TRUSTEE, AND K. RENNIE BIGGERS, TRUSTEE, LOCATED AT 2000 WEST BOULEVARD, IN THE CITY OF CHARLOTTE, FOR THE CLANTON ROAD EXTENSION PROJECT.

Councilman Whittington moved adoption of the subject resolution authorizing condemnation proceedings for the acquisition of property belonging to I. N. Howard, Trustee, and K. Rennie Biggers, Trustee, located at 2000 West Boulevard, in the City of Charlotte, for the Clanton Road Extension Project. The motion was seconded by Councilman Short, and carried unanimously.

The resolution is recorded in full in Resolutions Book 9, at Page 35.

MAYOR RETURNS TO CHAIR.

Mayor Belk returns to the Chair and presides for the remainder of the Session.

ORDINANCE NO. 729-X TRANSFERRING FUNDS WITHIN THE CAPITAL IMPROVEMENT BUDGET ACCOUNT TO PROVIDE SUPPLEMENTAL FUNDS FOR SHARON LANE WIDENING PROJECT TO BE USED TO EXECUTE A CONSTRUCTION CHANGE ORDER, FUND MINOR CONSTRUCTION OVERRUNS, AND TO PROVIDE FUNDS FOR SETTLEMENT OF CONDEMNATION SUITS.

Upon motion of Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, the subject ordinance was adopted transferring funds within the Capital Improvement Budget Account to provide supplemental funds for Sharon Lane Widening Project to be used to execute a construction change order, fund minor construction overruns, and to provide funds for settlement of condemnation suits.

The ordinance is recorded in full in Ordinance Book 20, at Page 6.

SALE OF CITY OWNED PROPERTY NEAR DOUGLAS MUNICIPAL AIRPORT, APPROVED.

Motion was made by Councilman Whittington, seconded by Councilman Short, and unanimously carried, approving the sale of city owned property located near Douglas Municipal Airport, at a minimum bid of \$35,000, with the covenant in the deed to protect the city from all future claims.

RESOLUTION AUTHORIZING THE REFUND OF TAXES WHICH WERE LEVIED AND COLLECTED THROUGH ILLEGAL LEVY AND CLERICAL ERROR AGAINST TWENTY-ONE TAX ACCOUNTS.

Councilman Withrow moved adoption of subject resolution authorizing the refund of taxes in the total amount of \$542.11, which were levied and collected through illegal levy and clerical error against 21 tax accounts. The motion was seconded by Councilman Jordan, and carried unanimously.

The resolution is recorded in full in Resolutions Book 9, at Page 36.

MARGARET W. CLAIBORNE REAPPOINTED TO THE ZONING BOARD OF ADJUSTMENT.

Councilman Short moved the reappointment of Mrs. Margaret W. Claiborne to the Zoning Board of Adjustment for a three year term. The motion was seconded by Councilman Alexander, and carried unanimously.

LETTERS FROM CITIZENS ON DIFFERENT SUBJECTS REFERRED TO CITY MANAGER.

Councilman Jordan stated he has received quite a few letters this week from different people. Two or three he has shown to the City Manager. He stated one was from the Taxpayer's League of Voters and Mr. Jack Robinson about towing. He referred this to the City Manager and asked him to look into it.

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He stated another was from Mr. Barnhardt about the traffic at Hawthorne and Independence and the left turns being planned. The City Manager stated he would answer that letter for Council.

Councilwoman Easterling stated she does not travel that area much and does not know the problem. But one of her neighbors who goes to work out that way travels it every morning and she says the solution would be to put a left turn signal for a few minutes so that all the people going that way can turn and then the traffic can be released.

Councilman McDuffie stated the solution would be to put a left turn on Seventh Street and one on Central Avenue.

Mr. Bobo, Assistant City Manager, stated Mr. Hoose has recommendations on this and he would suggest that Council have him come to Council to make this presentation. Mayor Belk stated this is a good idea.

HISTORIC PROPERTIES COMMISSION AUTHORIZED ESTABLISHED UNDER GUIDELINES OF GENERAL STATUTE NO. 157-A.

Councilman Alexander stated he does not know whether we have a Historic Buildings Commission that functions or works. But the Charlotte News carried an item he was interested in and glad to see them print where the General Assembly adopted an act which is now incorporated as Chapter 157-A of the General Statutes which authorizes the counties and municipalities to establish a Historic Properties Commission for the purpose of safeguarding the heritage of the city or county by preserving any property therein that embodies important elements of the cultural, social, economic, political or architectural history. He stated once the Historic Commission has been established it can recommend to the city or county governing board, buildings or sites to be designated by ordinance as historic property.

Councilman Alexander moved that this Council authorize the establishment of a Historic Properties Commission along the guidelines of this new act of the General Assembly under 157-A of the General Statutes. The motion was seconded by Councilman Short.

Councilman Short stated the regional agency has an effort this way which is region-wide and supported with federal funds; so this may be a parallel activity. This regional effort has made considerable progress in inventory and so forth. This is an endeavor that perhaps could be done both in the city, as well as regionally.

Councilman Alexander stated he would think the city needs one for preservation of its own historical sites, rather than to rely on what we can get from the regional concept when perhaps they have no concern or too much indepth knowledge of what is historically important to us as citizens of Charlotte.

Councilman Short stated he believes the state act is an effort to capture the federal funds; therefore, probably what the COG is doing and what the city would be doing is coming from the same money and there may be some federal guidelines that will not allow it to be done this way. Councilman Alexander stated he would like for the city to do it this way, and fight for no other guideline that would take this authority away from the city to do it.

The vote was taken on the motion and carried unanimously.

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The City Manager asked if he can interpret this to mean the Council is asking staff to come back with a proposal to establish this? Councilman Alexander replied if the act is what is stated then he would like for the motion to authorize the historic commission under the guidelines stipulated under the general statutes.

The City Attorney advised the act calls for the appointment of a commission to consist of not less than five nor more than ten members; a majority of whom have demonstrated a special interest, experience, or education in history or architecture. That members shall be appointed for terms not to exceed three years. He stated there is a complete, rather thorough statute on what the commission can and cannot do, and how it can be established.

SUGGESTION THAT MAJOR CULTURAL EXPOSITION BE BROUGHT TO CHARLOTTE WITH THE OPENING OF THE NEW CIVIC CENTER.

Councilman Short stated recently he was looking through an old file and he ran across the Charlotte News' Platform of Progress for the year 1965. On about six or eight of the items listed it seems to him a lot of progress has been made in the last eight years, a number of which Council had an important or decisive role to play; such as (1) expanding the water and sewer system; (2) bringing about downtown revitalization; (3) building the law enforcement center and bringing the two police departments into that center; (4) converting Good Samaritan Hospital; (5) carrying on further urban redevelopment and code enforcement; and (6) arranging or achieving new sources of revenue for the city. He stated there were other things which Council did not have a decisive role such as changing Charlotte College into a university; and providing increased economic opportunities for blacks.

He stated in this list were some things where we have not accomplished very much in this community such as the med school and increased hospital facilities. He stated one thing listed where he does not think that anything has been accomplished in any great degree at all is to bring a major cultural event to Charlotte.

Councilman Short stated he thinks we should plan for opening the new Civic Center with bringing a major cultural exposition of some sort to the City of Charlotte which could go on more than just one time. This could be an exposition that might go on for several days and would involve bringing in artists, singers, ballet troupes, a symphony, and also those types of artists such as painters, sculptors, and poets, and perhaps a Shakespearean Troupe. Also we would want to use local performers, artists and musicians.

He stated he just wants to plant this idea and perhaps the Mayor and Council will act a little favorably to this and the idea can be publicized a little, and implement it this fall or next winter, whenever the new Civic Center will be opened.

Councilman Jordan suggested that the Trade Fair be revised with the new Civic Center. That the City had one for a number of years. Mr. Bobo, Assistant City Manager, stated this was sponsored by the State, and it was held in Charlotte.

Councilman Short stated without taking anything away from that idea, he thinks a three day cultural exposition for this particular facility and at that particular time would be the appropriate thing.

Councilman Jordan stated Charlotte does attract and draw more entertainment of all different types than any city in the south. We are continuously having artists of every type. Any kind of show you would want from rock'n roll to country 'n western to most anything. That he thinks we are very fortunate in having the type of entertainment that we do have. What Mr. Short is suggesting would be a great thing.

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Councilwoman Easterling stated she agrees with Mr. Jordan that Charlotte does have a lot of entertainment. Yet every once in a while there is a headline article in the paper that there is no entertainment available in Charlotte for traveling people. She stated there are lovely places to eat and nice entertainments to see if they look for them.

Councilman Whittington stated what Mr. Short has said is good and Council should do what it can to support it and see it through.

CITY ATTORNEY TO REQUEST THE LOCAL DELEGATION TO INCLUDE IN THE LEGISLATIVE PACKAGE A PROVISION DESIGNATING THE AUDITORIUM-COLISEUM-CIVIC CENTER AUTHORITY AS A SPECIAL DISTRICT.

Councilman Whittington stated each member of the City Council received a letter from the Chairman of the Charlotte Coliseum-Civic Center Authority. In the letter he says there seems to be a difference of opinion between the definition of what a special district seems to be as it relates to the Auditorium-Coliseum Authority. In the letter is a statement that says this could be cleared up if Council would ask our legislative delegation to amend our Charter, Section 5.22 to read as follows:

"The authority shall be deemed a special district for purposes of the local government budget and fiscal control act; and shall budget its financial affairs according to the provisions of the act applicable to special districts."

Councilman Whittington moved that Mr. Underhill, City Attorney, inform the delegation that Council would like this amendment incorporated in our legislative package. The motion was seconded by Councilman Jordan.

Councilman McDuffie stated he has strong reservations about making legal what has been illegal and the way the management has been operating for 17 years and account to no one. This is an act which in effect will allow them to continue to account to no one. He asked the city attorney his opinion on what a special district is, and the purpose of it.

Mr. Underhill replied a special district is defined in the local government budget and fiscal control act as a body or organization created for a limited or special government function.

Councilman McDuffie stated this is a good opportunity for the citizens of Charlotte to know that city council does not want the coliseum and civic center to ever account in the same manner that any other department does. That every dollar they spend should be going through the finance officer, and it is not going through there. Nobody approves their contracts. The city treasurer never attends a meeting, and has no obligation to do anything except sign the checks. How can he be the treasurer if he never goes to a meeting.

Mr. Underhill stated a special district is defined under the budget and fiscal control act, which does not become effective until July 1, 1973, as a unit of local government created for the performance of a limited governmental function, or for the operation of a particular utility or public service enterprise. He stated that is the definition of a special district in the act.

Councilman McDuffie asked if this allows for the obtaining of funds from a parent body to operate under? Mr. Underhill replied a special district is defined this way as opposed to another definition and that being a definition of a local government. A local government is a municipal corporation empowered to levy taxes in all boards, agencies, commissions, and authorities and institutions thereof that are not independent municipal corporations. This means if the auditorium-coliseum-civic center authority is defined as a special district they are not a part of the definition of a unit of the local

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government. This means the auditorium-coliseum-civic center authority has to follow the provisions of the budget and fiscal control act. They do it by the appointment of a budget officer and following the procedures for filing and adopting a budget, and by following the accounting provisions set out in the act.

Councilman McDuffie stated they do it for themselves and then there is duplication and they continue to withhold social security on all these police officers twice as they do now; they continue to have a bookkeeping department that could be done in Mr. Fennell's office.

Councilman Alexander stated everytime Council talks about the Coliseum, he is disturbed. He asked the City Attorney where Council stands in this situation where it has to discuss matters that perhaps might have legal connotations and there is a suit on it, and there is a member of Council who has filed the suit as a citizen? He asked where Council stands when it begins to talk about fiscal affairs of the Coliseum in this situation? Mr. Underhill replied there is a law suit pending against the Authority and the City which questions basically the operation and fiscal matters and the right to withhold records, essentially public records, which was brought by Mr. McDuffie prior to his becoming a member of Council. It is a class action brought by Mr. McDuffie as a representative of a class of citizens who desire to correct what they allege in their complaint are violations of the fiscal control act of the public reference section. The law suit is pending and it has not been decided; it will probably come to trial in the next three to four months.

Councilman Alexander asked if he is right in his concern for the position we find ourselves in when we begin to talk about the civic center problems? That Council should find from some kind of authority for now and forever where the authority of a city councilman begins and where the individual authority of a city councilman as a citizen begins and ends. That we need to know that. That we are reaching the stage where we are going to have to ask for a clear clarification of where the authorities of individuals and elected officials begin and end on these type matters.

Councilman McDuffie stated the adoption of this request to change the city charter is an attempt to keep the coliseum-civic center from ever having to answer to the public through the finance office of the City of Charlotte.

Councilman Withrow stated he has talked with Mr. Joe Grier, Attorney, and to Haskins-Sells, the auditors for the Authority and each has assured him that there is nothing wrong with the operations of the authority. He stated he has great respect for these people and he thinks they are doing a good job.

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

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

COUNCIL ADVISED MEETINGS CAN BE SET WITH BOARD OF COUNTY COMMISSION AND LOCAL DELEGATION SHORTLY.

Councilman Whittington stated three weeks ago he asked for a meeting with the Board of County Commissioners about what the two boards can do together; also he asked the City Manager to set up a meeting with the Legislative Delegation in Raleigh, and nothing has come from that. He asked if these meetings have been set up? Mr. Bobo, Assistant City Manager, replied the County is willing to meet with Council as soon as they adopt their legislative package, and this should be within the next few days. That he has been talking to Mr. Underhill and Mr. Campbell and the local delegation members are ready for Council to come to Raleigh at any time.

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Mr. Underhill stated next week he has the four annexation cases scheduled in court; the next week they have three cases scheduled in federal court for trial. That he has drafted six of the eleven bills in the package and he hopes to finish the remainder of them by the latter part of February. When that is done, then we will be in a position to go to Raleigh.

ACQUISITION OF PROPERTY ON YORK ROAD TO BE PLACED ON COUNCIL AGENDA FOR MONDAY, FEBRUARY 26.

Councilman Whittington moved that the City Manager confer with Mr. Hopson, Public Works Director, and have a meeting with the people in Steele Creek who are objecting to the landfill site on York Road, and that the item be placed on the council agenda for February 26. The motion was seconded by Councilman Short.

Councilman Whittington stated these people asked for a conference with Mr. Hopson and he thinks Council should do everything they asked. And out of respect and fairness to these people it should be back on the agenda for a decision.

During the discussion, the City Manager stated there are six selected sites which are usable and they will bring them to Council when they are solidified.

The vote was taken on the motion and carried unanimously.

POLICE DEPARTMENTS REQUESTED TO PUT ON CAMPAIGN AGAINST LITTERING THE CITY AND COUNTY STREETS.

Councilman Withrow stated a number of times he has talked about people littering, throwing trash out the car windows, and such. These people around the York Road landfill are concerned about the people who cannot get to the landfill on weekends and they just back up and dump in a ditch.

Councilman Withrow moved that Council ask the Police Department to catch some of the people who are littering the streets, and dumping in the ditches, and fine them. The motion was seconded by Councilman Short, and carried unanimously.

Councilman Short stated this is basically a motion to ask the Police Department to conduct a campaign against littering.

Mayor Belk requested the City Manager to remind the other sanitation carriers that they must cover the trucks and not allow this debris to fall all over the city streets.

Councilman Withrow requested that the County Police Department be requested also to make an effort to arrest some of these people who are littering outside the city.

Mr. Burkhalter stated he has a letter from Mrs. W. T. Landolina, President of the Keep North Carolina Beautiful, Inc., who wrote Mr. Hopson after a recent visit in Charlotte. She stated the visit to the landfill was an eye opener for many. It shows what can be done to make this necessary detail of city management an asset.

Councilman Whittington stated he went out there Saturday and stood on a hill overlooking this landfill. It is a vast improvement on anything he has ever seen anywhere.

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COMMENTS ON STREET CONDITIONS DURING RECENT SNOWFALL.

The City Manager stated he has a letter from the Safety Manager of the Ryder Truck Rental Inc., and he said during the last snow fall there were a number of complaints that reached Mr. Harry Taylor's office about the condition of Charlotte's streets. That he is the Safety Manager of Ryder Truck Rental in Charlotte and a member of the National Safety Council and he would like to make a statement concerning the condition of the streets during the snowfall. That his day began at 6:00 A.M. in the morning and ended at 10:30 that night and he drove approximately 322 miles without delay or any inconvenience. The only holdup he had was someone being used to driving in Florida. That he thinks the City of Charlotte does very well in keeping our streets clear during adverse weather.

COUNCILMAN REQUESTS THAT COUNCIL ACT ON TREE ORDINANCE PRIOR TO BUDGET ADOPTION.

Councilman Withrow stated he asked that the Tree Ordinance be placed on the agenda for today. That he was told it was being circulated and staff wanted to study it a little more. That he is going to be out of the city for a few weeks, and he was in hopes it could be voted on today. But if it is not brought up today, he thinks before budget time it should be brought up and money put in the budget for this ordinance. That he hopes Council will vote on it soon.

The City Manager stated the ordinance overlapped several different functions of the city, and they are trying to work out the details.

Councilman Withrow asked that Council not forget about it before budget.

COUNCILMAN STATES SUPPORT OF THE COUNTY COMMISSIONERS IN CHANGING TERMS TO FOUR YEARS STAGGERED, AND EXPANDING MEMBERSHIP FROM FIVE TO SEVEN.

Councilman McDuffie stated he would like to support the county commissioners on changing their length of terms in office to four years with staggered terms and expanding their membership to seven. As big as Mecklenburg County is that seemed to be reasonable.

If the City Council expanded to nine members and had staggered four year terms with a limit of eight years, probably more people would be willing to serve. That he would like for Council to consider whether it is desirable to have nine members, and whether it would be willing to do this. The Charter allows Council to do those things without permission of Raleigh.

Councilman Alexander stated in 1966 he proposed that we increase the service years of the councilmen of four years and put them on staggered terms; but he did not get anywhere with it. Councilman Jordan stated he supported it years ago and did not get anywhere with it either.

Councilman Short stated he thinks this kind of energy and effort should go in another direction. This kind of restructuring should be in another more comprehensive direction than that.

STATEMENT BY COUNCILMAN MCDUFFIE REGARDING TRIP TO RALEIGH AND SPEAKING ON STATE-WIDE BILLS.

Councilman McDuffie stated last week he went to Raleigh and he did not represent anybody but himself, and everyone down there knew that and it was stated in the newspaper. One reason he went was to let the people there know that he personally does not favor repealing the soft drink tax with all the needs of the state. If they cannot do anything else with it, they can send it back to the municipalities that collected it. The same thing

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on tobacco tax. He stated those are state-wide bills, and if one cannot speak for himself on state-wide matters he does not know where he can speak. Another reason he went was that the Chamber of Commerce report indicated an amusement tax should be considered on a local basis and it would take a state-wide bill to provide for this. That he went to lobby for that, and he is planning on getting some help from one or more of the delegates to propose a state-wide bill for amusement tax that local governments can administer if they choose.

Councilman McDuffie stated he plans to go back to Raleigh, and speak on the state-wide bills that he is interested in and he hopes other members of Council will do the same thing; that he had no intention of speaking for city council.

Councilman Alexander stated his only concern is that we have been trying for several years to bridge the gap between city council and our delegation. That he thought we had come to a certain understanding where we could more or less come together and make group representations to our delegates and they in turn would do the same thing with us. If we are going to strive to solidfy our efforts to bridge the gap then sometime we are going to have to smother our individual preference as it is difficult to wear two hats in this game we play.

Councilman Withrow stated he thinks this should be a joint effort and we should go to our legislators united.

COUNCILWOMAN EASTERLING ADVISES SHE MAY BE REQUESTED TO TESTIFY IN RALEIGH IN FAVOR OF EQUAL RIGHTS AMENDMENT.

Councilwoman Easterling stated there is a possibility she will be asked to testify in favor of the Equal Rights Amendment, which is not yet before the General Assembly, but in both the Constitution Committee and the Constitutional Amendments Committee of the two houses, and they are having joint hearings.

She stated the plans are not yet definite, and she has not given an answer. But if she is asked to testify in favor of Equal Rights Amendment, as an individual, a citizen and a woman, would that breach any ethics? Mayor Belk replied he thinks it is a courtesy thing to inform all members of Council of this. That he thought the procedure was for him to stay in touch with the Chairman of the local delegation, in place of going to each delegate. This is what he has tried to do by staying in touch with Mr. Eddie Knox.

Councilman Alexander stated he does not think it is a matter for council to vote on, but it is the courtesy of telling council about her plans and what she will be talking about.

COUNCILMAN ALEXANDER REQUESTED TO COMMENT AT NEXT MEETING ON EMPLOYEES OF CRIMINAL JUSTICE PLANNING COUNCIL GOING UNDER JURISDICTION OF STATE.

Councilman Short stated we have seven employees here in Charlotte who work for an organization called the Central Piedmont Criminal Justice Planning Commission. This is the staff of an agency which is affiliated with the Centralina Council of Government, and this staff works under the policy control of a board made up of individuals appointed in part by Council, and includes Chief Goodman and various others.

He stated the money to pay this staff comes 90% from the federal government and 10% from the local government in this region. None of it comes from the State of North Carolina.

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At a meeting of the Governor's Committee on Law and Order, of which Mr. Alexander is a member, during the past few days, this Committee voted favorably and even instructed the changing of the status of these employees and declared that in the future they would be considered employees of the State of North Carolina and will be paid by the Department of Natural and Economic Resources of the State of North Carolina.

He stated this action, as he has had it related to him, has caused a lot of surprise among the people in the regional area, and particularly among the employees themselves. He stated seven employees of local government have now been appropriated by an agency of the State, assuming Centralina is working for Charlotte somewhat as the Coliseum Authority is.

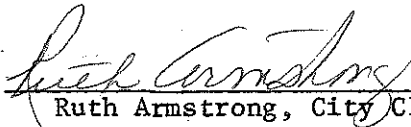
He stated the question seems to arise whether the State is actually enabled to do such a thing. That he is bringing this up only after mentioning it to Mr. Alexander who agreed that he could bring it up. He stated he has been asked to seek a resolution from this Council against this, and he would appreciate it if Mr. Alexander would think about this and perhaps tell Council more about it next Monday.

MEETING. SCHEDULED FOR MONDAY, FEBRUARY 19, DISPENSED WITH DUE TO LEGAL HOLIDAY.

Councilman Alexander moved that the Council Meeting scheduled for Monday, February 19 be dispensed with as it is a legal holiday. The motion was seconded by Councilman Jordan, and carried unanimously.

ADJOURNMENT.

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


Ruth Armstrong, City Clerk